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*'81
Final Audit
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W/KR*

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This issue contains documents officially
filed not later than June 3, 1981.

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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DENNIS W. COOPER
Code Reviser

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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.

1981

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ OR 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
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
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81-06	Mar 18	Apr 7	Mar 4	Feb 18	Feb 4
81-07	Apr 1	Apr 21	Mar 18	Mar 4	Feb 18
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81-21	Nov 4	Nov 24	Oct 21	Oct 7	Sep 23
81-22	Nov 18	Dec 8	Nov 4	Oct 21	Oct 7
81-23	Dec 2	Dec 22	Nov 18	Nov 4	Oct 21
81-24	Dec 16	Jan 5, 1982	Dec 2	Nov 18	Nov 4

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 81-12-028
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1660—Filed June 1, 1981]

I, David A. Hogan, Director, Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the amending of chapters 388-80, 388-81, 388-82, 388-83, 388-84, 388-85, 388-86, 388-87, 388-91 and 388-92 and adopting chapters 388-99 and 388-100 WAC relating to medical assistance.

I, David A. Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules are necessary to implement SSB 4299.

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 June 1, 1981.

By David A. Hogan
 Director, Administration

NEW SECTION

WAC 388-80-002 APPLICABILITY. These rules are immediately applicable to determinations of eligibility under the medical care program enacted by Substitute Senate Bill No. 4299, effective July 1, 1981.

AMENDATORY SECTION (Amending Order 1655, filed 5/20/81)

WAC 388-80-005 DEFINITIONS. ~~((+)) "Acute and emergent" medical care for GAU, see WAC 388-86-120.~~

~~((2))~~ **(1)** "Application" shall mean a written request for ~~((financial or))~~ medical assistance or limited casualty program from the department of social and health services made by a person in his/her own behalf or in behalf of another person.

~~((3))~~ **(2)** "Assignment" is the method by which the provider receives payment for services under Part B of medicare.

~~((4))~~ **(3)** "Assistance unit" means a person or members of a family unit who are eligible for cash or medical assistance under a federally matched program including state supplement.

~~((5))~~ **(4)** "Authorization" means an official approval of a departmental action.

~~((a))~~ "Authorization date" means the date the prescribed form authorizing assistance for a new, reopened or reinstated case is signed.

~~((b))~~ "Authorization of grant" means attesting the applicant's eligibility for assistance in an amount as determined by his/her circumstances and department standards and giving authority to make payment accordingly.

~~((6))~~ **(5)** "Beneficiary" is an eligible individual who receives a federal cash benefit and/or state supplement under Title XVI.

~~((7))~~ **(6)** "Benefit period" is the time period used in determining whether medicare can pay for covered Part A services. A benefit period begins the first day a beneficiary is furnished inpatient hospital or extended care services by a qualified provider. It ends when the beneficiary has not been an inpatient of a hospital or other facility primarily providing skilled nursing or rehabilitation services for sixty consecutive days. There is no limit to the number of benefit periods a beneficiary can have.

~~((8))~~ **(7)** "Carrier" is an organization who has a contract with the federal government to process claims under Part B of medicare.

~~((9))~~ **(8)** "Categorically needy" refers to a resident of the state of Washington whose income and resources are evaluated ~~((as))~~ for cash assistance and who is:

(a) Receiving cash assistance.

(i) Aid to Families of Dependent Children (AFDC).

(ii) Supplemental Security Income (SSI), including grandfathered individuals and individuals with essential spouses.

(iii) State supplement.

~~((b))~~ Eligible for but not receiving assistance:

~~((i))~~ AFDC.

~~((ii))~~ SSI and/or state supplemental.

~~((iii))~~ **(iv)** Special categories.

~~((c))~~ **(b)** A financially eligible person under twenty-one who would be eligible for AFDC but does not qualify as a dependent child and who is in:

(i) Foster care, or

(ii) Subsidized adoption, or

(iii) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded, or

(iv) An inpatient psychiatric facility.

(c) Individuals who would be eligible for cash assistance except for their institutional status.

(d) Individuals related to SSI ~~((above))~~ in institutions who would not be eligible for such assistance if they were not institutionalized solely because of the cash level of their income.

~~((10))~~ **(9)** "Central disbursements" is the state office section which audits nonmedicaid medical claims for payment.

~~((11))~~ **(10)** "Certification date" means the date the worker certifies changes in a recipient's circumstances and authorizes an action.

~~((12))~~ **(11)** "CFR" means the code of federal regulations and is a codification of the general and permanent rules published in the federal register by the

executive departments and agencies of the federal government.

~~((13))~~ (12) "Child" or "minor child" means a person under eighteen years of age.

~~((14))~~ "Chiropractor" is a person licensed by the state of Washington to practice chiropractic according to chapter 18.25 RCW.

~~((15))~~ (13) "Client" means an applicant or recipient of financial and/or social services provided by the department of social and health services.

~~((16))~~ (14) "Coinsurance" means the portion of reimbursable hospital and medical expenses, after subtraction of any deductible, which medicare does not pay. Under Part A, coinsurance is a per day dollar amount, and under Part B, is twenty percent of reasonable charges.

~~((17))~~ (15) "CSO" (community service office) is an office of the department which administers the various social and health services at the county level.

~~((18))~~ (16) "Continuing assistance" means payments to persons who presumably will be eligible for and receive, from the date of authorization, regular monthly grants on a prepayment basis. Continuing assistance includes federal aid and continuing general assistance grants to unemployable persons.

~~((19))~~ (17) "Deductible" means an initial specified amount that is the responsibility of the applicant and/or recipient.

(a) Part A of medicare - Inpatient hospital deductible - an initial amount in each benefit period which medicare does not pay.

(b) Part B of medicare - The first sixty dollars in expenses which must be incurred before medicare starts to pay.

(c) Limited casualty program-medically needy-inpatient hospital deductible-an initial amount as specified in chapter 388-99 WAC, the department does not pay.

(d) Limited casualty program-medically indigent-means incurring a dollar amount as specified in chapter 388-100 WAC, the department does not pay.

~~((20))~~ (18) "Delayed certification" shall mean the date of certification for medicaid and date of application for SSI are the same for an SSI beneficiary whose eligibility decision was delayed due to administrative action.

~~((21))~~ (19) "Department" shall mean the state department of social and health services.

~~((22))~~ (20) "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical assistance program.

~~((23))~~ (21) "Eligible couple" means an eligible individual and eligible spouse.

~~((24))~~ (22) "Eligible individual" means an aged, blind or disabled person as defined in Title XVI of the Social Security Act. If two such persons are husband and wife (and have not been living apart for more than six months), only one of them may be considered an eligible individual.

~~((25))~~ (23) "EPSDT" shall mean a program providing early and periodic screening, diagnosis and treatment to persons under ~~((21))~~ twenty-one years of age who are eligible under Title XIX of the Social Security Act.

~~((26))~~ (24) "Essential spouse" means a spouse whose needs were taken into account in determining the need of OAA, AB, or DA recipient for December, 1973, who continues to live in the home of such recipient, and continues to be an essential spouse.

~~((27))~~ (25) "Extended care facility" (ECF). See "skilled nursing facility".

~~((28))~~ (26) "Extended care patient" is a recently hospitalized medicare patient who needs relatively short-term skilled nursing and rehabilitative care in a skilled nursing facility.

~~((29))~~ (27) "Fair hearing" means an administrative proceeding by which the department hears and decides the appeal of an applicant/recipient from an action or decision of the department.

~~((30))~~ (28) "Federal aid" means the assistance ~~((grant))~~ programs for which ~~((funds-in-aid-are-received-by))~~ the state receives matching funds from the federal government.

~~((31))~~ (29) "Fraud" shall mean a deliberate, intentional, and wilful act, with the specific purpose of deceiving the department with respect to any material, fact, condition, or circumstances affecting eligibility or need.

~~((32))~~ (30) "General assistance - continuing" (GAU) means assistance to unemployable persons who are not eligible for or not receiving federal aid assistance and whose medical care is defined in chapter 388-86 WAC.

~~((33))~~ (31) "Grandfathering" refers to:

(a) A noninstitutionalized individual who meets all current requirements for medicaid eligibility except the criteria for blindness or disability; and

(i) As eligible for medicaid in December, 1973, as blind or disabled, whether or not he/she was receiving cash assistance in December, 1973; and

(ii) For each consecutive month after December, 1973, continue to meet the criteria for blindness and disability and other conditions of eligibility used under the medicaid plan in December, 1973; and

(iii) The needs of the "essential person" shall only be considered when he/she is living with such person in the same household.

(b) An institutionalized individual who was eligible for medicaid in December, 1973, or any part of that month, as an inpatient of a medical institution or resident of intermediate care facility that was participating in the medicaid program and for each consecutive month after December, 1973:

(i) Continued to meet the requirements for medicaid eligibility that were in effect under the state's plan in December, 1973, for institutionalized individuals; and

(ii) Remained institutionalized.

~~((34))~~ (32) "Home health agency" is an agency or organization certified under medicare to provide skilled nursing and other therapeutic services to the patient in his/her place of residence.

~~((35))~~ (33) "Hospital" shall mean any institution licensed as a hospital by the official state licensing authority.

~~((36))~~ (34) "Institution" shall mean an establishment which furnishes food and shelter to four or more

persons unrelated to the proprietor and, in addition provides medically related services and medical care. This would include hospitals, skilled nursing facilities, intermediate care facilities, and institutions for the mentally retarded, but does not include correctional institutions.

~~((37))~~ (35) "Intermediary" is an organization who has an agreement with the federal government to process medicare claims under Part A.

~~((38))~~ (36) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.

~~((39))~~ (37) "Intermediate care facility/IMR" shall mean a state institution or a licensed nursing home either of which has been certified by state office (SO) as meeting the CFR regulations to provide twenty-four hour health-related care and services to mentally retarded persons or persons with related conditions.

~~((40))~~ (38) "Legal dependents" are persons whom an individual is required by law to support.

(39) "Limited casualty program" means a medical care program for medically needy as defined in chapter 388-99 WAC, and for medically indigent as defined in chapter 388-100 WAC.

~~((41))~~ (40) "Medicaid" or "Medical assistance" (~~"MA"~~) (MA) shall mean the federal aid Title XIX program under which medical care is provided to ~~((:))~~ categorically needy as defined in chapter 388-82 WAC.

~~((a) A recipient of AFDC.~~

~~(b) A recipient of SSI.~~

~~(c) A recipient of state supplement.~~

~~(d) A financially eligible person under twenty-one who is in:~~

~~(i) Foster care, or~~

~~(ii) Subsidized adoption, or~~

~~(iii) A skilled nursing home, intermediate care facility, or intermediate care for mentally retarded, or~~

~~(iv) An inpatient psychiatric facility.~~

~~(e) Individuals related to category (b) above in institutions who would not be eligible for cash assistance solely because of the level of their income if they were not institutionalized.~~

~~(f) Individuals who are eligible but not receiving cash assistance under (a), (b), or (c) above.~~

~~((42))~~ (41) "Medical consultant" shall mean a physician employed by the department at the CSO level.

~~((43))~~ (42) "Medical facility". See "Institution".

~~((44))~~ (43) "Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no other equally effective more conservative or substantially less costly course of treatment available or suitable for the recipient requesting the service. For the purpose of this section "course of treatment" may include mere observation, or, where appropriate, no treatment at all.

~~((45))~~ (44) "Medicare" is a commonly used term for the federal government health insurance program for certain aged or disabled recipients under Titles II and XVII of the Social Security Act.

~~((46))~~ (45) "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the department at the CSO level.

~~((47))~~ (46) "Outpatient" is a nonhospitalized patient receiving care in an outpatient or emergency department of a hospital, or away from a hospital such as in a physician's office or the patient's own home.

~~((48))~~ (47) "Part A" is the hospital insurance portion of medicare.

~~((49))~~ (48) "PAS" - professional activity study is a compilation of inpatient hospital data by diagnosis and age, conducted by the commission of professional and hospital activities, which resulted in the determination of an average length of stay for patients. These data were published in a book entitled "Length of Stay in PAS Hospitals, Western". The department has adopted this book as the basis for authorizing payment for the maximum number of inpatient hospital days for recipients of ~~((state-funded))~~ state-funded programs, or where no memorandum of understanding with a PSRO exists.

~~((50))~~ (49) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor portion" of medicare.

~~((51))~~ (50) "Physician" is a doctor of medicine, ~~((or))~~ osteopathy, or podiatrist who is legally authorized to perform the functions of his profession by the state in which he performs them.

~~((52))~~ (51) "Professional standards review organization" (PSRO). See "Washington state professional standards review organization".

~~((53))~~ (52) "Provider" or "provider of service" means an institution, agency, or individual who has a signed agreement to furnish medical care and goods and/or services to recipients and who is eligible to receive payment from the department.

~~((54))~~ (53) "Provider services" shall mean the office of the division of medical assistance which processes claims for payment under Title XIX and ~~((state-funded))~~ state-funded programs.

~~((55))~~ (54) Residence, state of means:

(a) The state where the applicant/recipient is living with the intent to remain there permanently or for an indefinite period;

(b) The state which he/she entered with a job commitment or to seek employment, whether or not currently employed;

(c) The state making a state supplementary payment;

(d) The state making placement in an out-of-state institution;

(e) The state of the parents or legal guardian, if one has been appointed, of an institutionalized individual who is under age twenty-one or is age twenty-one or over and who became incapable of determining residential intent before age twenty-one;

(f) The state where the person over age twenty-one judged to be legally incompetent is living.

~~((56))~~ (55) "Retroactivity" means:

(a) Under ~~((medicaid))~~ medical assistance, the period of no more than three months prior to month of application to an otherwise eligible individual.

(b) Under state-funded, the period of no more than seven days prior to date of application, to an otherwise

eligible continuing general assistance recipient. The seven days shall not include Saturday, Sunday or legal holidays. The department may on an exception to policy basis waive the seven-day rule if the person failed to apply because of medical reasons or other good cause.

~~((57))~~ "Skilled nursing facility" shall mean a licensed facility certified to provide skilled nursing care for which an agreement has been executed.

~~((58))~~ (56) "Skilled nursing ((home)) facility", unless otherwise described, shall mean any institution or facility licensed by the department as a nursing home, or is a nursing home unit of a hospital licensed by the state department of social and health services. ((Also known as "skilled nursing facility".

~~((59))~~ (57) "Spell of illness" ((=)) : ((see)) See "Benefit period".

~~((60))~~ (58) "Spouse" -

(a) "Eligible spouse" means an aged, blind or disabled individual who is the husband or wife of an eligible individual and who has not been living apart from such eligible individual for more than six months.

(b) "Ineligible spouse" means the husband or wife of an eligible individual who is not aged, blind or disabled, or who although aged, blind or disabled has not applied for such assistance.

(c) "Nonapplying spouse" means the husband or wife of an eligible individual who although aged, blind or disabled has not applied for such assistance.

~~((61))~~ (59) "State-funded medical care" shall mean medical care, as defined by DSHS, provided to eligible persons on continuing general assistance.

~~((62))~~ (60) "State office" or "SO" shall mean the division of medical assistance of the department.

~~((63))~~ (61) "Supplementary payment" means the state money payment to individuals receiving benefits under Title XVI (or who would, but for their income, be eligible for such benefits) as assistance based on need in supplementation of SSI benefits. This payment includes:

(a) "Mandatory state supplement" means the state money payment with respect to individuals who, for December, 1973, were recipients of money payments under the department's former programs of old age assistance, aid to the blind and disability assistance.

(b) "Optional state supplement" means the elected state money payment to individuals eligible for SSI benefits or who except for the level of their income would be eligible for such benefits.

~~((64))~~ (62) "Supplemental security income (SSI) program, Title XVI," means the federal program of supplemental security income for the aged, blind, and disabled established by section 301 of the social security amendments of 1972, and subsequent amendments, and administered by the Social Security Administration (SSA).

~~((65))~~ (63) "Third party" means any entity that is or may be liable to pay all or part of the medical cost of injury, disease, or disability of an applicant or recipient of medicaid.

~~((66))~~ (64) "Washington State Professional Standards Review Organization" (WSPSRO) is the state level

organization responsible for determining whether health care activities are medically necessary, meet professionally acceptable standards of health care, and are appropriately provided in an ~~((out-patient))~~ outpatient or institutional setting for beneficiaries of medicare and recipients of medicaid and maternal and child health.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-81-005 MEDICAL CARE PROGRAM. The department of social and health services provides a medical care program, administered through the division of medical assistance, designed to meet the health care needs of eligible individuals who have been determined eligible as defined in ~~((WAC 388-80-005))~~ chapters 388-82, 388-99, and 388-100 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-81-025 ELIGIBILITY—GENERAL.
(1) Financial eligibility is established when the department certifies that the applicant meets the appropriate financial requirements in chapters 388-83, 388-99 or 388-100 WAC.

(2) The department shall be responsible for payment of medical care provided within the scope of the program to eligible persons.

AMENDATORY SECTION (Amending Order 1655, filed 5/20/81)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance is available to any individual who is categorically needy.

(1) Individuals receiving ~~((or eligible to receive))~~ a cash assistance payment. Categories under which individuals may qualify include:

- (a) Aid to families with dependent children (AFDC);
- (b) Supplemental security income (SSI);
- (c) State supplemental payment; and
- (d) Individuals under age twenty-one whose income is less than the one person AFDC standard and who are in:
 - (i) Foster care; or
 - (ii) Subsidized adoption; or
 - (iii) Skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or
 - (iv) Inpatient psychiatric facilities.

(2) Individuals in medical facilities:

(a) Who would be eligible for cash assistance if they were not institutionalized. This includes all categorically needy groups;

(b) Who are SSI categorically related and would not be eligible for cash assistance if they were not institutionalized and whose gross income does not exceed the three hundred percent SSI benefit cap. This includes only aged, blind, and disabled groups.

(3) Individuals who would not receive cash assistance because of special provisions as defined in WAC 388-83-028.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-82-126 STATE FUNDED MEDICAL CARE PROGRAM. (1) State-funded medical care is a more limited scope of medical care provided to eligible individuals (~~(- State-funded medical care services are)~~) as defined in chapter 388-86 WAC.

(2) Continuing general assistance recipients in skilled nursing homes, intermediate care facilities or intermediate care facilities for mentally retarded shall be provided medical care to the same extent as a recipient of medical assistance.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-82-130 MEDICAL CARE PROVIDED IN BORDERING CITIES. Medical care will be provided to eligible individuals in a bordering city on the same basis as in-state care. The only recognized bordering cities are Moscow, Sandpoint, Priest River, and Lewiston, Idaho; Portland, The Dalles, Hood River, Rainier, Milton-Freewater, and Astoria, Oregon.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-82-135 OUT-OF-STATE MEDICAL CARE. (1) A categorically needy resident of the state of Washington temporarily out of the state may be provided medical assistance within the scope of the medicaid program.

(a) Residency requirements in chapter 388-80 WAC must be met.

(b) Medical assistance may be provided only in areas of Canada that border on the United States when no other resource is available.

(2) Persons eligible for the limited casualty program—medically needy may be provided medical care within the scope of that program.

~~((2))~~ (3) When an eligible individual goes to another state, excluding bordering cities, expressly to obtain medical care that is available within the state of Washington, medical assistance will only be provided on an emergency basis.

~~((3))~~ (4) Medical assistance will be provided to persons who enter the state and are determined to be financially eligible, provided the residency requirements in chapter 388-80 WAC are met.

~~((4))~~ (5) State-funded medical care is not provided out-of-state except in designated bordering cities.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-005 MEDICAL ASSISTANCE ELIGIBILITY. The department shall provide medical assistance within the limitations set forth under these rules and regulations to any individual who has been certified Title XIX eligible categorically needy. The recipient shall be responsible for furnishing the provider with a

medical identification coupon or other adequate notification of eligibility provided by the department. Eligibility for medically needy is described in chapter 388-99 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-006 STATE-FUNDED MEDICAL CARE SERVICES. The department shall provide state-funded medical care within the limitations set forth under these rules and regulations to any individual who has been certified as eligible to receive such services as a continuing general assistance recipient. The recipient shall be responsible for furnishing the provider with a medical identification coupon or other adequate verification of eligibility provided by the department. Eligibility for medically indigent is described in chapter 388-100 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-020 AGE. No age (~~(requirements)~~) requirement is imposed as a condition of eligibility in regard to medical assistance. The age of the applicant is established to determine whether the individual may be related to a federal aid category, or may be eligible for the under age twenty-one category.

NEW SECTION

WAC 388-83-036 MONTHLY MAINTENANCE STANDARD—APPLICANT NOT IN OWN HOME. (1) The monthly standard for a Title XVI related individual or GA-U recipient living in a CCF, adult family home or group home shall be the cost standard of the facility. Cost plus a specified CPI may not exceed three hundred percent of the current SSI federal benefit level.

(2) The AFDC recipient receiving intensive (thirty days or less) alcohol treatment may be granted GA-U funds within the maximum which are paid to the facility for the cost of care.

(3) For the Title XVI related person with income, all earned and unearned exemptions allowed by SSI may be retained for personal needs. The GA-U recipient is subject to GA-U income and resource standards.

(4) If income available to the recipient is less than the CPI standard, a state payment is authorized to the recipient to meet his or her personal needs.

(5) Payment is made by the department to the facility for the difference between income available for payment on care and the cost standard of the facility.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-130 ELIGIBILITY DETERMINATION—NONINSTITUTIONAL. (1) Eligibility determination for AFDC shall be as follows:

(a) Applicants who are eligible for but not receiving cash assistance shall be determined as for the appropriate cash assistance category.

(b) Individuals under age twenty-one shall have eligibility determined based on the AFDC (~~one person~~) one-person standard if they are:

- (i) Not SSI related.
- (ii) Not AFDC related (dependent child).
- (iii) When an under twenty-one person resides in the same family unit with parents, the parents' income is considered available whether or not actually contributed.
- (iv) The AFDC earned income exemption of (~~(\$30 + 1/3)~~) thirty dollars plus one-third of remainder does not apply to individuals applying solely for medical assistance.
- (v) Families applying for medical assistance who received AFDC in any of the four preceding months shall be allowed the (~~(\$30 + 1/3)~~) thirty dollars plus one-third disregard.

(c) Individuals under twenty-one who are AFDC related but are ineligible solely because of AFDC age or school attendance requirements are eligible for medicaid while living in the home with a relative of specified degree on the same basis as the dependent children in that home. Individuals eligible under this provision include:

(i) AFDC children age sixteen or seventeen who are terminated from AFDC cash assistance unit because they have ceased to attend school and have refused to register for WIN;

(ii) AFDC children who are terminated from AFDC cash assistance unit because they have reached age eighteen, but have not yet reached age twenty-one.

(2) Eligibility for (~~SSI related applicants who are eligible but not receiving cash assistance~~) special categories shall be determined as for the appropriate (SSI) cash assistance category. See chapter 388-92 WAC ((for income and resources computation)).

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-135 ELIGIBILITY DETERMINATION—INSTITUTIONAL. ((+)) SSI/state supplement related individuals in medical facilities shall have their eligibility determined by comparing their gross income to three hundred percent of the SSI benefit (SSI cap):

(+)) (1) Individuals are considered institutionalized if they reside in a medical facility at least a full calendar month.

(a) SSI/state supplement related individuals in medical facilities shall have their eligibility determined by comparing their gross income to the three hundred percent SSI cap (SSI benefit).

(b) ((Use other SSI financial criteria for consideration of resources as defined in chapter 388-92 WAC)) If gross income is greater than three hundred percent of SSI cap, eligibility must be determined under the limited casualty program—medically needy in chapter 388-99 WAC.

(c) Allocation of recipient income is defined in WAC 388-83-140.

(d) Use other SSI financial criteria for consideration of resources as defined in chapter 388-92 WAC.

(2) Individuals who reside in a medical facility less than a full calendar month shall have their eligibility

determined as for a noninstitutionalized person. See chapter 388-92 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-140 ALLOCATION OF INCOME—INSTITUTIONALIZED RECIPIENT. (1) All institutionalized recipients will retain (((\$32.50)) a specified personal needs allowance.

(2) The AFDC related individual in a medical facility is eligible to receive an amount as a cash assistance payment sufficient to bring income up to the personal needs allowance.

(3) SSI related recipients may retain the current personal needs allowance plus wages received for work approved by the department as part of a training or rehabilitative program designed to prepare the individual for less restrictive placement. The total personal needs allowance (~~(including the initial \$32.50))~~) may not exceed the monthly noninstitutional state supplement standard. There are no deductions for expenses of employment. When the total amount of wages received plus the initial personal needs allowance exceeds the monthly standard, the excess wages are applied to the cost of care.

(4) In addition to the allocations in subsections (1) and (3) ((above)) of this section, SSI related individuals residing in a medical facility throughout a calendar month are entitled to the following allocations of income as applicable:

(a) Maintenance needs of spouse not to exceed state supplement standard,

(b) Maintenance needs of family adjusted for number of family members living at home, but not to exceed highest need standard for a family of same size under AFDC,

(c) Amounts for incurred medical expenses not subject to third-party payment including but not limited to:

(i) Health insurance premiums, co-insurance or deductible charges,

(ii) Necessary medical care recognized under state law but not covered under medicaid.

(d) For a single person, maintenance of the home where the individual has been certified by a physician to need institutional care for no more than six consecutive months,

(i) Income thus exempted must be used to retain the independent living situation of an individual with no dependents through payment of such requirements as rent or mortgages, real estate taxes, insurance, gas, electricity, oil, water or sewer necessary to maintain the home. Also see chapter 388-28 WAC,

(ii) Up to one hundred eighty dollars per month may be exempted from the individual's actual income based on the verified actual cost to retain the home during six consecutive months,

(iii) The six-month period begins on the first of the month following date of admission for medicaid eligible recipients or the date of eligibility for individuals changing from private to medicaid, and ceases when the patient is discharged to an independent living arrangement

or at the end of six months if the recipient has not been discharged,

(iv) CSO social service staff shall document initial need for the income exemption and review the individual's circumstances after ninety days. Also see chapter 388-28 WAC.

(5) Income remaining in subsections (1), (2), (3) or (4) of this section, will be used to compute payment of the participation amount (that income remaining after allocation of income) ((which shall be a matter solely between the recipient and the medical facility)) at the department rate.

REPEALER

The following section of the Washington Administrative Code is repealed.

(1) WAC 388-83-040 MONTHLY PERSONAL NEEDS ALLOWANCE—APPLICANT IN INSTITUTION.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-84-105 MEDICAL ASSISTANCE. (1) All individuals wishing to make application for medical assistance or the limited casualty program shall have the opportunity to do so without delay.

(a) Applicants will be provided with:

- (i) An explanation of the civil rights act,
- (ii) Fair hearing information,
- (iii) Information on early and periodic screening, diagnosis and treatment, when appropriate,
- (iv) Information on family planning, when appropriate.

(b) The application shall be in writing; a verbal request is not an application.

(c) If death of applicant intervenes, the application may be completed by a relative or interested person(s).

(2) Individuals who receive cash assistance payment under AFDC, SSI or state supplement are eligible without a separate application.

(3) A spouse ineligible for SSI benefits solely because of the level of his/her income must apply individually for medical assistance.

(4) A resident of the state of Washington temporarily out of the state may make application directly to the community services office (CSO) in his/her area of the state through either an individual or agency acting in his/her behalf.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-84-120 APPLICATION FOR STATE FUNDED MEDICAL CARE. (1) Individuals ineligible for a categorically needy program (AFDC, aged, blind, disabled, or under twenty-one) may be provided medical care under the state-funded program of continuing general assistance.

(2) The effective date of eligibility for state-funded (GAU) medical care is concurrent with certification for

cash assistance, except that medical care may be provided for no more than seven days prior to date of application for financial assistance to an otherwise eligible individual. The seven days shall not include Saturday, Sunday or legal holidays. The department may on an exception basis waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

(3) Termination of state-funded medical occurs with termination of continuing general assistance grant.

(4) The CSO may issue temporary medical coupons until state office issued coupons arrive.

(5) Individuals ineligible under subsection (1) of this section may be eligible under the limited casualty program—medically indigent. See chapter 388-100 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-85-105 CERTIFICATION OF ELIGIBILITY. Entitlement to medical assistance continues until the individual is determined ineligible for cash assistance.

(1) When eligibility for AFDC is terminated:

(a) For AFDC cash assistance due to increased income or increased hours from employment, medical assistance shall continue for four calendar months beginning with month of ineligibility.

(b) Because an individual has been removed from AFDC cash assistance due to reaching state legal age of majority, a redetermination and a certification of eligibility for medical assistance for those under twenty-one shall be made.

(c) ~~((For))~~ Lack of cooperation in WIN or lack of school attendance is not an eligibility factor, redetermination of eligibility for medical assistance will be made according to appropriate cash program.

(2) Redetermination of eligibility for medical assistance shall be the same as for the cash assistance program:

(a) For individuals under age twenty-one, not related to SSI, eligibility shall be redetermined every six months.

(b) For individuals in medical institutions eligibility shall be determined every twelve months.

(3) Any change in circumstances relating to the individual's financial or medical eligibility must be promptly reported to the CSO.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-85-110 SSI/STATE SUPPLEMENT TERMINATION. (1) When an SSI/state supplemental beneficiary is terminated by SSA because of failure to meet blindness and disability criteria under Title XVI, medical assistance shall be terminated at the end of the second month following the month in which eligibility for these conditions ceases ((if the beneficiary has filed a timely request for a hearing from SSA regarding eligibility for cash assistance)).

(a) If a timely request for a hearing under SSA jurisdiction has been filed by the individual and SSA continues the benefits, medical assistance would be continued concurrently.

(b) The CSO is not authorized to resubmit a request for a redetermination of blindness or disability for consideration of the medically needy program.

(c) If the individual presents medical evidence to the CSO, a referral to SSA is required.

~~(2) ((Individuals in medical facilities who are not receiving cash assistance shall be notified in writing when eligibility ceases)) For individuals who are terminated by SSA for SSI/SSP financial benefits, financial eligibility and disability must be redetermined within thirty days for consideration of the limited casualty program—medically needy.~~

(3) Institutional recipients must be notified in writing of termination.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF MEDICAL ASSISTANCE. (1) For recipients of medical assistance (MA), the department shall authorize early and periodic screening diagnosis and treatment services including dental, vision, and hearing services, to eligible individuals under twenty-one years of age, family planning services, home health agency services, inpatient and outpatient hospital care, other laboratory and x-ray services, skilled nursing home care, and physicians' services in the office or away from the office as needed for necessary and essential medical care. The department may authorize medically justified ambulance service and other approved transportation.

(2) The following additional services shall also be authorized when medically necessary: anesthetization services; blood; dental services to EPSDT recipients; drugs and pharmaceutical supplies; eyeglasses and examination; hearing aids and examinations; oxygen; physical therapy services; special-duty nursing services; surgical appliances, prosthetic devices, and certain other aids to mobility.

(3) Treatment, transplants, dialysis, equipment and supplies for acute and chronic nonfunctioning kidneys are provided in the home, hospital and kidney center. See WAC 388-86-050(5).

(4) Organ transplants, other than kidney transplants are not provided as a part of physician services or hospital care authorized under the medical assistance program.

(5) Treatment to detoxify narcotic addiction cases in a hospital or on an outpatient basis is not provided as a part of the medical care program. The department will provide treatment for concurrent diseases and complications.

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

(7) The following medical services are not provided:

(a) Adult dental services, and

(b) Chiropractic services(~~and~~).

~~((c) Podiatry.))~~

(8) Treatment for obesity is not provided as part of the medical care program. The department will provide treatment for concurrent diseases and complications.

(9) Where evidence is obtainable to establish medical necessity, as defined in WAC 388-80-005, the department shall approve the request if the recipient or provider submits sufficient objective clinical information (including, but not limited to, a physiological description of the disease, injury, impairment or other ailment; pertinent laboratory findings; x-ray reports; and patient profiles).

(10) A request for medical services may be denied by the department if the requested service is not medically necessary as defined by WAC 388-80-005, is generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient can demonstrate through sufficient objective clinical evidence the existence of particular circumstances which render the requested service medically necessary.

(11) The department shall approve or deny all requests for medical services within fifteen days of the receipt of the request, except that if additional justifying information is necessary before a decision can be made, the request shall be neither approved nor denied but shall be returned to the provider within five working days of the original receipt. If additional justifying information is not returned within thirty days of the date it was returned to the provider, then the original request shall be approved or denied. However, if such information is returned to the department, the request shall be acted upon within five working days of the receipt of the additional justifying information.

(12) Whenever the department denies a request for medical services the department shall, within five working days of the decision, give written notice of the denial to the recipient and the provider. In order to fully inform the recipient, the notice shall state:

(a) The specific reasons for the department's conclusion to deny the requested service.

(b) If a fair hearing is requested, a medical assessment other than that of the person or persons involved in making the original decision may be obtained at the expense of the department of social and health services, and instructions on how to obtain such assessment.

(c) The recipient has a right to a fair hearing if the request is made within ninety days of receipt of the denial, with the instruction on how to request the hearing.

(d) The recipient may be represented at the hearing by legal counsel or other representative.

(e) That upon request, the CSO shall furnish the recipient the name and address of the nearest legal services office.

(13) The limited casualty program—medically needy is defined in chapter 388-99 WAC, and the limited casualty program—medically indigent is defined in chapter 388-100 WAC.

NEW SECTION

WAC 388-86-021 DENTURES. The department will provide to the extent of these rules dentures to recipients of medical assistance and the limited casualty

program that includes only fabrication and fitting. All denture requests require prior approval.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-86-030 EYEGLASSES AND EXAMINATIONS. (1) The department shall provide eye examinations and eyeglasses when a refractive error of sufficient magnitude exists to require corrective lenses. Payment shall be made on the basis of rates established by the department or through HMO or optical supplier contracts.

(2) Under the limited casualty program only one refraction and one pair of glasses will be provided during a twelve-month period.

~~((2))~~ (3) Prior authorization by the CSO medical consultant or his designee in the county of residence is not required for eye examinations performed for the purpose of prescribing corrective lenses except in the provision of certain eyeglasses (lenses or frames).

~~((3))~~ (4) Examinations, unless medically indicated, are limited to two in a twelve-month period, except for eye examinations and eyeglasses provided to recipients of EPSDT, see ~~((WAC 388-86-027(1)(c) and (3)))~~ chapter 388-86 WAC.

~~((4))~~ (5) A choice of frames listed in current division of medical assistance numbered memoranda is offered recipients. Frames are not provided for cosmetic effect or psychological support.

~~((5))~~ (6) Sunglasses, photochromic ~~((aspheric))~~ or varalux type lenses are not provided.

~~((6))~~ (7) Two pair of glasses in lieu of bifocal or trifocal lenses are not provided.

~~((7))~~ (8) Contact lenses and orthoptics therapy are not provided.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-035 FAMILY PLANNING. (1) The department shall make known to clients the availability of family planning services. The department shall provide to eligible categorically needy recipients necessary physicians' services, clinic or hospital services, supplies and drugs needed in conjunction with family planning. ~~((See WAC 388-15-240 for Title XX services for nonrecipients including minors.))~~

(2) Under the limited casualty program—medically needy only physicians' services and supplies will be provided.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-040 HEARING AIDS. (1) The department shall provide to categorically needy recipients:

(a) One new hearing aid under the following conditions:

(i) On prescription of an otolaryngologist, or the attending physician where no otolaryngologist is available in the community, within six months prior to receiving hearing aid dispenser services, and

(ii) With a minimum of 50 decibel loss in the better ear based on auditory screening at 500, 1000, 2000 and 4000 Hertz (Hz) with effective masking as indicated, and

(iii) When covered by a one year warranty, and/or

(b) One-time repair of a state purchased or privately owned hearing aid when covered by a ninety day warranty.

(2) Prior approval is required for the purchase or trial period rental of hearing aids and for one-time repair of a state purchased or privately owned hearing aid.

(3) After expiration of warranties, the owner is responsible for repairs and for purchase of batteries, any attachments and replacements.

(4) Individuals under age twenty-one must be referred to the crippled children's service conservation of hearing program.

(5) Individuals twenty-one years of age and over may sign a waiver statement declining the medical evaluation for religious or personal beliefs that preclude consultation with a physician.

(6) Hearing aids are not provided to recipients of continuing general assistance grants and the limited casualty program.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

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

~~((2) Hospitalization for services covered by the program requires approval by:~~

~~(a) The local medical consultant for:~~

~~(i) Prior approval of nonemergent surgery;~~

~~(ii) Admission and length of stay for recipients on the GAU program;~~

~~(iii) Retroactive certification and out-of-state care, including hospitalization in bordering cities, for categorically needy recipients;~~

~~(b) The Washington state professional standards review organization (WSPSRO) by certification, when previous agreement with the department and the PSRO exists, and when review is timely and concurrent with hospitalization, for:~~

~~(i) Medical illness and emergent surgery for recipients on federal programs;~~

~~(ii) Admission and length of stay for categorically needy recipients.))~~

(2) Certain hospitalization services covered by the program require approval of the medical consultant.

(a) Prior approval for nonemergent surgery;

(b) Admission and length of stay for recipients of the GAU and limited casualty—medically indigent programs;

(c) Retroactive certification and out-of-state care including bordering cities.

(3) The Washington state professional standards review organization (WSPSRO) will certify admission, length of stay and/or services for the categorically needy and limited casualty—medically needy recipients.

~~((3))~~ (4) Department authorization for inpatient hospital care for eligible individuals shall be limited to the lesser of the minimum number of days consistent with practice normally followed in the community or the maximum number of days established at the 75th percentile in the edition adopted by the department of the publication "Length of Stay in PAS Hospitals, by Diagnosis United States Western Region", unless prior contractual arrangements are made by the department for a specified length of stay (as defined in WAC 388-80-005 and 388-87-013). Hospital stays shall be subject to the same utilization review as established for private patients in the community. A daily list of all recipient inpatients with diagnostic information shall be submitted by the hospital to the local medical consultant. When hospitalization of a recipient of GAU or limited casualty program—medically indigent exceeds the maximum number of days specified in PAS, an extension request shall be presented with adequate justification by the attending physician to the chief, office of medical policy and procedure or his designee within sixty days of final service. ~~((The Washington state professional standards review organization (WSPSRO) will certify days of stay and/or services (i.e., approve as necessary, appropriate, and of acceptable quality) for categorically needy recipients.))~~

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

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

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

~~((4))~~ (5) The department is prohibited from paying for hospitalization of any individual for the treatment of tuberculosis in a general hospital after such a diagnosis has been established. ~~((See WAC 388-82-025.))~~

~~((5))~~ (6) Hospitalization for the treatment of acute and chronic renal failure shall be provided, except that the department shall pay only deductibles and coinsurance for a recipient who is a medicare beneficiary and who is hospitalized for such treatment or for kidney transplant.

~~((6))~~ (7) Except for an emergency no hospital admission shall be made on Friday or Saturday for scheduled surgery on Monday. The attending physician may

admit the recipient on Sunday to accomplish the necessary preoperative work-up.

~~((7))~~ (8) Approval for hospitalization of a recipient shall be based on the recipient's need for semi-private accommodations and reimbursement made at the multiple occupancy rate regardless of accommodations provided by the hospital. Special rates may be established for recipients covered by the Involuntary Treatment Act. Semi-private accommodations shall mean not less than two nor more than a four-bed room.

(9) A deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care for each admission is the responsibility of the limited casualty program—medically needy recipient.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-067 MENTAL HEALTH CENTER SERVICES. (1) The department shall provide mental health or day health care services to a cash assistance recipient under SSI, state supplement or AFDC and to an eligible recipient of a state funded continuing general assistance grant. A recipient of the limited casualty program may be provided mental health center services. The services provided through these agencies are not subject to the limitation on the number of visits under the provisions of WAC 388-86-095.

(2) Community mental health services provided shall be as specified in a contract between the department and the participating center.

(3) For the purposes of this section, community mental health center shall mean an agency or program which meets the following criteria:

(a) Is included as a part of the approved county mental health plan, or is approved by the department to hold a subcontract from the area agency on aging to provide day health care.

(b) Receives state grant-in-aid funds as authorized by the Community Mental Health Services Act, chapter 71.24 RCW, and as described in WAC 275-25-030, or receives money through a contractual agreement with the area agency on aging for the provision of day health care.

(c) Provides treatment by, or under the direction of, a licensed doctor of medicine who has sufficient knowledge of the caseload and clinical program to be assured that the quality of the service is satisfactory.

(4) An agency or program must be either:

(a) An outpatient clinic, with its own governing body, administration and staff, or

(b) A county-administered outpatient clinic, or

(c) A separate identifiable outpatient clinic of a general hospital or psychiatric inpatient facility, or

(d) An outpatient clinic with a residential component within its administrative structure, or

(e) A separate identifiable outpatient clinical program of an agency which has other service functions.

(5) Agencies which have functions in addition to outpatient care (see ~~((items))~~ subsection (4)(c), (d), and (e) of this section) shall adhere to the following criteria:

(a) Specific staff are delineated to provide outpatient clinical services exclusively,

(b) Outpatient clinical records are separated from other service records of the agency,

(c) The center's accounting and bookkeeping procedures are such that:

(i) If the center has an existing contract, a review or audit finds that these procedures assure adequate fiscal accountability. Audits will be conducted by either the department or the office of the state auditor.

(ii) If an agency is applying for a contract, the application will be accompanied by a statement from a licensed or certified public accountant reflecting the accountant's unqualified opinion of the adequacy, accuracy and accountability of the agency's records.

(6) The final decision regarding a mental health center's participation in this program shall be made by the department.

(7) Mental health service records—content:

An adequate clinical record shall be maintained for each eligible client receiving outpatient mental health services in a mental health center. The clinical records at a minimum shall contain the following:

- (a) History,
- (b) Diagnostic/evaluative statements,
- (c) Treatment plan,
- (d) Treatment notes,
- (e) Periodic treatment review,
- (f) Documentation of case conferences,
- (g) Clinical summaries on termination of service,
- (8) Subcontracts:

An agency which has a contract under this section shall not enter into subcontracts for any work agreed upon under the contract without obtaining prior written approval of the department from the office of medical assistance.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-075 OUTPATIENT AND EMERGENCY CARE. (1) No authorization is required for categorically needy recipients to receive outpatient service, acute and emergent outpatient surgical care and other emergency care performed on an outpatient basis in a hospital. Justification for the service must be presented for payment.

(2) A recipient of the limited casualty program—medically needy may receive services without approval, and is required to make a copayment not to exceed three dollars for each emergency room visit.

(3) A recipient of the limited casualty program—medically indigent must have medical consultant approval for emergency room services.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-085 PATIENT TRANSPORTATION. (1) The department will assure the availability of necessary transportation for recipients to and from medical care providers.

(2) Ambulance or cabulance transportation shall be provided when medical necessity is clearly demonstrated

or the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

(3) Transportation by taxi will be provided only when approved by the local medical consultant.

(4) Transportation by private automobile other than owned by recipient is payable at rates established by the department.

(5) Air transportation may be provided when medical necessity requires this mode of transportation.

(a) Intrastate services must have prior approval of the medical consultant.

(b) Interstate services must have approval of the medical director, office of medical policy and procedure.

(c) Prior approval is required for nonemergent air transportation when:

- (i) Need for medical treatment is justified.
- (ii) A closer location is not available.

(d) Method of reimbursement for air transportation and ancillary services will be published as necessary by the division of medical assistance.

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

(7) Transportation provided to the limited casualty program—medically indigent requires approval.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-86-090 PHYSICAL THERAPY. Physical therapy, other than that provided in a hospital as part of inpatient treatment, may be authorized only when such therapy:

- (1) Will avoid the need for hospitalization, or
- (2) Will reduce the length of stay of a recipient in a nursing home, or
- (3) Will assist the recipient in becoming employable, or
- (4) Is medically indicated in unusual circumstances and is requested by the attending physician and concurred with by the medical consultant, and
- (5) Is performed by a registered physical therapist or psychiatrist and has approval by the local medical consultant.

(6) Physical therapy is not provided under the limited casualty program.

AMENDATORY SECTION (Amending Order 1610, filed 2/19/81)

WAC 388-86-095 PHYSICIANS' SERVICES. The department shall purchase the services of physicians participating in the program on a fee-for-service or contract basis subject to the exceptions and restrictions listed (~~below~~) as follows.

(1) Physicians' services are provided through contract agreements for certain voluntary child care agencies and maternity homes.

(2) Cost of a physical examination is authorized only for recipients related to federal programs under the following circumstances:

(a) For admission to skilled nursing facility if within ~~((48))~~ forty-eight hours of admission or change of status from a private-pay to a medicaid-eligible patient.

(b) Given as a screening under the EPSDT program; see WAC 388-86-027.

(c) For physical examination not covered by medicaid, see the following:

(i) AFDC incapacity, see ~~((WAC 388-24-065(2)))~~ chapter 388-24 WAC.

(ii) Determination of whether an individual's health will or will not permit his return to his home, see ~~((WAC 388-28-420(4)(b)))~~ chapter 388-28 WAC.

(iii) Request by the claimant or examiner in a fair hearing procedure, see chapter 388-08 WAC.

(iv) Foster home placement, see chapter 388-70 WAC.

(v) Adoptive home placement, see ~~((WAC 388-70-440))~~ chapter 388-70 WAC.

(vi) Employability for WIN program, see ~~((WAC 388-24-107(1)(b)))~~ chapter 388-24 WAC.

(vii) Incapacity for GAU program, see ~~((WAC 388-37-032(4)))~~ chapter 388-37 WAC.

(3) When covered services of a consultant or specialist are necessary, approval need not be obtained from the medical consultant. Payment shall be made in accordance with local medical bureau practices.

(a) A fee for consultation shall not be paid when the specialist subsequently performs surgery or renders treatment for which flat fees or fees-for-service accrue.

(b) On initial or subsequent visits for the purpose of establishing a diagnosis and when services of a specialist or consultant are required, payment shall be limited to not more than two such services. Any additional specialist or consultant requests shall be justified by the attending physician and approved by the medical consultant.

(4) Limitations on payment for physicians' services:

(a) Payment for physicians' calls for nonemergent conditions in a skilled nursing facility or an intermediate care facility, is limited to two calls per month. Requests for payment for additional visits must be justified at the time the billing is submitted by the physician.

(b) Payment for hospital calls is limited to one call per day. This is applicable to other than flat fee care.

(c) Individual outpatient psychotherapy provided by a psychiatrist shall be limited to one hour per month or equivalent combinations. Up to a maximum of two hours psychotherapy may be authorized when justified during the first month of treatment. Subdivisions of (4)(a) and (b) of this section, also apply unless other rules take precedence. See WAC 388-86-067(1) for service provided by a contracting mental health center.

(5) All surgical procedures require approval by the medical consultant.

(6) Nonemergent hospital admissions for state funded recipients require prior approval by the chief of the office of medical policy and procedure or his designees.

(7) Minor surgery and diagnostic procedures performed in a physician's office do not require prior approval.

(8) No payment will be made for cosmetic, reconstructive or plastic surgery which is defined as surgery

performed to revise or change the texture, configuration or relationship of structure with continuous structure when the purpose is primarily psychological and will not correct or materially improve body function, or is intended to alter any part of the body which could be considered to be "normal" within broad range of variation for function, age, ethnic, or familial origin.

(9) A recipient of public assistance is not required to obtain medical care in the county of his residence. ~~((See also WAC 388-83-025.))~~

(10) For limitations on out-of-state physicians' services see WAC 388-86-115.

NEW SECTION

WAC 388-86-09601 PODIATRIC SERVICES.

(1) Medically necessary podiatric services shall be provided to include:

(a) Evaluation, diagnosis, and treatment of skin disease, infections, inflammation, ulcers, and symptomatic conditions including bursitis, osteoarthritis and tendonitis.

(b) Reductions of fractures and dislocations, and treatment of sprains and strains.

(c) Surgery for bunions, exostosis, hammertoes, neuromas, and ingrown toenails.

(d) Initial diagnostic services in connection with conditions whose subsequent treatment would be excluded as routine palliative care.

(e) One visit every six months may be permitted for debridement and cutting of mycotic toenails.

(2) Elective surgery requires prior approval of the medical director or designee. Where less expensive, more conservative treatment is available, surgery will not be approved.

(3) The following services shall be excluded:

(a) Routine foot care that includes removal of corns, warts, or calluses, trimming of nails and other hygienic and preventive care except as specified in subsection (4) of this section.

(b) Treatment of flat foot.

(c) Treatment undertaken to correct a subluxated structure of the foot as an isolated entity.

(d) Supportive devices for the feet, such as orthopedic shoes.

(e) Procedures regarded as experimental.

(4) Where a person has a severe systemic condition that would result in circulatory embarrassment or desensitization in the legs or feet, more frequent foot care may be provided when:

(a) The performance of such procedures by unskilled person might pose a hazard.

(b) The severity of the condition has been established by clinical or physical findings.

(c) Such care requires prior approval of the medical director or designee.

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

WAC 388-86-098 SPEECH THERAPY SERVICES. (1) Speech therapy, when required as an adjunct to necessary treatment of a medical or remedial

condition for which the department has assumed initial responsibility, may be authorized subject to the following:

(a) The evaluation and/or treatment must have prior approval by the local medical consultant,

(b) The fee for service must be agreed to in advance of therapy,

(c) The services must be performed by a speech pathologist who has been granted the certificate of clinical competence by the American speech and hearing association, or who has completed the equivalent educational and work experience necessary for such a certificate,

(d) The department reserves the right to limit the number of treatments based on professional judgment. See WAC 388-87-025(2)(p).

(2) Speech and language therapy is not provided under the limited casualty program.

AMENDATORY SECTION (Amending Order 1610, filed 2/19/81)

WAC 388-86-100 ((SURGICAL—APPLIANCES)) DURABLE MEDICAL EQUIPMENT—PROSTHETIC DEVICES((—AIDS TO MOBILITY)). (1) The department shall authorize the purchase or rental of ((surgical appliances)) durable medical equipment, prosthetic devices, ((aids to mobility)) and other ((durable)) nonreusable medical equipment only when such items will:

(a) Reduce the length of hospitalization,

(b) Aid the rehabilitation of an employable person,

(c) Enable the person to return to or continue to live in his own home,

(d) Be used full time by a nursing home patient who will benefit materially from its use,

(e) Result in financial saving to the department.

(2) No approval is required for the purchase of external braces involving the neck, trunk and extremities; nor pressure garments, support hose, canes, or wood crutches.

(3) Other nonreusable items costing less than one hundred fifty dollars do not require approval if provision of the appliance will expedite a recipient's release from a hospital.

(4) Prior approval by the division of medical assistance is required for:

(a) Purchase of reusable ((medical appliances and aids to mobility)) durable medical equipment costing more than five hundred dollars,

(b) Purchase of nonreusable ((surgical appliances)) medical equipment or prosthetic devices costing more than five hundred dollars, except as described in subsection (2) of this section,

(c) Metal crutches and other appliances require prior approval of the local medical consultant((-)) ,

(d) All rentals and repairs require prior approval by the local medical consultant.

(5) A recipient who has medicare part B benefits must utilize this resource for the purchase or rental of any items provided by medicare. Payment of medicare coinsurance and deductibles will be made by the department for purchase of all medicare items.

(6) Medical ((appliances)) equipment and supplies purchased by the department become the property of the recipient.

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

WAC 388-86-112 PHYSICAL MEDICINE AND REHABILITATION EVALUATION AND REVIEW.

(1) The department may authorize physical medicine and rehabilitation inpatient evaluation and review for a period not exceeding one week when all the following conditions are met:

(a) The person suffers from severe motor disabilities following accident or illness such as stroke,

(b) The person has been rejected by the department's division of vocational rehabilitation for such medical service on the basis that there is little or no potential for gainful employment,

(c) Physical medicine and rehabilitation treatment would potentially enable the person to move from the hospital to a nursing home or from a nursing home to adult family home or from an adult family home into his own assisted and/or independent living situation, or afford the bedridden person cared for in his own home a degree of self-care and independence,

(d) No other financial resources are available,

(e) Prior approval of the state office of medical assistance is obtained.

(2) Extension of the evaluation and review for a period up to ninety days may be authorized by the office of medical assistance if requested and justified by the physical medicine and rehabilitation facility.

(3) These services are not provided under the limited casualty program.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-115 MEDICAL CARE PROVIDED OUT-OF-STATE.

(1) The department shall authorize and provide comparable medical care services to a recipient of medical assistance (MA) or limited casualty program—medically needy who is temporarily outside the state to the same extent that such medical care services are furnished to an eligible recipient in the state, subject to the exceptions and limitations in this section.

(2) ((Border situations mentioned)) Bordering cities listed in ((WAC 388-82-030(4)) chapter 388-82 WAC are not considered "out-of-state" and are excluded from these provisions. ((However,)) When a recipient ((who visits)) goes to another state, other than the specified ((border locations)) bordering cities, specifically for the purpose of obtaining medical care that is ((not eligible for such care at the expense of)) available in the state of Washington, only emergency care will be provided by the state of Washington.

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

(a) When determining the effective date of change in the eligibility of a categorically needy recipient, see

~~WAC 388-33-365 for appropriate guidelines. Medical care coverage terminates the same date as termination of the grant.~~

(b)) State funded medical care is not provided out-of-state. Medical services in designated bordering cities may be authorized.

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

(5) Medical assistance may be provided only in areas of Canada that border on the United States when no other resources are available.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-120 STATE FINANCED MEDICAL CARE. A recipient of a continuing general assistance grant who cannot be related to a federal aid category is eligible to receive the same scope of care (WAC 388-86-005) as a recipient of medicaid, except that no care will be provided outside the state of Washington other than in designated bordering ((states)) cities as specified in ((WAC 388-82-030(4))) chapter 388-82 WAC, and shall be subject to the following medical program limitations. Continuing general assistance medical coupons bear the imprint "GAU".

(1) Elective hospital admissions and elective surgery requests require prior medical consultant approval.

(2) Criteria used to determine that the proposed surgery is elective are:

(a) Medical necessity must be established. Definition in chapter 388-80 WAC applies.

(b) Procedure cannot reasonably be delayed.

(3) Prescribed drugs are limited to specific therapeutic classifications. Lists are published through the Drug Formulary and/or official memoranda.

(4) Mental health services will be provided only in community mental health centers.

(5) Hearing aids are not provided.

(6) Covered medical care services may be provided for no more than seven days prior to the date of application. The department may on an exception basis waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-005 PAYMENT—ELIGIBLE PROVIDERS DEFINED. (1) Eligible providers are:

(a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, ~~((or))~~ optometry, or podiatric services,

(b) Persons currently licensed by the state of Washington as professional or practical nurses, or as physical therapists,

(c) A hospital currently licensed by the department,

(d) A nursing home currently licensed and classified by the department as a skilled nursing or intermediate care facility,

(e) A licensed pharmacy,

(f) A home health services agency certified by the department,

(g) An independent (outside) laboratory qualified to participate under Title XVIII or determined currently to meet the requirements for such participation,

(h) A company or individual (not excluded in subsection (3) of this section) supplying items such as ambulance service, oxygen, eyeglasses, other appliances, or approved services,

(i) A provider of screening services that has signed an agreement with the department to provide such services to eligible individuals in the EPSDT program,

(j) A certified center for the detoxification of acute alcoholic conditions,

(k) An outpatient clinical community mental health center, drug treatment center or Indian health service clinic,

(l) A medicare certified rural health clinic,

(m) Approved prepaid health maintenance, prepaid health plans and/or health insuring organizations,

(n) An out-of-state provider of services listed in subsection (1) (a) through (g) of this section, with comparable qualifications in state of residence or location of practice.

(2) Under the mandatory and discretionary provision of RCW 74.09.530, the services of the following practitioners will not be furnished to applicants or recipients:

Chiropractors

~~((Podiatrists))~~

Sanipractors

Naturopaths

Homopathists

Herbalists

Masseurs or manipulators

Christian Science practitioners or theological healers

Any other licensed or unlicensed practitioners not otherwise specifically provided for in these rules.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-010 CONDITIONS OF PAYMENT—GENERAL. (1) The department shall be responsible for payment of service rendered to a recipient only when the services are within the scope of care, properly authorized and the recipient certified as eligible.

(2) The fees and rates established by the department shall constitute the full charge for approved medical care and services provided to recipients by the providers, except as specified in chapter 388-86 WAC.

(3) When a provider of service furnishes services to a known eligible recipient and does not bill the department for services for which the department is responsible for payment, or fails to satisfy department conditions of payment such as prior approval and timely billing, the recipient is under no obligation to pay the provider.

(4) Payment for any service furnished to a recipient by a provider may not be made to or through a factor

who advances money to that provider for accounts receivable.

(5) The department will not be responsible for payment for medical care and goods and/or services provided to a recipient enrolled in a department-contracted, prepaid medical plan who fails to use the provider under contract unless emergency conditions exist or the department has approved payment to another provider for provision of a service not covered by the prepaid plan.

(6) The department will not be responsible for payment of that portion of medical care or services reimbursable within a reasonable time by a ~~((third party))~~ third-party resource available to the recipient such as health insurance coverage, casualty insurance or when medical needs result from accident or injury caused by another party. See chapter 388-83 WAC.

(7) Payment for care ((on the federally aided medical)) under the medical assistance or limited casualty-medically needy programs will be retroactive for three months prior to the month of application provided the applicant would have been eligible when the care was received. The applicant ((to a federally aided program)) need not be eligible ((for medical assistance)) at the time of actual application. Medical services that require approval ((under the appropriate medical program)) must be approved by the CSO medical consultant for the retroactive period.

(8) Payment for care under the limited casualty program-medically indigent and GAU may be retroactive for seven days prior to the date of application if applicant is otherwise eligible. Medical services that require approval must be approved by the CSO medical consultant for the retroactive period.

~~((8))~~ (9) A claim by a provider for payment for services rendered to a person who subsequently is determined to be ineligible at the time service was rendered may be paid under the following conditions only:

(a) The ineligible person must have been certified as both financially and medically eligible,

(b) Payment has not been made from sources outside the department((-)),

(c) A request for such payment must be submitted and approved by the division of medical assistance.

~~((9))~~ (10) The department reimbursement level will not exceed the maximum rates established by medicare. Payment for medically necessary services shall be made on the basis of usual and customary charges or the rates established by the department, whichever is lower.

~~((10))~~ (11) Payment for ~~((well-baby))~~ well-baby care is not authorized except as provided under the EPSDT program. See WAC 388-86-027.

(12) The department will not reimburse a hospital for the deductible amount the limited casualty program-medically needy recipient is required to pay for each hospital admission.

(13) The department will not reimburse an emergency room for the copayment amount the limited casualty program-medically needy recipient is required to pay for each emergency room visit.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

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

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

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

(4) Consultant's fees shall not be paid when the consulting physician specialist or other provider subsequently performs surgery or renders treatment for which flat fees are applicable, see WAC 388-86-095.

(5) If more than one specialist is called in to examine a patient during a spell of illness, billings are subject to review and approval by the chief of the office of medical ~~((assistance))~~ policy and procedure. (See WAC 388-87-025).

(6) Payment will be made for a psychological evaluation only when a physician has obtained the necessary approval to refer an eligible patient, whom he is treating, for such evaluation. Treatment by a psychologist is not provided. ~~((See WAC 388-87-025(2)(n)).))~~

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-013 CONDITIONS OF PAYMENT—HOSPITAL CARE. (1) A hospital must request approval of admission for nonemergent conditions from the local medical consultant before payment is made for services provided to recipients of the state funded ~~((program))~~ programs.

(2) The department will not be responsible for payment for additional days of hospitalization in the case of a hospitalized recipient when the PAS limitations have been exceeded and the provider has not requested an extension within termination of service or an extension request has been denied unless prior contractual arrangements are made by the department for a specified length of stay. Payment for the additional days spent in the hospital would then depend upon any private agreement or contract between the provider and the patient.

(3) A beneficiary of Title XVIII medicare who is not in a state institution shall use his nonrenewable lifetime hospitalization reserve of sixty days before payment for hospitalization will be made from Title XIX funds.

(4) A deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care for each admission is the responsibility of the limited casualty program—medically needy recipient.

AMENDATORY SECTION (Amending Order 1458, filed 11/26/79)

WAC 388-87-015 BILLING LIMITATIONS—ONE HUNDRED TWENTY-DAY PERIOD. (1) Providers shall submit their charges at least monthly and shall present their final charges not more than one hundred twenty days after termination of services. See RCW 74.09.160. An exception to this shall be made as a result of a fair hearing decision or court order involving a fair hearing decision which is favorable to the recipient. In such case, providers must present final charges to the department within one hundred twenty days of the day of the decision or the date the order was entered (see RCW 74.08.080).

(2) When it is obvious that clearance of resources for an applicant will require more time than the one hundred twenty-day billing period permits, an immediate request for permission for late billing shall be made to the department's state office. Permission for late billing cannot be granted if the request is received after expiration of the one hundred twenty-day billing period.

(3) ~~((The one hundred twenty-day billing limitation does not apply to those individuals eligible for federal aid medical care whose medical care and services are being paid for during the three-month retroactive period prior to the month of application. The one hundred twenty-day limitation begins for such eligible individuals as of the date of certification. (See WAC 388-87-010(5))))~~ The one hundred twenty-day billing limitation begins with the date of certification for retroactive medical coverage approved for payment. See chapter 388-80 WAC for definition of retroactive.

~~((4) The one hundred twenty-day billing limitation does not apply to those individuals receiving supplemental security income benefits or disability related medical assistance when notification of related eligibility for medical care and services is delayed in the federal and state data processing system. The one hundred twenty-day limitation begins for such eligible individuals on the last day of the month of certification. Medical only (mo) certifications may be similarly delayed pending disability determination.))~~

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-025 SERVICES REQUIRING APPROVAL OF MEDICAL CONSULTANT. (1) Services to recipients of medical assistance, limited casualty program, and continuing general assistance require certain approvals.

(2) All surgical procedures require approval by the local medical consultant – see WAC 388-86-095 and 388-86-110. Only the surgeon need obtain written approval for surgery. The services of the surgical assistant and the anesthesiologist or anesthetist do not require approval. Their billings for payment, however, must show

the patient's diagnosis and a ~~((cross-reference))~~ cross-reference to the surgeon.

~~((3) Requests for medical appliances and prosthetic devices must have prior approval according to WAC 388-86-100.~~

~~((4))~~ (3) Requests for allergy testing shall be submitted on appropriate state form for prior approval by the local medical consultant. The extent of service to be provided shall be indicated. In the event an independent laboratory bills for the allergy testings, the requesting physician shall send the approved state form to the laboratory as the billing authority.

~~((5))~~ (4) Drugs not listed in the department's formulary or any single prescription exceeding the maximum limit established – see WAC 388-91-020.

~~((6))~~ (5) Admission to a hospital – see WAC 388-87-070 and 388-86-050.

~~((7))~~ (6) Initial provision of oxygen service for a recipient under sixty-five years of age in his own home. Repeat deliveries of oxygen for the same illness do not require medical consultant approval – see WAC 388-86-080 and 388-87-080.

~~((8))~~ (7) Approval of physical therapy on an outpatient basis or in a nursing home when prescribed by the attending physician – see WAC 388-86-090.

~~((9))~~ (8) For certain bordering cities and out-of-state medical care – see WAC 388-82-030 and 388-86-115.

~~((10))~~ (9) For consultant or specialist referral when such referrals exceed two such consultants or specialists – see WAC 388-86-095.

~~((11))~~ (10) Respiratory therapy in excess of five treatments requires approval.

~~((12))~~ (11) Speech therapy requires an initial evaluation; both the evaluation and subsequent therapy require prior approval – see WAC 388-86-098.

~~((13))~~ (12) Psychological evaluation requires prior approval and is provided in connection with medical diagnosis and treatment (see WAC 388-87-012).

~~((14))~~ (13) Requests for taxi transportation.

(14) Requests for air transportation.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-027 SERVICES REQUIRING PRIOR APPROVAL BY STATE OFFICE. (1) The following services requiring approval of the local medical consultant shall also receive prior approval of the chief of the office of medical policy and procedure:

(a) Nonemergent surgical procedures – see WAC 388-86-095;

(b) Prosthetic devices and ~~((major appliances—see WAC 388-86-100))~~ durable medical equipment and nonreusable medical equipment costing more than five hundred dollars;

~~((i) Purchase of reusable medical appliances and aids to mobility costing more than five hundred dollars;~~

~~((ii) Purchase of nonreusable surgical appliances or prosthetic devices costing more than five hundred dollars except those described in WAC 388-87-025.))~~

(c) All out-of-state air transportation.

(2) With the exception of prosthetic devices and major appliances, subsection (1) of this section, does not apply to CSOs or regions which have ~~((full-time))~~ full-time medical consultants who are authorized to give approval.

(3) The medical director or designee may approve the purchase of a hearing aid for less than 50 decibel loss if social information justifies the need.

(4) All out-of-state air transportation.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-030 RESPONSIBILITY OF PHYSICIAN—PATIENT ADMITTED TO HOSPITAL. Admission to a hospital shall be requested by the attending physician. The signature of the attending physician on the department's hospital invoice is not required; however, the hospital must enter the diagnosis, justification for admission, and the physician's name ~~((and provider number in the appropriate section of the invoice))~~.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-070 PAYMENT—HOSPITAL CARE. The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020. Except for nonallowable revenue codes, reimbursable cost will be determined according to medicare cost reimbursement methods. Recipients of medicaid funded hospital services must have been approved as financially and medically eligible for hospitalization. They are:

(1) ~~((Recipients of federal aid grants, including essential persons))~~ Categorically needy recipients,

(2) ~~((Children in foster care for whom the department is making payment, who are eligible for medical assistance))~~ Limited casualty program recipients with exception of deductible for the medically needy,

(3) Recipients of continuing general assistance.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-87-075 PAYMENT—LABORATORY SERVICES. (1) A physician using his own laboratory to provide necessary laboratory services shall bill the department according to the ~~((its))~~ schedule of maximum allowances, using form DSHS 525-100.

(2) A physician using the services of an independent laboratory shall request services for a recipient in the same manner he requests services for his private patient.

(3) An independent laboratory ~~((may))~~ must bill the department directly ~~((on form DSHS 525-100 or may bill the physician. The physician is reimbursed by the department))~~. No reimbursement will be made to a physician for services performed by an independent laboratory.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-87-095 PAYMENT—PHYSICIAN SERVICE. (1) General provisions.

(a) Billing and payment for physician services will be made in accordance with divisional billing instructions and schedule of maximum allowances.

(b) The CSO may request a physician to complete a physical examination as described in WAC 388-86-095(2). In such cases, the local office requests the physician to arrange an appointment for the individual and provides the physician with a preapproved form A-19 for billing. A predetermined fee has been established for the cost of such examination, plus necessary laboratory and X-ray procedures. If the physician completes form 13-21, medical report, from available medical records without conducting an examination, an adjusted fee shall be paid.

(2) Exclusions and limitations.

(a) No payment is made to the physician for mileage.

(b) No payment is made to the physician for prescription refills.

(c) No payment is generally made for medical supplies used in conjunction with an office visit; however, payment may be made for items such as sling and swathe, clavicle and shoulder splints, cervical collars and ace bandages, subject to the limitations of the physician's acquisition cost.

(d) When it comes to the attention of the ~~((office))~~ division of medical assistance that a physician bills the department for inpatient hospitalization visits and the period of hospitalization has been denied, no payment will be made.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-105 PAYMENT—MEDICAL CARE OUTSIDE STATE OF WASHINGTON. (1) Medical care furnished in designated bordering cities ~~((mentioned in WAC 388-82-030))~~ is not considered to be out-of-state care. Payment is made to the provider of service as for care provided within the state of Washington. Provider licensure requirements, however, would be those of the state in which care is rendered.

(2) Payment is not authorized for out-of-state medical care furnished ~~((only to categorically needy recipients))~~ to state-funded recipients.

(3) The ~~((three month))~~ three-month retroactive coverage applies to out-of-state care given to eligible applicants.

(4) When out-of-state service is provided (excluding state office approved care in a skilled nursing home) in a state with a Title XIX medical care program, payment shall be authorized at the rate paid by the medical care program of the state in which the service is rendered. If provided in a state without a Title XIX program, payment shall be authorized at the rate charged, but not to exceed the rate paid for the service under Title XVIII medicare.

(5) Out-of-state providers shall be furnished with necessary billing forms and instructions.

(6) If the deductible or coinsurance portions of medicare are claimed, it will be necessary for the provider to submit his billing to the intermediary or carrier in his own state on the appropriate medicare billing form. If the state of Washington is checked as being responsible for medical billing on the form, the intermediary or carrier may bill on behalf of the provider or may return the billing to the provider for submitting to the state.

(7) Approved care in out-of-state skilled nursing home will be paid either at the rates for care charged in that state for recipients of public assistance, or in an amount not to exceed the rate for skilled nursing home care in the state of Washington, whichever is the lesser amount. Exceptions to the rule in this subsection may be granted only by the director of the bureau of nursing home affairs.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-91-010 DRUGS—PERSONS ELIGIBLE. (1) A drug formulary will list all drug preparations which are provided without prior approval of medical consultant. It will include a description of program limitations, rules and program policy and penalties. The decision to place drugs in the division of medical assistance program drug formulary is based on these criteria:

(a) The drug must be established as a part of necessary and essential care for the condition for which it is to be used.

(b) The drug must be in general use by the physicians practicing in Washington.

(c) The drug must be of moderate cost. Generic forms will be used when listed under DSHS or federal maximum allowable cost (MAC) programs. When two preparations of equal effectiveness but disparate costs are presented, the less expensive one will be selected for the formulary.

(d) Drugs must not be classified "ineffective" or "possibly effective" by the food and drug administration.

(e) The drug must not be experimental.

(2) The following process is used to determine the acceptability of a drug preparation for possible listing in the formulary:

(a) Objective, scientific information and utilization data is reviewed for appropriateness according to the criteria in subsection (1) of this section, by the program medical staff, or,

(b) The secretary may appoint an advisory committee in accordance with RCW 43.20A.360 to review and advise the division of medical assistance on the acceptability of the drug preparation.

(c) The medical director or his designee may make appropriate changes in the formulary consistent with subsection (1) of this section, and may accept recommendations of the advisory committee providing that action is in compliance with regulations governing the program and with acceptable management policies.

(d) Acceptable drugs will be included in the next subsequent edition of the formulary.

(3) In accordance with the department's rules and regulations drugs are provided for:

(a) The necessary and essential medical care of recipients of ~~((federal))~~ medical assistance ~~((grant))~~ and the limited casualty program.

(b) Recipients of state-funded medical care are furnished maintenance medications as listed by therapeutic classifications in the current division of medical assistance drug formulary. These persons are identified by the notation "GAU" on their medical identification coupons.

AMENDATORY SECTION (Amending Order 475, filed 9/8/70)

WAC 388-91-050 OUT-OF-STATE PRESCRIPTIONS. (1) Drugs provided residents of the state of Washington who are temporarily out of the state as defined in WAC 388-26-060 and 388-30-055 shall be authorized as part of medical care within the scope of WAC 388-86-115. Border situations as described by WAC 388-82-030(4) and (5) are not subject to out-of-state rules and are to be considered as care provided in the state of Washington.

(2) Drugs provided by out-of-state pharmacists ~~((border situations))~~ bordering cities ~~excepted~~ shall require the approval of the local medical consultant before payment can be made.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-025 COMPUTATION OF AVAILABLE INCOME. (1) Total income of a beneficiary of supplemental security income, except for institutionalized recipients, is not considered an available resource.

(2) Income and resources are considered jointly for spouses who live together in a common household and blind or disabled children who live with their parent(s). Income and resources are considered separately when spouses and/or children and parents cease to live together ~~((except for purposes of eligibility determination only, then))~~ . Income and resources are considered mutually available.

(a) For the first six months after the month they cease to live together where both spouses apply as SSI related (aged, blind or disabled),

(b) For the month of separation where only one spouse applies as SSI related (aged, blind(;) or disabled), or where blind or disabled children are separated from parents.

(3) For SSI related individuals, age eighteen to twenty-one, ((parents)) parents' income is not ((considered)) deemed available.

(4) For SSI related individuals under age eighteen, parents' income is deemed available when living in the same household.

(5) When the spouse of an SSI related applicant is ineligible or does not apply, the exclusions in subsection (6) ((below)) of this section, shall be applied to his/her income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the single monthly state supplement benefit all the remaining income shall be deemed to the applicant.

(6) Exclusions from income. The following ((items)) shall be excluded sequentially from income:

(a) Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;

(b) State public assistance based on financial need;

(c) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;

(d) Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;

(e) Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;

(f) One-third of any payment for child support received from an absent parent will be excluded;

(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded ((above)) in subsection (6)(a) through (f) of this section, for a person at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations((-));

(h) Tax exempt payments received by Alaska natives under the Alaska Native Claims Settlement Act;

(i) Tax rebates or special payments exempted by federal regulations will be exempted and publicized by numbered memoranda from the state office;

(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973((-));

(k) When an ineligible minor is in the household of an SSI applicant, an amount will be excluded for such child's needs. The exclusions will be the difference between the SSI couple cash benefit and the SSI individual cash benefit((-));

(l) Veteran's aid and attendance allowance is to be excluded in determining financial eligibility.

(i) If the sum is paid to a spouse, it is considered that individual's earned income and may be deemed to the applicant.

(ii) For institutionalized applicants, the amount subsequently is considered in the cost of institutional care.

(7) An ineligible or nonapplying individual under the age of twenty-one who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded unless that income is actually contributed to the applicant.

(8) Earned income exclusions for SSI related individuals shall be the first sixty-five dollars per month of earned income not excluded according to subsection (6) of this section, plus one-half of the remainder.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-030 MONTHLY STANDARD. (1) After computing available income according to WAC 388-92-025 for SSI related individuals, the monthly standard shall be the state supplement standard.

(2) The monthly maintenance standard for SSI related couples (both applying) shall be the state supplement standard for a couple.

(3) When computing available income for a family of three or more the relative responsibility requirement of the appropriate cash assistance program shall be applied, except that relative responsibility shall be limited to spouse for spouse and parent for child.

(4) In mixed households (AFDC and SSI related members) two separate determinations must be made.

(5) Applicants and/or recipients eligible for limited casualty program—medically needy will have the monthly standard applied as in WAC 388-99-020.

(6) When one or both of the applicants is SSI related in a medical facility, a full calendar month standards defined in WAC 388-83-135 and 388-83-140 must be used.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-040 AVAILABILITY OF RESOURCES. In establishing eligibility for medical assistance, only those resources actually available or "in hand", or expected to be "in hand", within a ((three month)) three-month period shall be considered. ((In cases of retroactive coverage, the three month period includes the month in which covered medical services were initiated)) The resources must not exceed the specified standard to be eligible for medical care.

Chapter 388-99 WAC
LIMITED CASUALTY PROGRAM—MEDICALLY
NEEDY

NEW SECTION

WAC 388-99-005 LIMITED CASUALTY PROGRAM—MEDICALLY NEEDY. (1) The department of social and health services provides a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not categorically needy for medical assistance.

(2) A potentially medically needy individual is defined as a person who is aged, blind, or disabled, or families and children whose income and resources are above the limits prescribed for the categorically needy but are within limits set for the medically needy program.

NEW SECTION

WAC 388-99-010 PERSONS ELIGIBLE FOR MEDICALLY NEEDY ASSISTANCE. (1) Medically needy refers to a resident of the state of Washington whose income is above the categorically needy income

level (CNIL), who meets the resource limits of the AFDC or SSI program and is:

(a) Related to aid to families with dependent children (AFDC). See chapter 388-83 WAC.

(b) Related to state supplemental security income (SSI). See chapter 388-92 WAC.

(c) Related to state supplementary payment program (SSP).

(d) A financially eligible person under age twenty-one who is in:

(i) Foster care, or

(ii) Subsidized adoption, or

(iii) Skilled nursing facility, intermediate care facility, intermediate care facility/mentally retarded,

(iv) An inpatient psychiatric facility.

(e) Aged, blind, and disabled individuals residing in a medical facility whose income is above the three hundred percent of the SSI benefit cap.

(2) Groups defined as categorically needy rather than medically needy are:

(a) Those described in chapters 388-82 and 388-93 WAC, and

(b) SSI presumptively eligible.

NEW SECTION

WAC 388-99-015 ELIGIBILITY—GENERAL. All applicants for the limited casualty program—medically needy are required to meet the requirements of WAC 388-83-010 through 388-83-025.

NEW SECTION

WAC 388-99-020 ELIGIBILITY DETERMINATION—MEDICALLY NEEDY IN OWN HOME. (1) The medically needy income level (MNIL) shall be:

- (a) One person \$303
- (b) Two persons \$434
- (c) Three persons \$468
- (d) Four persons \$501
- (e) Five persons \$593
- (f) Six persons \$671
- (g) Seven persons \$778
- (h) Eight persons \$859
- (i) Nine persons \$939
- (j) Ten persons \$1,019 and above.

(2) For families and children countable income is determined by deducting, from gross income, amounts that would be deducted in determining AFDC eligibility.

(3) For aged, blind, and disabled countable income is determined by deducting, from gross income, amounts that would be deducted in determining eligibility for the state supplementary payment program.

(4) If countable income is equal to or less than the appropriate MNIL, the family or individual is certified eligible.

(5) If countable income is greater than the appropriate MNIL, the applicant is required to spenddown the excess countable income based on a three-month calculation.

(6) Financial responsibility of relatives.

(a) For families and children,

(i) Income and resources of spouse or parent are considered available to the applicant whether or not actually contributed if they live in the same household.

(ii) Income and resources of spouse or parent are considered only to the extent of what is actually contributed if not in same household.

(b) For aged, blind, and disabled, see chapter 388-92 WAC for deeming of income.

NEW SECTION

WAC 388-99-030 ALLOCATION OF EXCESS INCOME—SPENDDOWN. (1) On initial or subsequent applications previously incurred medical expenses are deducted from excess countable income subject to the following restrictions.

(a) The medical expense must be a current liability of the individual or financially responsible relative in the same household. See WAC 388-92-025(4).

(b) The medical expenses have not been used at any other time to reduce excess countable income on a medical application which resulted in eligibility.

(c) The portion of the medical expense paid or covered by third-party liability can not be considered toward spenddown.

(d) Only medical services provided by practitioners recognized under state law will be considered. See WAC 388-87-005.

(e) Certain services recognized under state law will not be considered.

(2) If the incurred medical bills equal or exceed the excess countable income at the time of application, the applicant is certified eligible.

(3) If the incurred medical bills are less than the excess countable income, the application is not approved and the individual is required to spenddown the remaining excess countable income. The applicant is certified eligible only when excess countable income has been completely spenddown. Medical expenses incurred during the spenddown period are deducted in the following order:

(a) Medicare and other health insurance premiums, deductibles, coinsurance charges, enrollment fees, or copayments.

(b) Expenses for necessary medical and remedial care not covered by the limited casualty program.

(c) Expenses for necessary medical and remedial care covered by the limited casualty program which have been paid by the applicant.

(d) Expenses for necessary medical and remedial care covered by the limited casualty program which have not been paid.

(4) The applicant is responsible for providing complete documentation of incurred medical expenses. Once medical eligibility has been approved, expenses which were not listed or which were omitted will not be considered. Such expenses may be used to reduce excess countable income on a subsequent application provided the conditions in subsection (1) of this section are met.

(5) The applicant is liable for any expenses incurred prior to the spenddown satisfaction date.

NEW SECTIONWAC 388-99-035 RESOURCE STANDARDS.

(1) To determine eligibility on the basis of resources, use the resource standards under AFDC or SSI, whichever is higher for a given resource. If applicant has resources in excess of the standards applied, the individual is not eligible and the application is denied.

(2) A medically needy applicant who has transferred assets at less than fair market value within twenty-four months prior to the month of application without adequate consideration is presumed to have disposed of the resource for the purpose of obtaining eligibility for medical assistance.

(a) The uncompensated value is to be considered an available resource.

(b) If uncompensated value is in excess of twelve thousand dollars, the application is to be denied.

(c) If less than twelve thousand dollars, consideration is to be given to disposition of resources.

NEW SECTION

WAC 388-99-040 AVAILABILITY OF RESOURCES. (1) Consider resources according to chapter 388-92 WAC.

(2) Consider only resources available during the period for which income is computed.

(3) For families and children deduct the value of resources which would be deducted in determining AFDC eligibility.

(4) For aged, blind, and disabled, deduct the value of resources which would be deducted in determining eligibility for SSI.

NEW SECTION

WAC 388-99-045 MEDICALLY NEEDY—ELIGIBILITY DETERMINATION—INSTITUTIONAL.

(1) Individuals are considered institutionalized if they reside in a medical facility at least a full calendar month.

(a) SSI/state supplement related individuals in medical facilities shall have their eligibility determined by comparing their gross income to three hundred percent of the SSI benefit (SSI cap).

(b) Allocation of recipient income is defined in WAC 388-83-140.

(c) Use other SSI financial criteria for consideration of resources as defined in chapters 388-92 and 388-83 WAC.

(d) Income remaining after computation will be used to participate in the cost of care at the department rate.

(2) Individuals who reside in a medical facility less than a full calendar month shall have their eligibility determined as for a noninstitutionalized person for that month.

NEW SECTION

WAC 388-99-050 LIMITED CASUALTY PROGRAM—MEDICALLY NEEDY—APPLICATION PROCESS. (1) Applications will be disposed of according to WAC 388-84-105 and 388-84-110.

(2) The effective date shall be as in chapter 388-84 WAC, except that the effective date for LCP-MN in own home shall be the date spenddown, if any, has been met.

NEW SECTION

WAC 388-99-055 CERTIFICATION. (1) A recipient in own home shall be certified for no more than three months.

(2) An applicant who is required to spenddown shall be certified from the day the spenddown requirement is met through the last day of the three-month period which began at the time of application.

(3) If retroactive coverage was applied, a spenddown applicant shall be certified from the day the spenddown requirement was met through the last day of the three-month period which began up to three months prior to the month of application.

(4) A new application is required for any subsequent period of eligibility for LCP-MN.

(5) An applicant who is required to spenddown shall be certified the day the spenddown requirement is met.

(6) Full-month coverage is not available during the first month of eligibility for persons who must establish eligibility by deducting incurred medical expense from countable income.

(7) A recipient in a medical facility, other than a hospital, shall be certified for twelve months.

(8) All medically needy recipients shall receive individual notification of the disposition of their application.

(9) Any change in circumstances shall be promptly reported to the local community service office.

(10) Any recipient, aged, blind or disabled who has been terminated from SSI/SSP shall have their eligibility for LCP-MN determined in accordance with chapter 388-85 WAC.

NEW SECTION

WAC 388-99-060 SCOPE OF CARE FOR MEDICALLY NEEDY. (1) The medical coverage under the limited casualty-medically needy program will include inpatient hospital services; outpatient hospital and rural health clinic services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses; skilled nursing facility services; intermediate care facility services; intermediate care facility services for the mentally retarded; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) A medically needy recipient deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care shall apply to each hospital admission.

(3) A medically needy recipient copayment not to exceed three dollars shall apply to each emergency room visit.

(4) For other conditions and limitations under which these services may be provided, refer to appropriate service in chapter 388-86 WAC.

(5) A request for an exception to policy shall not be approved without review by the division of medical assistance.

Chapter 388-100 WAC
LIMITED CASUALTY PROGRAM—MEDICALLY
INDIGENT

NEW SECTION

WAC 388-100-005 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT. (1) The department of social and health services provides a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not eligible for any other medical program.

(2) An individual potentially eligible for the medically indigent program is a person who:

(a) Has an acute and emergent condition which is defined as having a short and relatively severe course, not chronic, occurring unexpectedly and demanding immediate action, and

(b) Meets the financial eligibility as defined in this section.

NEW SECTION

WAC 388-100-010 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—ELIGIBILITY DETERMINATION. (1) Citizenship is not a requirement of eligibility.

(2) Persons receiving LCP-MI shall meet the following eligibility standards:

(a) The individual is not eligible for or receiving federal or state-funded cash assistance, or the limited casualty program—medically needy.

(b) Income shall not exceed the grant standards for AFDC.

(c) Nonexempt resources shall not exceed the resource standard for AFDC.

(d) The applicant has not transferred resources within two years prior to the date of application without having received adequate consideration according to the provisions of chapter 388-28 WAC.

(3) The following shall be deducted or exempted from income:

(a) Mandatory deductions of employment.

(b) Total income and resources of a noninstitutionalized SSI beneficiary.

(c) Support payments paid under a court order.

(d) Payments to a wage earner plan specified by a court in bankruptcy proceedings, or previously contracted major household repairs if failure to make such payments would result in garnishment of wages or loss of employment.

(4) The following shall be considered an exempted resource:

(a) A home.

(b) Used and useful household furnishings and personal clothing.

(c) Personal property of great sentimental value.

(d) Livestock or similar property owned by children when profit is reserved for education.

(e) Other personal property used to reduce need for assistance or medical care.

(f) One cemetery plat for each member of the assistance household.

(g) A used and useful automobile.

(5) The following resources are not exempt:

(a) Cash, marketable securities, and any other resource not specifically exempted that can be converted to cash.

(b) The potential earning power of the applicant or recipient. Even if an applicant has no cash resources, current employment or possibility of employment in the future, as evidenced by past opportunities, may be such that the individual could be reasonably expected to pay all or part of the cost of medical care out of future earnings.

NEW SECTION

WAC 388-100-015 ALLOCATION OF EXCESS INCOME AND NONEXEMPTED RESOURCE. (1) All excess income and nonexempted resources shall be used toward the cost of medical care.

(2) On initial or subsequent applications all previously incurred medical expenses are deducted from excess countable income as described in WAC 388-99-030. These expenses cannot have been used toward a previous spenddown or deductible requirement.

NEW SECTION

WAC 388-100-020 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—APPLICATION PROCESS. (1) Applications will be disposed of according to WAC 388-84-105 and 388-84-110.

(2) The effective date shall be the date spenddown, if any, has been met.

(3) Medical care received within seven working days prior to the date of application shall be provided when:

(a) The condition was acute and emergent, and

(b) The individual was otherwise eligible.

NEW SECTION

WAC 388-100-025 CERTIFICATION. (1) A recipient shall be certified eligible for the duration of treatment not to exceed three months.

(2) An applicant who is required to spenddown shall be certified from the day the spenddown requirement is met through the last day of the three-month period which began at the time of application.

(3) All medically indigent applicants shall be individually notified in writing of the disposition of their application.

(4) Any change in circumstances shall be promptly reported to the local community services office.

NEW SECTION

WAC 388-100-030 DEDUCTIBLE. A deductible of fifteen hundred dollars per family over a twelve-month period is required.

(1) Only eligible family members can accumulate expenses against the deductible.

(2) The accumulation of the deductible commences with the date of certification not to exceed seven working days prior to the date of application. The department may on an exception to policy basis waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

(3) Only medical services as specified in WAC 388-100-035 are countable toward meeting the deductible requirement.

(4) The expenses incurred against the deductible are the liability of the recipient.

(5) If the deductible has not been satisfied during the certification period, the remaining amount is applied to any subsequent acute and emergent certification period which begins within twelve months of application.

NEW SECTION

WAC 388-100-035 SCOPE OF CARE FOR MEDICALLY INDIGENT. (1) The medical coverage under the limited casualty program—medically indigent shall be available to an eligible individual for treatment of acute and emergent conditions only. This may include: Inpatient hospital services; outpatient hospital and rural health clinic services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses, SNF, ICF, ICF/MR; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) Payment by the department will not be made until expenses are incurred by the recipient equal to the deductible amount.

(3) All services require the approval of the medical consultant.

(4) When any other medical need is identified for recipients undergoing detoxification for an acute alcohol condition as defined in chapter 388-40 WAC, the requirements for acute and emergent need and the fifteen hundred dollar deductible shall apply.

(5) When an applicant indicates that an urgent undefined medical illness exists, the condition will be regarded as acute and emergent and one office visit for diagnosis may be allowed, provided all financial eligibility criteria have been met. Treatment will be contingent upon the criteria for acute and emergent having also been met.

(6) For other conditions and limitations under which these services may be provided refer to appropriate service in chapter 388-86 WAC.

(7) No out-of-state care is provided except in the designated bordering cities.

(8) A request for an exception to policy shall not be approved without review by the division of medical assistance.

WSR 81-13-001
PROPOSED RULES
COMMISSION ON EQUIPMENT
[Filed June 3, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Commission on Equipment intends to adopt, amend, or repeal rules concerning:

Amd	ch. 204-08 WAC	Practice and procedure.
New	ch. 204-10 WAC	Equipment standards.
Rep	ch. 204-12 WAC	Hydraulic brake fluid.
Rep	ch. 204-16 WAC	Seat belts.
Rep	ch. 204-20 WAC	Motorcycle helmets.
New	ch. 204-22 WAC	Standards for tire chains.
Rep	ch. 204-24 WAC	Traction devices.
Amd	ch. 204-62 WAC	Deceleration warning light.
New	ch. 204-78 WAC	Standards for motorcycle headlamp modulator.
New	ch. 204-80 WAC	Standards for headlamp flashing systems.
New	ch. 204-84 WAC	Standards for sirens;

that such agency will at 1:30 p.m., Friday, July 24, 1981, 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, July 24, 1981, 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, 46.37.194, 46.37.280, 46.37.310, 46.37.320, 46.37.380 and 46.37.420.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 24, 1981, and/or orally at 1:30 p.m., Friday, July 24, 1981, 1st floor large conference room, General Administration Building, Olympia, Washington 98504.

Dated: June 2, 1981
By: Lt. R.C. Dale
Secretary

STATEMENT OF PURPOSE

Title: WAC 204-08-100 Procedure for obtaining approval of automotive equipment within the scope of RCW 46.37.005 and 46.37.320.

Chapter 204-10 WAC Equipment Standards.

Chapter 204-12 WAC Hydraulic Brake Fluid—Repealer.

Chapter 204-16 WAC Seat Belts—Repealer.

Chapter 204-20 WAC Motorcycle Helmets—Repealer.

Chapter 204-22 WAC Standards for Tire Chains.

WAC 204-24-020 Standards for tire chains and WAC 204-24-070 Approval of tire chains or traction devices—Repealers.

Chapter 204-62 WAC Deceleration Warning Light.

Chapter 204-78 WAC Standards for Motorcycle Headlamp Modulator.

Chapter 204-80 WAC Standards for Headlamp Flashing Systems.

Chapter 204-84 WAC Standards for Sirens. Description of Purpose: To set standards for all automotive equipment required to be approved by the Commission on Equipment. To bring all existing standards for equipment which is regulated by federal standards into conformance with those federal standards.

Statutory Authority: RCW 46.37.005, 46.37.194, 46.37.280, 46.37.310, 46.37.320, 46.37.380 and 46.37.420.

Summary of Rule: Standards for design, construction, testing, mounting and use of equipment.

Reasons supporting proposed action: To establish standards for equipment which the Commission on Equipment is required to approve so that approval may be made on the basis of comparison with a standard.

Agency personnel responsible for Drafting: Lieutenant R. C. Dale, Secretary, Commission on Equipment, General Administration Bldg., Olympia, WA 98504, (206) 753-6569; Implementation and Enforcement: Commission on Equipment, General Administration Bldg., Olympia, WA 98504, (206) 753-6569.

Person or organization proposing rule, whether public, private or governmental: Commission on Equipment - Governmental. Agency Comments: Comments are only for chapter 204-10 WAC. This rule should standardize equipment requirements in Washington with federal and some other states' requirements which should have a beneficial effect monetarily on equipment manufacturers.

These rules are not necessary as a result of a federal law or a federal or state court decision, except that a federal court decision in Pennsylvania makes chapter 204-10 WAC advisable even though it is not binding on Washington at this time.

REPEALER

The following sections of the Washington Administrative Code are repealed as follows:

WAC 204-24-020 STANDARDS FOR TIRE CHAINS.

WAC 204-24-070 APPROVAL OF TIRE CHAINS OR TRACTION DEVICES.

AMENDATORY SECTION (Amending Order 7760, filed 7/27/78)

WAC 204-08-100 PROCEDURE FOR OBTAINING APPROVAL OF AUTOMOTIVE EQUIPMENT WITHIN THE SCOPE OF RCW 46.37.005 AND 46.37.320. (1) ~~((Standards for approval:~~

~~(a) The device must meet the current specifications for that device as outlined by the Society of Automotive Engineers in the Society of Automotive Engineers Handbook or as outlined by the American Standards Association;~~

~~(b) Where standards have not been set by either the Society of Automotive Engineers or the American Standards Association the standards shall be those standards set by the commission on equipment in a published commission on equipment regulation;~~

~~(2)) Method for obtaining approval.~~

(a) To obtain approval the petitioner must provide for submission of any lighting device, or other safety equipment, component, or assembly to any recognized organization or agency such as, but not limited to, the Vehicle Equipment Safety Commission, American National Standards Institute, Society of Automotive Engineers, and the American Association of Motor Vehicle Administrators, as the agent of the state commission on equipment, and for the issuance of an approved certificate by that recognized organization or agency to the state commission on equipment.

(b) If any lighting device, or other safety equipment, component, or assembly cannot be submitted to the organization or agency named in the above paragraph (a), then the petitioner must submit to the state commission on equipment the following:

(i) a copy of a test report from a nationally recognized testing laboratory certifying that the device meets the current specifications for that device as prescribed by the commission in ~~((a published commission regulation))~~ chapter 204-10 WAC.

(ii) a sample of the device as marketed when requested by the commission on equipment.

(iii) correspondence, test reports and samples are to be submitted to: Secretary, State Commission on Equipment, Washington State Patrol, General Administration Building AX-12, Olympia, Washington 98504.

~~((2))~~ (2) Forms and files of the state commission on equipment. Certificates of approval shall be on forms provided by the secretary of the state commission on equipment and the files of the state commission on equipment shall be kept by the secretary of the state commission on equipment in the offices of the Washington State Patrol.

Chapter 204-10 WAC

Equipment Standards

NEW SECTION

WAC 204-10-010 PROMULGATION. By authority of RCW 46.37.005 and RCW 46.37.320, the State Commission on Equipment hereby adopts the following rules setting forth standards for motor vehicle equipment for which approval is required in chapter 46.37 RCW.

NEW SECTION

WAC 204-10-020 LIGHTING DEVICES. (1) Federal Motor Vehicle Safety Standard 108 is hereby adopted by reference as the standard for the following lighting devices:

- (a) Headlamps
- (b) Taillamps
- (c) Stoplamps
- (d) License plate lamps
- (e) Turn signal lamps
- (f) Side marker lamps
- (g) Intermediate side marker lamps
- (h) Backup lamps
- (i) Identification lamps
- (j) Clearance lamps
- (k) Parking lamps
- (l) Reflex reflectors
- (m) Intermediate reflex reflectors
- (n) Intermediate side reflex reflectors
- (o) Intermediate side marker reflectors
- (p) Turn signal operating units
- (q) Turn signal flashers
- (r) Vehicular hazard warning signal operating units
- (s) Vehicular hazard warning signal flashers

(2) Canadian Standards Association standard D106.2 is hereby adopted by reference as the standard for the following lighting devices:

- (a) Headlamps (quartz-halogen non-sealed beam)
 - (i) Motorcycle headlamps may comply with either Federal Motor Vehicle Safety Standard 108 or Canadian Standard D106.2.
- (b) Fog lamps. Fog lamps may comply with either standard D106.2 or SAE Standard J583d as set forth in subsection (3)(a) of this section.

(3) Society of Automotive Engineers standards are hereby adopted by reference as the standard for the following lighting devices:

- (a) Fog lamps (SAE J5833d)
- (b) Fog tail lamps (SAE J1319)
- (c) Auxiliary driving lamps (SAE J581a)
- (d) Auxiliary low beam lamps (or auxiliary passing lamps) (SAE J582a)
- (e) Spot lamps (SAE J591b)
- (f) Cornering lamps (SAE J582b)
- (g) Supplemental high-mounted stop and rear turn signal lamps (SAE J186a)
- (h) Side turn signal lamps (SAE J914b)
- (i) 360 degree emergency warning lamps (SAE J845)
- (j) Flashing warning lamps for agricultural equipment (SAE J974)
- (k) Flashing warning lamps for authorized emergency, maintenance, and service vehicles (SAE J595b).
- (l) Flashing warning lamp for industrial equipment (SAE J96)
- (m) Warning lamp alternating flashers (J1054)
- (n) Green lamp for use on volunteer fireman's private vehicle (SAE J595b - flashing warning lamps for authorized emergency, maintenance, and service vehicles.
 - (i) Color of the lens shall be green as that color is described in SAE Standard J578d (Color Specifications for Electric Signal Lighting Devices) rather than red or amber as specified in SAE J595b.
 - (o) Side cowl, fender, or running board courtesy lamps (SAE J575g)
- (4) Standards promulgated by the Commission on Equipment for the following lighting devices shall be as set forth in the Washington Administrative Code chapters as indicated:
 - (a) Deceleration alert lamp system (WAC 204-62)
 - (b) Headlamp modulator (WAC 204-78)
 - (c) Headlamp flashing system (WAC 204-80)
 - (d) School bus warning lamps (WAC 204-74)

NEW SECTION

WAC 204-10-030 BRAKE FLUID. Federal Motor Vehicle Safety Standard 116 is hereby adopted by reference as the standard for brake fluid.

NEW SECTION

WAC 204-10-040 MOTORCYCLE HELMETS. Federal Motor Vehicle Safety Standard 218 is hereby adopted by reference as the standard for motorcycle helmets.

NEW SECTION

WAC 204-10-050 SEAT BELTS. (1) Federal Motor Vehicle Safety Standard 209 is hereby adopted by reference as the standard for seat belt assemblies.

(2) Federal Motor Vehicle Safety Standard 210 is hereby adopted by reference as the standard for seat belt assembly anchorages.

NEW SECTION

WAC 204-10-060 GLAZING MATERIAL. Federal Motor Vehicle Safety Standard 205 is hereby adopted by reference as the standard for glazing materials.

NEW SECTION

WAC 204-10-070 AIR CONDITIONING UNITS. (1) Society of Automotive Engineers Recommended Practice SAE J639 is hereby adopted by reference as the standard for automotive air conditioning units.

(2) Society of Automotive Engineers Standard SAE J51b is hereby adopted by reference as the standard for automotive air conditioning hose.

NEW SECTION

WAC 204-10-080 EMERGENCY REFLEX REFLECTORS. Society of Automotive Engineers Recommended Practice SAE J774c is hereby adopted by reference as the standard for emergency reflex reflector warning devices.

NEW SECTION

WAC 204-10-090 SLOW MOVING VEHICLE EMBLEMS. Society of Automotive Engineers Standard SAE J943a is hereby

adopted by reference as the standard for slow moving vehicle identification emblems. Mounting of the emblem shall be as set forth in chapter 204-28 WAC.

NEW SECTION

WAC 204-10-100 TIRE CHAINS. Standards for tire chains shall be as set forth in chapter 204-22 WAC.

NEW SECTION

WAC 204-10-110 TRACTION DEVICES. Standards for traction devices (studs, winter traction tires) shall be as specified in chapter 204-24 WAC.

NEW SECTION

WAC 204-10-120 SIRENS. Standards for sirens shall be as set forth in chapter 204-84 WAC.

NEW SECTION

WAC 204-10-130 TRAILER HITCHES. Standards for trailer hitches shall be as set forth in chapter 204-70 WAC.

NEW SECTION

WAC 204-10-140 MOTORCYCLE GOGGLES, GLASSES, AND FACE SHIELDS. Standards for motorcycle glasses, goggles, and face shields shall be as set forth in chapter 204-52 WAC.

NEW SECTION

WAC 204-10-150 LOAD FASTENING DEVICES. Standards for load fastening devices shall be as specified in chapter 204-44 WAC.

REPEALER

Chapter 204-12 of the Washington Administrative Code is repealed as follows:

- (1) WAC 204-12-001 PROMULGATION.
- (2) WAC 204-12-010 PURPOSE.
- (3) WAC 204-12-020 STANDARDS.
- (4) WAC 204-12-030 MARKING OF CONTAINERS.
- (5) WAC 204-12-040 FILLING OR REUSE OF CONTAINERS.
- (6) WAC 204-12-050 APPROVAL PROCEDURE.
- (7) WAC 204-12-060 EFFECTIVE DATE.

REPEALER

Chapter 204-16 of the Washington Administrative Code is repealed as follows:

- (1) WAC 204-16-001 PROMULGATION.
- (2) WAC 204-16-010 PREVIOUS REGULATION RESCINDED.
- (3) WAC 204-16-020 PURPOSE.
- (4) WAC 204-16-030 STANDARDS.
- (5) WAC 204-16-040 INSTALLATION.
- (6) WAC 204-16-050 APPROVAL PROCEDURE.
- (7) WAC 204-16-060 EFFECTIVE DATE.

REPEALER

Chapter 204-20 of the Washington Administrative Code is repealed as follows:

- (1) WAC 204-20-010 DEFINITIONS.
- (2) WAC 204-20-020 MATERIALS.
- (3) WAC 204-20-030 REQUIRED PROTECTION.
- (4) WAC 204-20-040 TEST SAMPLES.
- (5) WAC 204-20-050 TEST CONDITIONS.
- (6) WAC 204-20-060 IMPACT TEST.
- (7) WAC 204-20-070 PENETRATION TEST.
- (8) WAC 204-20-080 RETAINING SYSTEM TEST.
- (9) WAC 204-20-090 TEST EQUIPMENT.
- (10) WAC 204-20-100 CALIBRATION OF TEST EQUIPMENT.

- (11) WAC 204-20-110 REFLECTOR REQUIREMENTS.
 (12) WAC 204-20-120 IDENTIFICATION
 REQUIREMENTS.
 (13) WAC 204-20-130 APPROVAL PROCEDURE.
 (14) WAC 204-20-140 ALTERATION OF HELMETS.
 (15) WAC 204-20-150 EFFECTIVE DATE.

Chapter 204-22 WAC
 Standards for Tire Chains

NEW SECTION

WAC 204-22-010 PROMULGATION. By authority of RCW 46.37.005 and RCW 46.37.420, the State Commission on Equipment hereby adopts the following standards for tire chains.

NEW SECTION

WAC 204-22-020 SCOPE. These standards shall apply to tire chains designed for and used upon a public roadway.

NEW SECTION

WAC 204-22-030 REGULAR TIRE CHAINS. (1) Regular tire chains are metal chain loops, one on each side of the tire, connected by evenly-spaced metal chains across the tire tread.

(2) The National Association of Chain Manufacturers Tire Chain Specification NACM-5179(TC) is hereby adopted by reference as the standard for regular tire chains.

NEW SECTION

WAC 204-22-040 SPECIAL TIRE CHAINS. (1) Special tire chains are tire chains that differ from regular tire chains in construction or material and consist of two circular loops, one on each side of the tire, connected by evenly-spaced cross-connectors across the tire tread.

(2) Special tire chain requirements. The ability of special tire chains to improve vehicle stopping, traction, and cornering performance shall be at least equal to that of regular tire chains. One new pair each of special tire chains and regular tire chains of the same size shall be tested on the same vehicle. The same sets may be used for all three required types of tests, or new sets may be used for each type of test. The test vehicle shall be equipped with original equipment size tires and rims, necessary test instrumentation, and shall be of the same axle weight distribution for all tests. The tires shall be inflated to the vehicle manufacturer's recommended air pressure. The same driver shall make all runs in each type of test. The vehicle shall be driven under the same procedures for both pairs of chains in accordance with the following requirements:

(a) Test area and conditions. The test area shall be a level surface covered with ice of sufficient thickness to assure that no segment of any test will be affected by exposure of the base surface. The ice shall be smooth and free of any foreign material. The air temperature shall be not higher than 32°F (0°C) during all testing. The time, air, and ice surface temperatures shall be recorded at the beginning and end of each test segment, and the air and ice surface temperatures shall be recorded in 15-minute increments during each test segment. The ice surface temperature during the runs on the special chains shall not differ from the temperature during the runs on the regular chains by more than 10°F (5.6°C) in each type of test.

(b) Stopping distance test. Stopping distance tests shall be conducted with the vehicle entering the test surface at a speed in excess of 20 mph, after which the transmission is placed in neutral, and the brakes locked when 20 mph is reached. Three tests shall be run in each direction for each type of chain. The vehicle speed at the time of locked brakes and the distance traveled for each of the six tests shall be recorded. Stopping distances recorded for stops at speeds less than 20 mph shall not be used. Additional runs shall be made, if required, so that stopping distances for six runs are averaged to evaluate the performance of the chain. The test vehicle shall be equipped with a fifth wheel and proper instrumentation for measuring speed and distance traveled after the brake application. No test shall be conducted in the tire print of a previous test.

(c) Traction test. Traction tests shall be conducted on the ice surface with the chain-equipped test vehicle coupled to a calibrated dynamometer which is coupled to a second vehicle in neutral gear. The second vehicle shall weigh at least 1,000 pounds more than the test

vehicle or shall be of the same size and type equipped with tire chains on all wheels with the brakes locked. The dynamometer shall be equipped with a maximum reading pointer, have scale divisions of not more than 10 lb (44.5N), and have an accuracy within ± 1 percent of full range. From a stopped position, the test car shall be slowly accelerated until the drive wheels slip and cease to contribute to traction. The maximum dynamometer reading shall be recorded. Three tests shall be run for each type of tire chain. The results shall be averaged to evaluate the performance of the chain. No test shall be conducted in the tire chain print of a previous test.

(d) Cornering test. Cornering tests shall be conducted on a circular ice surface. A 12-foot wide lane with an inner radius of approximately 200 feet shall be outlined on the ice with marker cones placed at intervals of not more than 50 feet. Front tires shall be of a type (such as studded) selected to minimize the likelihood of breakaway first occurring at the front wheels. The test vehicle shall enter the ice circle, adjust its motion to a path formed by the cones, and gradually accelerate to the highest speed at which the vehicle can be controlled within the path. An observer riding in the test vehicle shall measure the time required to complete two laps at this speed. From the known radius and stopwatch time, an average speed shall be calculated. Two tests shall be completed for each type of tire chain. Testing shall be completed in the following order: test the regular chain, test the special chain rebuild the ice surface to approximately original condition, retest the special chain, and then retest the regular chain.

(e) Equivalent alternate test procedures. The specified full-scale outdoor test procedures can be carried out only at certain times of year and at limited locations. The Commission on Equipment may consider tests in other locations, such as indoor ice skating rinks, when evidence is furnished that the comparative results between regular chain and special chain tests would be equivalent to the full-scale tests. In such a case, the following exceptions to preceding requirements will be allowed:

- (i) The air temperature may be above 32°F.
- (ii) The stopping distance test may be run at a fixed speed of not less than 10 mph.
- (iii) The cornering test may be conducted with an ice circle radius of less than 200 feet.
- (f) Evaluation of test results. Special tire chains with not more than a 10 percent decrease in performance as compared to regular tire chains in one of the three tests in preceding subsections (b), (c), and (d), may be approved provided their performance in one of the other two tests is at least 10 percent greater than that of regular tire chains.

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 204-22-050 OTHER TIRE CHAIN DEVICES. From time to time, new technology or materials allow the invention or manufacture of devices having the same effect on a tire as tire chains but different in concept or design. Standards for such other tire chain devices shall be set by the Commission upon petition by a party for approval of the device.

AMENDATORY SECTION (Amending Order 7609, filed 10/4/76)

WAC 204-62-020 DEFINITION. A deceleration warning light, excluding stop lamps, is a device that indicates to a following driver the ((rate of)) deceleration of the vehicle ahead.

NEW SECTION

WAC 204-62-040 STANDARDS. Deceleration warning lamp systems may meet the specifications set forth in either WAC 204-62-050 or WAC 204-62-060, but shall meet at least one of those specifications.

NEW SECTION

WAC 204-62-050 REQUIREMENTS AND TEST METHODS FOR A DECELERATION ALERT SYSTEM, TYPE I. (1) A deceleration alert lamp, Category I, is mounted on the rear of the vehicle and has three compartments. The center compartment emits a green light and is energized when the vehicle operator has the accelerator depressed. The two outer compartments emit an amber light and are

energized when the operator releases the accelerator and prior to applying pressure to the foot brake pedal. When the amber lights are energized, the green light is deenergized. When pressure is applied to the foot brake pedal, the amber lights are deenergized and the vehicle's stop lamps operate in the normal manner.

(2) The deceleration alert lamp is a three-compartment lamp and only one is allowed on the rear of the vehicle mounted as close as possible to the vertical centerline of the vehicle. Center to center (optical axis) distance between two adjacent compartments should not exceed six inches.

(3) The following sections from SAE J575g standard shall apply: Section B, samples for test; Section C, lamp bulbs; Section D, laboratory facilities; Section E, vibration test; Section F, moisture test; Section G, dust test; Section H, corrosion test; and Section J, photometry.

(a) Plastic material - Any plastic material used in optical parts shall comply with the requirements set forth in SAE J576c.

(b) Color test - The color of the light from the center compartment shall be green and the color of the light from the two outer compartments shall be amber. See SAE Standard J578d for color chromaticity boundaries.

(4) Photometric requirements - All beam candlepower measurements shall be made with the H-V axis taken as parallel to the longitudinal axis of the vehicle. The candlepower measurements for the center green compartment shall be made with the incandescent filament of the lamp at least ten feet from the photometric screen.

Beam candlepower measurements of the two amber compartments shall be made by either of the following methods:

(a) The two compartments may be photometered together provided that a line from the optical axis (filament centers) of each compartment to the center of the photometer sensing device does not make an angle of more than 0.6° with the photometer (H-V) axis.

(b) Each compartment may be photometered separately by aligning its axis with the photometer and adding the value at each test point.

Table 1 lists the design candlepower requirements for the two outer amber lights, and Table 2 lists the design candlepower requirements for the center green light.

Table 1

Minimum Design Candlepower Requirements for Amber Light	
Test Points	Candlepower
10 up 10L	25
and V	65
10 down 10R	25
20L	25
10L	65
5 up 5L	85
and V	125
5 down 5R	85
10R	65
20R	25
20L	25
10L	75
5L	125
H-V	175
5R	125
10R	75
20R	25
Maximum	450

Table 2

Minimum Design Candlepower Requirements for Green Light	
Test Points	Candlepower
10 up 10L	1
and V	1.5
10 down 10R	1
20L	1
10L	2
5 up 5L	4
and V	4
5 down 5R	4
10R	2
20R	1
20L	2
10L	3
5L	5
H-V	5
5R	5
10R	3
20R	2
Maximum	45

(5) Mounting. Deceleration lamps shall be mounted at a height of not more than 72 inches nor less than 15 inches.

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 204-62-060 REQUIREMENTS AND TEST METHODS FOR A DECELERATION ALERT SYSTEM, TYPE II. (1) Operating requirements. Deceleration alert systems shall meet the following operating requirements:

(a) Function. The system shall operate so as to indicate a component of deceleration of the vehicle on which it is installed by varying the flashing rate of a yellow lamp when the service brakes are applied.

(b) Reduced nighttime brightness. The system shall incorporate an automatic means for reducing the intensity of the lamp during darkness. The system shall cause the voltage to the deceleration lamps to decrease to 5.0 V ± 10% at 0 g deceleration during darkness. The specified voltage shall be reached when the illumination on the sensor is not more than 5 lm/sq. ft., nor less than 0.5 lm/sq. ft.

(2) Deceleration performance. The output voltage, duty cycle, and flash rate of the control unit as a temperature of 24° ± 5.5° C (75° ± 10° F), when 12.8 V dc is applied to the input terminal, shall be as shown in Table I when the control sensor is placed on a tilt table and slightly vibrated as the table is slowly rotated through the angles representing the specified vehicle deceleration rates.

TABLE I. Test Requirements for Deceleration Lamps

Deceleration (g)	Output (V)	Peak Relative Brightness	Flash Rate (Hz)	On Time (%)
0.0	7.0	1.0	1.0	50
0.1	—	1.0	1.5	48
0.2	—	1.0	2.3	46
0.3	—	1.2	3.4	44
0.4	—	1.4	5.0	42
0.5	—	1.7	7.6	40

(a) Deceleration. The deceleration at which the unit switches from a lower to a higher flash rate shall be within ±0.05 g of the rate specified in Table I. If the unit operates at more steps than the required minimum, the additional values for each column shall lie on the smooth curve connecting the indicated values within the specified tolerances. The values specified in Table II apply to ramp-type inertial sensors for which the downward angles correspond to the deceleration and a tolerance of 3.0° applies to the tilt angle.

TABLE II. Test Requirements for Deceleration Sensors

Deceleration (g)	DEGREES		
	Forward Tilt Angle	Dip Correction	Corrected Tilt Angle
0.0	0.0	0.0	0.0
0.1	5.7	0.8	6.5
0.2	11.3	1.6	12.9
0.3	16.7	2.4	19.1
0.4	21.8	3.2	25.0
0.5	26.6	4.0	30.6

(b) Output voltage. The rms output voltage during the on portion of the flash cycle at the 1 HZ flash rate shall be within ± 5% of the specified value, measured at the lamp bulbs with daytime illumination on the automatic darkness sensor.

(c) Relative brightness. With the brightness of the lamp or its bulbs taken as 1.0 when measured with the rms output voltage specified for 0 g deceleration, the relative brightness of the lamp or bulbs at the other decelerations shall be within ± 25% of the specified values after the fifth flash.

(d) Flash rate and percent on time. The flash rate shall be within ± 15% of the specified value. The percent on time shall be within ± 10% of the specified value.

(e) Correction for front end dip. Control sensors for vehicles with substantial front end dip upon braking, such as passenger vehicles and pickup trucks, shall have linear dip corrections varying from 4° at 0.5 g or more deceleration to 0° at 0 g.

(3) Mechanical test requirements. Deceleration lamps shall comply with the following mechanical tests in SAE Standard J575g (tests for motor vehicle lighting devices and components): Corrosion, dust, moisture, vibration, and warpage (at a flashing rate of 1 Hz when a plastic lens or housing is used).

(4) Temperature test requirements. The control system shall meet the following requirements at both 11 V and 15 V.

(a) Low temperature test. The control system shall be placed in its normal operating position in a circulating air cabinet at -32° ± 3° C (-25° ± 5° F) for 2 hours. At the end of that period and while still at that temperature, the unit shall meet the requirements in Table I at 0 g and 0.3 g.

(b) High temperature test. The control system shall be placed in its normal operating position in a circulating air cabinet at 74° + 0°, - 2.8° C (165° + 0°, -5° F) for 2 hours. At the end of that period and while still at that temperature, the unit shall meet the requirements in Table I at 0 g and 0.3 g.

(5) Durability test. The control system shall be operated continuously at a supply voltage of 12.8 V dc for 200 hours with no failure (except bulb replacement), after which it shall meet the requirements in Table I at 0 g and 0.3 g.

(b) Photometric test requirements. The luminous intensity of a deceleration lamp with the bulbs operated at mean spherical candela shall meet the photometric requirements in Table III after the sample has been mechanically tested in the order shown in subsection (3) of this section.

Table III. Photometric Requirements for Deceleration Signal Lamps

Test Point	Coordinates		Max Cd		Min Cd	
	Vertical	Horizontal	Amber	Red	Amber	Red
10U		10L	70	35	25	12.5
		V	200	100	60	30
		10R	70	35	25	12.5
5U		20L	40	20	15	7.5
		10L	200	100	60	30
		5L	600	300	200	100
		V	800	400	350	175
		5R	600	300	200	100
		10R	200	100	60	30
		20R	40	20	15	7.5
H		20L	40	20	15	7.5
		10L	200	100	60	30
		5L	800	400	350	175
		V	1,300	650	600	300
		5R	800	400	350	175
		10R	200	100	60	30
		20R	40	20	15	7.5
5D		20L	40	20	15	7.5
		10L	200	200	60	30
		5L	600	300	200	100
		V	800	400	350	175
		5R	600	300	200	100
		10R	200	100	60	30
		20R	40	20	15	7.5
10D		10L	70	35	25	12.5
		V	200	100	60	30
		10R	70	35	25	12.5

NEW SECTION

WAC 204-78-010 PROMULGATION. By authority of RCW 46.37.005 and RCW 46.37.320, the State Commission on Equipment hereby adopts the following standards for motorcycle electronic headlamp modulators.

NEW SECTION

WAC 204-78-020 SCOPE. This standard shall apply only to electronic headlamp modulators for use on motorcycles and motor-driven cycles.

NEW SECTION

WAC 204-78-030 DEFINITIONS. (1) "Electronic light modulation" means the periodic change in intensity of light, controlled by an all electric modulating device in the electrical circuit of the lighting system.

(2) "Percent modulation" equals time-weighted power input with modulation to headlamp divided by time weighted power input without modulation to headlamp times one hundred.

(3) "Electronic modulation" means using one hundred percent electronic circuitry instead of mechanical metallic switches.

NEW SECTION

WAC 204-78-040 LOCATION OF LIGHT MODULATOR.

(1) Electrical. The modulator shall be inserted in the high beam headlight circuit on motorcycles between the high beam hand switch and high beam filament in the lamp.

(2) Physical. The modulator shall be located on a frame bar or other substantial structure number, easily accessible to the operator for quick access to a by-pass switch. The device should be air cooled, if necessary.

(3) Safety redundancy. The low beam headlight circuit should be unaltered and used as backup in case of modulator malfunction.

NEW SECTION

WAC 204-78-050 PARAMETER SPECIFICATIONS FOR LIGHT MODULATORS.

(1) The modulator shall be designed to continuously operate 60 watt headlamps.

(2) The modulator shall have an electrical bypass switch rated at 6 amps, 12.8 volts.

(3) Provisions shall be made to change modulation amplitude:

(a) Daytime - modulation depth should be at least 50% but not more than 80%.

(b) Nighttime - not more than 20% modulation.

(c) At no time while the light modulator is being used should the percent modulation become 100. This condition switches off the light intermittently and leads to premature filament failure.

(4) All innerconnecting wire should be No. 16 AWG stranded copper.

(5) The light modulator should be capable of operating over a voltage range of from 8 to 14 volts with no discernible change in its operating characteristics other than in headlamp brightness.

(6) Potentially dangerous voltages, i.e., above 50 volts should not be used in the light modulator.

(7) The modulator should operate within a frequency band of one cycle every two seconds to not more than four times per second.

(8) The units should be sealed to prevent water intrusion.

(9) The modulator should be designed to withstand intense vibration at 130 F.

(10) No changes shall be made to render ineffective Motor Vehicle Safety Standard 108.

Chapter 204-80 WAC
Standards for Headlamp Flashing Systems

NEW SECTION

WAC 204-80-010 PROMULGATION. By authority of RCW 46.37.005, RCW 46.37.280, and RCW 46.37.310, the State Commission on Equipment hereby adopts the following standards for headlamp flashing systems.

NEW SECTION

WAC 204-80-020 SCOPE. This standard applies to headlamp flashing systems for authorized emergency vehicles owned and operated by law enforcement agencies and fire departments.

NEW SECTION

WAC 204-80-030 DEFINITIONS. (1) "Headlamp flashing system" is an automatic means for controlling the high beams from the headlamps so that they can be alternately flashed in sequence on opposite sides of the front of the vehicle as a warning signal.

NEW SECTION

WAC 204-80-040 OPERATING UNIT. The operating unit shall have a circuit that alternately flashes only the high beams from the headlamps at a rate of 60 to 120 flashes per minute per side. The device shall be so designed that any failure to flash the lamps will not result in failure of the headlamp system to operate normally. The design of the device shall also incorporate an override feature which shall stop the flashing and provide full illumination from both high beam headlamps when the dimmer switch is in the high-beam mode.

NEW SECTION

WAC 204-80-050 INDICATOR LAMP. An indicator lamp shall be included in the circuit to give a visible and unmistakable indication to the driver that the system is turned on.

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.

Chapter 204-84 WAC
Standards for Sirens

NEW SECTION

WAC 204-84-010 PROMULGATION. By authority of RCW 46.37.194 and RCW 46.37.380, the State Commission on Equipment hereby adopts the following standards for sirens.

NEW SECTION

WAC 204-84-020 SCOPE. This chapter shall apply to sirens or other emergency vehicle sound warning devices required to be approved by RCW 46.37.194 and RCW 46.37.380.

NEW SECTION

WAC 204-84-030 DEFINITIONS. The following definitions shall apply wherever the terms are used in this article:

(1) Siren. A "siren" is a device that produces the readily recognizable warning sound identified with emergency vehicles.

(2) Electromechanical siren. An "electromechanical siren" is an audible warning device incorporating a stator and rotor driven by an electric motor.

(3) Electronic siren. An "electronic siren" is an audible warning device incorporating an oscillator, amplifier, and speaker.

(4) Mechanical siren. A "mechanical siren" is an audible warning device incorporating a stator and rotor driven by a mechanical connection to a moving part of the vehicle or engine.

(5) Manual. "Manual" means a siren control that allows the operator to produce a wailing sound by alternately applying and releasing a momentary contact switch.

(6) Wail. "Wail" means a siren control that, when manually activated, causes the device to produce a slow, continuous automatic cycling of increasing and decreasing frequencies.

(7) Yelp. "Yelp" means a siren control that, when manually activated, causes the device to produce a rapid, continuous automatic cycling of increasing and decreasing frequencies.

(8) "Hi-Lo" means a siren control that, when manually activated, causes the device to produce a sound that automatically alternates between a fixed high and a fixed low frequency.

(9) ANSI. "ANSI" means a standard adopted by the American National Standards Institute, Inc.

(10) SAE. "SAE" means a standard or recommended practice of the Society of Automotive Engineers.

NEW SECTION

WAC 204-84-040 IDENTIFICATION MARKINGS. Sirens and components shall be marked as follows:

(1) Siren markings. Each siren shall be permanently marked with the manufacturer's or vendor's name, initials, or lettered trademark and the model designation in letters and numerals at least 3mm (0.12 inches) in height.

(2) Component markings. Each major component of an electronic siren, including the speaker, speaker driver, amplifier, and control panel (if separate from the amplifier), and each mechanical and electromechanical siren shall contain the required markings.

(3) Driver markings. Speaker drivers for electronic sirens shall be marked to include the rms wattage in addition to those required in subsection (1) above.

(4) Visibility of markings. Required siren markings, except those on the speaker driver and on speakers mounted within approved warning lamp housings, shall be clearly visible when the siren is installed on a vehicle. Amplifier markings may be on the front, top, sides, or bottom of the case provided they are in a location where they are legible to a person inspecting the component without using mirrors or removing the component when it is installed in a vehicle.

(5) Permanence of markings. Required identification markings shall be molded, etched, embossed, stamped, engraved, or printed with epoxy paint or screening ink on the device or on a metal label of substantial thickness permanently affixed to the device by welding or metal fasteners. Speaker driver markings may be of indelible ink or nonepoxy paint when protected by coverings or they may be stamped on a metal plate attached by a screw.

NEW SECTION

WAC 204-84-050 INSTRUMENTATION FOR TESTING. Equipment used to test sirens shall meet the following requirements:

(1) Sound measuring system. The sound measuring system shall meet the requirements of SAE J184, July 1972.

(2) Octave band analyzer. The octave band analyzer shall meet the requirements of ANSI S1.11-1966.

(3) Turntable. The turntable shall have a diameter of at least 300 mm (12 inches) and shall operate at a constant speed.

(4) Test fixture. The fixture used for electromechanical and electronic siren tests shall be a rigid tripod 1.20 m \pm 50 mm (4 feet \pm 2 inches) in height, constructed of 13mm (0.5 inches) tubular material, mounted on a turntable, and fitted with a 300mm (12-inch) square platform.

(5) Wattmeter. The wattmeter for measuring amplifier output shall be a Weston Model 310 Form 3, or equal, with a frequency range from dc to 1600 Hz, field ratings of 10 A and 62.5 V, a scale range of 250 W, and 1% accuracy.

(6) Weather measuring instruments. In the open field, instruments for measuring wind direction and speed, relative humidity, and temperature shall be used and shall be mounted behind and at approximately the same height as the siren.

NEW SECTION

WAC 204-84-060 TESTING SITES. Sites for laboratory or field tests of sirens shall comply with the following requirements:

(1) Laboratory tests. A laboratory test site shall consist of an anechoic chamber that meets the requirements of ANS S1.13-1971.

(2) Open field tests. An open field test site for mechanical siren testing shall consist of a flat paved area at least 15m (49 feet) in diameter and free of large vertical sound-reflecting surfaces within 15m (49 feet) of the microphone and siren except for the test vehicle.

NEW SECTION

WAC 204-84-070 MICROPHONE AND PERSONNEL STATIONS. Sound level meter microphones and technicians shall be stationed as follows:

(1) Microphone location. The microphone used for testing an electromechanical or electronic siren shall be located 3.00m \pm 6mm (9.8 feet \pm 0.24 inches) from the edge of the siren horn or projector, in line with the siren axis, and at the same height as the siren. The microphone used for testing a mechanical siren shall be located 1.20m \pm 50mm (4 feet \pm 2 inches) above the test surface and 3.00m \pm 6mm (9.8 feet \pm 0.24 inches) from the nearest part of the siren.

(2) Microphone orientation. The microphone shall be oriented in relation to the sound source in accordance with the instrument manufacturer's instructions. If the instruction manual does not include adequate information, a specific recommendation shall be obtained from the manufacturer.

(3) Personnel location. During laboratory tests, technicians and observers shall remain outside the anechoic chamber. During field tests, persons other than the operator of the vehicle shall be positioned no closer than 3m (10 feet) from the microphone or the siren.

NEW SECTION

WAC 204-84-080 SIREN TEST PROCEDURES. The following procedures shall be followed while testing sirens for approval:

(1) Mounting of test sample. Mechanical sirens shall be mounted on a vehicle for open field testing. An electromechanical siren or electronic siren speaker assembly shall be mounted on the test fixture secured to a turntable, as follows:

(a) Height above turntable. The height of the electromechanical siren or electronic siren speaker measured from the lower edge of the siren stator housing or from the lower edge of the speaker bell to the face of the turntable shall be 1.2m \pm 76mm (4 feet \pm 3 inches).

(b) Distance from surface of test area. Sirens shall be located as far from the walls of the anechoic chamber as practicable.

(2) Power supply. The electrical power supply for testing electromechanical and electronic sirens shall be as follows:

(a) Electromechanical sirens. The power supply for the electromechanical siren under test shall be a battery of the correct rated voltage with a cold cranking performance rating at -18 C (0 F) of from 550 A 50 620 A and a rated minimum reserve capacity at 26.7 C (80 F) of 140 min. The battery shall be at full charge and in good condition at the start of the test.

(b) Electronic sirens. The power supply for electronic sirens shall be a well-filtered, voltage-regulated power source meeting at least the requirements of SAE J823c, January 1975. The voltage measured at the power supply output terminals with the siren operating shall be as follows:

Rated Voltage	Test Voltage For Sound Level	Test Voltage For Wattage
6	6.5	7.2
12	13.6	15.0

(3) Sound level meter operation. The sound level meter shall be operated in accordance with the instrument manufacturer's instructions and as follows:

(a) Sound level meter setting. The sound level meter shall be set for the A-weighted network and fast response.

(b) Octave band analyzer. The octave band analyzer shall be operated to determine the octave band containing the maximum sound output in each siren mode.

(c) Calibration check. An external calibration check shall be made before and after each period of use and at intervals not exceeding 2 hours when the sound measuring instrument is used for a period longer than 2 hours.

(d) Ambient sound. Measurements shall be made only when the A-weighted ambient sound level, including wind effects and all other sound sources, is at least 10 dB(A) lower than the sound level of the siren.

(4) Siren operation. The mounted siren shall be operated to determine the sound level output under each function at the established test points as follows:

(a) Electromechanical and electronic siren speakers shall be rotated from at least 50 degrees left to 50 degrees right of the center of the siren axis at a constant speed during the siren operation.

(b) Mechanical sirens shall be tested when mounted on a stationary vehicle and operated at speeds equivalent to a road speed of 30 to 80 km/hour (19-50 mph) to determine maximum noise output straight ahead of the vehicle (the vehicle may be mounted on rollers). The speed at which maximum sound level occurs shall be continued while the microphone is moved from 50 degrees left to 50 degrees right of the center of the vehicle axis.

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 204-84-090 SIREN REQUIREMENTS. Sirens shall be approved only when they comply with the following requirements:

(1) Sound level output. Two classes of sirens, A and B, are established based on the recorded A-weighted sound level output of the test sample measured at 0 degrees on the siren or speaker axis, and at 10-degree increments from 50 degrees left to 50 degrees right of the center of the siren axis. The sound level output from the siren shall not be less than the value shown at each test point in Table I for the class of siren. The sound level of electronic sirens shall be measured after the siren is operated for one minute.

TABLE I. Minimum A-Weighted Sound Level at 3.0m (10.0 feet)

Rotation Degree	Class A Siren	Class B Siren
0	120	115
10	119	114
20	118	113
30	117	112
40	115	110
50	113	108

(2) Sound level determination. Sound level shall be recorded as the steady state level reached under manual control and the average level reached by the major peaks for wail and yelp. The lowest of the recorded sound levels of the manual, wail, or yelp function shall determine the siren class.

(3) Frequency requirements. The maximum sound level in the axis of the siren shall occur in either the 1000 or 2000 Hz octave bands.

(4) Electronic siren wattage. The wattage delivered to speakers of electronic sirens, shall not exceed the following requirements when tested at the voltages specified in WAC 204-84-080(2).

(a) At the voltage specified for sound level tests, the wattage shall not exceed the rating of the driver after one minute and before three minutes of operation. The meter shall be inserted in the line between the amplifier and the speaker at the amplifier terminals.

(b) At the voltage specified for wattage tests, the wattage shall not exceed 105% of the rating of the driver when measured after ten minutes of operation. Measurements shall be taken using the following sequence: manual, wail, and yelp.

(c) The wattage recorded for wail and yelp shall be the mathematical average of the high and low readings as the signal varies.

(5) Siren functions. Electronic sirens approved by the department shall have a wail function and may also have manual, yelp, and Hi-Lo functions. No other function is permitted, except for voice communication, on sirens approved or reapproved after January 1, 1978. The sound produced by the siren shall meet the following requirements:

(a) The wail function shall have an automatic undulating pitch rate of not less than ten nor more than 30.0 oscillations per minute. The wail sound level, measured on the center of the siren axis, shall drop no more than 10 dB (A) per cycle below the required values in Table I.

(b) Electronic sirens approved or reapproved after January 1, 1978, which include a manual function shall incorporate a manual momentary contact switch which allows the vehicle operator to momentarily override the descending sound pattern of the automatic cycle when the control is set to "wail" and which can be used to produce a manually-cycled wail when the control is set at "manual."

(c) The yelp function shall have an automatic undulating pitch rate of not less than 150 nor more than 250 oscillations per minute, except for sirens approved prior to July 1, 1975.

(6) Siren control markings. Electronic siren controls shall be marked to indicate each siren function by the words "Manual," "Wail," "Yelp," and "Hi-Lo," spelled out or abbreviated.

NEW SECTION

WAC 204-84-100 MOUNTING REQUIREMENTS. Unless the test report includes justification for alternate mounting methods, sirens and speakers installed on authorized emergency vehicles shall be mounted as follows:

(1) Electromechanical and mechanical sirens.

(a) Class A sirens. Class A electromechanical and mechanical sirens shall be mounted outside, behind the grille, or under the hood.

(b) Class B sirens. Class B electromechanical and mechanical sirens shall be mounted outside or between the grille and the radiator.

(2) Electronic sirens.

(a) Class A and Class B electronic sirens installed after January 1, 1976, shall be mounted outside or with the horn opening facing forward ahead of the radiator with a relative open path for the sound to project forward. The horn axis shall be parallel to the road and vehicle centerline.

(b) Dual speakers. Dual speakers for electronic sirens shall be connected in phase and mounted so that the speaker axis is parallel to the vehicle centerline or angled outward not more than ten degrees to each side.

Be it resolved by the Washington State Chiropractic Disciplinary Board, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating

to Scope of practice—Revocation or suspension of license authorized for practice outside scope, adopting WAC 113-12-200.

This action is taken pursuant to Notice No. WSR 81-09-054 filed with the code reviser on April 17, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Chiropractic Disciplinary Board as authorized in RCW 18.26.110.

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 21, 1981.

By James S. Day, D.C.
Chairman

NEW SECTION

WAC 113-12-200 SCOPE OF PRACTICE—REVOCATION OR SUSPENSION OF LICENSE AUTHORIZED FOR PRACTICE OUTSIDE SCOPE.

(1) The chiropractic disciplinary board finds that over the past few years there has been an increasing number of persons licensed as chiropractors who have been practicing other healing arts while holding themselves out to the public as chiropractors to the detriment of the public health and welfare of the state of Washington and contrary to the legislative directive contained in RCW 18.26.010(5). The board further finds and deems it necessary to carry out the provisions of chapter 18.26. RCW that this rule be adopted to give guidance to members of the profession, and the public, in interpreting for purposes of application by the disciplinary board of RCW 18.26.030, the scope of health care which comes within the definition of chiropractic in RCW 18.25.005 and which is authorized under a license to practice chiropractic in the state of Washington.

(2) RCW 18.25.005 defines the term "chiropractic" for purposes of chapters 18.25 and 18.26 RCW, as that practice of health care which deals with the detection of subluxations, which shall be defined as any alteration of the biomechanical and physiological dynamics of contiguous spinal structures which can cause neuronal disturbances, the chiropractic procedure preparatory to, and complementary to the correction thereof, by adjustment or manipulation of the articulations of the vertebral column and its immediate articulations for the restoration and maintenance of health; it includes the normal regimen and rehabilitation of the patient, physical examination to determine the necessity for chiropractic care, the use of X-ray and other analytical instruments generally used in the practice of chiropractic: PROVIDED, That no chiropractor shall prescribe or dispense any medicine or drug nor practice obstetrics or surgery nor use X-rays for therapeutic purposes: PROVIDED, HOWEVER, That the term "chiropractic" as defined in this act shall not prohibit a practitioner licensed under chapter 18.71 RCW from performing accepted medical procedures,

except such procedures shall not include the adjustment by hand of any articulation of the spine: AND PROVIDED FURTHER, That nothing herein shall be construed to prohibit the rendering of dietary advice.

(3) The board finds that the following diagnostic techniques and procedures, by whatever name known, are not within the definition of "chiropractic" as specified in (2) above and in RCW 18.25.005, and, consequently, a license to practice chiropractic does not authorize their use:

(a) The use of X-rays or other forms of radiation for any other reason than to X-ray the human skeleton.

(b) The use of any form of electrocardiogram.

(c) The testing and reduction to mathematical formulae of sputum and/or urine (commonly known as "Reams" testing).

(d) Hair analysis.

(e) The use of a vasculizer or plethysonograph (commonly known as plethysmography) except for research purposes.

(f) The use of iridology.

(g) The taking of blood samples.

The above list is not to be considered exhaustive or to limit the board in any way from finding under the statutory definition in RCW 18.25.005 that any other diagnostic technique or procedure is outside the scope of chiropractic practice.

(4) The board finds that the following treatment modalities, by whatever name known, are not within the definition of "chiropractic" as specified in (2) above and in RCW 18.25.005 and, consequently, a license to practice chiropractic does not authorize their use:

(a) Ultrasound, diathermy, high voltage galvanic therapy and X-rays or other radiation.

(b) Colonic irrigation.

(c) Extremity adjusting.

(d) Electrotherapy.

(e) The use of a transcutaneous electrical nerve stimulator (TENS).

(f) The use of the endonasal technique.

(g) The use of any type of casting other than light body casting.

(h) The use of meridian therapy (whether known as "acupressure", "trigger point therapy" or the same type of therapy under any other name.)

(i) Prescribing of specific vitamin and food supplements for treatment of specific diseases.

(j) Selling of vitamins or food supplements for any reason.

(k) The use of hypnosis for any other than relaxation purposes.

(l) The use of clinical herbology.

The above list is not to be considered exhaustive or to limit the board in any way from finding under the statutory definition in RCW 18.25.005 that any other treatment modalities are outside the scope of chiropractic practice.

(5) In accord with the legislative directive of RCW 18.26.010(5), the use by a chiropractor of diagnostic techniques or procedures or treatment modalities which are outside the definition of chiropractic in RCW 18.25.005, whether or not listed in this rule, or the use by a

chiropractor of any of the diagnostic techniques and procedures listed in (3) above or the use by a chiropractor of any of the treatment modalities listed in (4) above shall constitute unprofessional conduct under RCW 18.26.030(10) and (11) which shall be good and sufficient cause for revocation or suspension of that chiropractor's license to practice chiropractic in Washington.

**WSR 81-13-003
PROPOSED RULES
STATE BOARD OF EDUCATION**
[Filed June 4, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education intends to adopt, amend, or repeal rules concerning chapter 180-08 WAC, practice and procedure, being the repeal of existing sections of the chapter and the addition of a new section, WAC 180-08-005;

that such agency will at 9:00 a.m., Thursday, July 23, 1981, in the Library, Kelso High School, 1904 Allen Street, Kelso, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, July 24, 1981, in the Library, Kelso High School, 1904 Allen Street, Kelso, WA.

The authority under which these rules are proposed is chapter 34.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 23, 1981, and/or orally at 9:00 a.m., Thursday, July 23, 1981, Library, Kelso High School, 1904 Allen Street, Kelso, WA.

Dated: June 5, 1981

By: Wm. Ray Broadhead
Secretary

STATEMENT OF PURPOSE

Rule title: Chapter 180-08 WAC, Practice and Procedure.

Description of purpose: To eliminate the necessity for rule changes each time the Code Reviser changes the uniform rule.

Statutory authority: Chapter 34.04 RCW.

Summary of rule: Repeals all existing sections of the chapter and adds one new section which relates to administrative practices regarding hearings and rule proceedings.

Reasons supporting proposed action: Eliminates necessity for rule changes each time the Code Reviser changes the uniform rules and results in a reduction of the length of the chapter.

Agency personnel responsible for the drafting, implementation and enforcement: Wm. Ray Broadhead, Secretary, State Board of Education, 7510 Armstrong Street, S.W., Tumwater, WA 98504 FG-11.

Person/organization proposing rule: State Board of Education.

Private Public Governmental
Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: [No information supplied by agency]

Necessary as result of federal law, federal court action or state court action: [No information supplied by agency]

NEW SECTION

WAC 180-08-005 ADMINISTRATIVE PRACTICES REGARDING HEARINGS AND RULE PROCEEDINGS. The state board of education is governed by the State Administrative Procedures Act, chapter 34.04 RCW. This act governs the conduct of "rule" making proceedings and the conduct of "contested case" hearings as these terms are defined in RCW 34.04.010(2) and (3). Appearances in representative capacities before the state board of education; the procedures and conditions governing petitions for declaratory rulings or the adoption, amendment, or repeal of a rule; and, the standards, procedures and conditions governing the conduct of contested case hearings and proceedings by or before the state board of education shall be as set forth in rules of the state code reviser as now or hereafter amended. The rules of the code reviser are currently set forth in chapter 1-08 WAC.

All other regulatory actions and hearings conducted by the state board of education may be conducted informally at the discretion of the state board of education.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 180-08-010 APPEARANCE AND PRACTICE BEFORE THE STATE BOARD OF EDUCATION—WHO MAY APPEAR.
- (2) WAC 180-08-020 APPEARANCE AND PRACTICE BEFORE THE STATE BOARD OF EDUCATION—APPEARANCE IN CERTAIN PROCEEDINGS MAY BE LIMITED TO ATTORNEYS.
- (3) WAC 180-08-030 APPEARANCE AND PRACTICE BEFORE THE STATE BOARD OF EDUCATION—SOLICITATION OF BUSINESS UNETHICAL.
- (4) WAC 180-08-040 APPEARANCE AND PRACTICE BEFORE THE STATE BOARD OF EDUCATION—STANDARDS OF ETHICAL CONDUCT.
- (5) WAC 180-08-050 APPEARANCE AND PRACTICE BEFORE THE STATE BOARD OF EDUCATION—APPEARANCE BY FORMER EMPLOYEE OF BOARD OR FORMER MEMBER OF ATTORNEY GENERAL'S STAFF.
- (6) WAC 180-08-060 APPEARANCE AND PRACTICE BEFORE THE STATE BOARD OF EDUCATION—APPEARANCE OF FORMER EMPLOYEE AS EXPERT WITNESS.
- (7) WAC 180-08-070 COMPUTATION OF TIME.
- (8) WAC 180-08-080 NOTICE AND OPPORTUNITY FOR HEARING IN CONTESTED CASES.
- (9) WAC 180-08-090 SERVICE OF PROCESS—BY WHOM SERVED.
- (10) WAC 180-08-100 SERVICE OF PROCESS—UPON WHOM SERVED.
- (11) WAC 180-08-110 SERVICE OF PROCESS—SERVICE UPON PARTIES.
- (12) WAC 180-08-120 SERVICE OF PROCESS—METHOD OF SERVICE.
- (13) WAC 180-08-130 SERVICE OF PROCESS—WHEN SERVICE COMPLETE.
- (14) WAC 180-08-140 SERVICE OF PROCESS—FILING WITH AGENCY.
- (15) WAC 180-08-230 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RIGHT TO TAKE.
- (16) WAC 180-08-240 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SCOPE.
- (17) WAC 180-08-250 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—OFFICER BEFORE WHOM TAKEN.

- (18) WAC 180-08-260 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—AUTHORIZATION.
- (19) WAC 180-08-270 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—PROTECTION OF PARTIES AND DEponents.
- (20) WAC 180-08-280 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—ORAL EXAMINATION AND CROSS EXAMINATION.
- (21) WAC 180-08-290 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RECORDATION.
- (22) WAC 180-08-300 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SIGNING ATTESTATION AND RETURN.
- (23) WAC 180-08-310 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—USE AND EFFECT.
- (24) WAC 180-08-320 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—FEES OF OFFICERS AND DEponents.
- (25) WAC 180-08-330 DEPOSITIONS UPON INTERROGATORIES—SUBMISSION OF INTERROGATORIES.
- (26) WAC 180-08-340 DEPOSITIONS UPON INTERROGATORIES—INTERROGATION.
- (27) WAC 180-08-350 DEPOSITIONS UPON INTERROGATORIES—ATTESTATION AND RETURN.
- (28) WAC 180-08-360 DEPOSITIONS UPON INTERROGATORIES—PROVISIONS OF DEPOSITION RULE.
- (29) WAC 180-08-370 OFFICIAL NOTICE—MATTERS OF LAW.
- (30) WAC 180-08-380 OFFICIAL NOTICE—MATERIAL FACTS.
- (31) WAC 180-08-390 PRESUMPTIONS.
- (32) WAC 180-08-400 STIPULATIONS AND ADMISSIONS OF RECORD.
- (33) WAC 180-08-410 FORM AND CONTENT OF DECISIONS IN CONTESTED CASES.
- (34) WAC 180-08-420 DEFINITION OF ISSUES BEFORE HEARING.
- (35) WAC 180-08-430 PREHEARING CONFERENCE RULE.
- (36) WAC 180-08-440 PREHEARING CONFERENCE RULE—RECORD OF CONFERENCE ACTION.
- (37) WAC 180-08-450 SUBMISSION OF DOCUMENTARY EVIDENCE IN ADVANCE.
- (38) WAC 180-08-460 EXCERPTS FROM DOCUMENTARY EVIDENCE.
- (39) WAC 180-08-470 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—NUMBER AND QUALIFICATIONS OF WITNESSES.
- (40) WAC 180-08-480 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—WRITTEN SWORN STATEMENTS.
- (41) WAC 180-08-490 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—SUPPORTING DATA.
- (42) WAC 180-08-500 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—EFFECT OF NONCOMPLIANCE WITH WAC 180-08-470 OR WAC 180-08-480.
- (43) WAC 180-08-510 CONTINUANCES.
- (44) WAC 180-08-520 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA.
- (45) WAC 180-08-530 RULES OF EVIDENCE—TENTATIVE ADMISSION—EXCLUSION—DISCONTINUANCE—OBJECTIONS.
- (46) WAC 180-08-540 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—WHO MAY PETITION.
- (47) WAC 180-08-550 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—REQUISITES.
- (48) WAC 180-08-560 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—AGENCY MUST CONSIDER.
- (49) WAC 180-08-570 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—NOTICE OF DISPOSITION.
- (50) WAC 180-08-580 DECLARATORY RULINGS.
- (51) WAC 180-08-590 FORMS.

WSR 81-13-004

EMERGENCY RULES

BELLEVUE COMMUNITY COLLEGE

[Order 75, Resolution 138—Filed June 5, 1981]

Be it resolved by the board of trustees of Bellevue Community College, Community College District VIII, acting at 3000 Landerholm Circle S.E., Bellevue, WA 98007, that it does promulgate and adopt the annexed rules relating to Quarterly registration fees: Resident students, amending WAC 132H-160-040 and Quarterly registration fees: Nonresident students, amending WAC 132H-160-050.

We, the Board of Trustees of Bellevue Community College, 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 in order to comply with SB 4090 passed by the legislature in the 1981 Legislative Session regarding the increase in tuition effective Summer Quarter, 1981, it is necessary to pass this as an emergency rule.

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 Bellevue Community College, Community College District VIII, as authorized in RCW 28B.50.140.

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

APPROVED AND ADOPTED June 3, 1981.

By Thomas E. O'Connell
Secretary, Board of Trustees

AMENDATORY SECTION (Amending Order 73, filed 5/13/81)

WAC 132H-160-040 QUARTERLY REGISTRATION FEES: RESIDENT STUDENTS. Full-time resident students of Community College District VIII will be charged (~~(\$101.00)~~) \$154.00 for tuition and fees. Part-time resident students will be charged (~~(\$10-10)~~) \$15.40 per credit hour.

Reviser's Note: RCW 28B.19.077 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.

AMENDATORY SECTION (Amending Order 73, filed 5/13/81)

WAC 132H-160-050 QUARTERLY REGISTRATION FEES: NONRESIDENT STUDENTS. Full-time nonresident students of Community College

District VIII will be charged (~~(\$395.00)~~) \$607.00 for tuition and fees. Part-time nonresident students will be charged (~~(\$39.50)~~) \$60.70 per credit hour.

Reviser's Note: RCW 28B.19.077 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 81-13-005
ADOPTED RULES
DEPARTMENT OF FISHERIES

[Order 81-37—Filed June 8, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

This action is taken pursuant to Notice No. WSR 81-09-082 filed with the code reviser on April 22, 1981. 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 May 29, 1981.

By Rolland A. Schmitten
Director

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-22-020 COAST, WILLAPA HARBOR, GRAYS HARBOR SALMON MANAGEMENT AND CATCH REPORTING AREAS. (1) Area 1 shall include those waters of District 1 and the Oregon coast westerly of a line projected from the in-shore end of the north Columbia River jetty in the state of Washington to the knuckle of the south Columbia River jetty in the state of Oregon, northerly of a line projected true west from Tillamook Head in Oregon and southerly of a line projected true west from Leadbetter Point in Washington.

(2) Area 2 shall include those waters of District 1 northerly of a line projected true west from Leadbetter Point and southerly of a line projected true west from the Queets River mouth.

(3) Area 2A shall include those waters of Grays Harbor and the Chehalis River estuary upstream from the Union Pacific Railroad Bridge at Aberdeen to a line projected from the Standard Oil Dock at a right angle to

the thread of the stream to a fishing boundary marker set on the opposite shore.

(4) Area 2B shall include those waters of Grays Harbor lying easterly of a straight line projected from the Point Chehalis Light, located 123 feet above mean high water at Westport, through lighted buoy 13 to where it intersects with the shore at Point Brown, southerly of a line projected from a fishing boundary marker at Ocean Shores Marina, to a fishing boundary marker on Sand Island and thence to the tripod station at Brackenridge Bluff, westerly of a line projected from the tripod station at Brackenridge Bluff southward and extending through channel marker 8 in the south channel at the mouth of Johns River to the mainland, and northerly of the Bay City Bridge.

(5) Area 2C shall include those waters of Grays Harbor northerly of a line projected from a fishing boundary marker at Ocean Shores Marina to a fishing boundary marker on Sand Island to the tripod station at Brackenridge Bluff and westerly of a line starting at a monument located at the point of Holman Bluff near the mouth of Grass Creek and projected to a monument set on Point New, exclusive of those waters within 1/4 mile of a monument set on the beach near the mouth of Chenois Creek and those waters northerly of a line starting at a monument located near the beach in front of the Giles Hogan residence located west of the mouth of the Humptulips River, thence projected in a south-easterly direction to a monument set on the most southerly tip of the grass spit at the mouth of the Humptulips River, thence projected in an easterly direction to a point on Chenois Bluff at 47° 0' 32" N latitude, 124° 1' W longitude.

(6) Area 2D shall include those waters of Grays Harbor and the Chehalis River estuary easterly of a line projected from the tripod station at Brackenridge Bluff southward and through channel marker 8 at the mouth of Johns River in the south channel to the mainland and westerly of the Union Pacific Railroad Bridge in Aberdeen and westerly (downstream) of the Highway 105 bridge on Johns River.

(7) Area 2G shall include those waters of Willapa Harbor northerly of a line projected from Needle Point approximately 285° true to the Island Sands Light approximately 2 miles south of Riddle Spit Light No. 10 and thence true west to the North Beach Peninsula, westerly of a line projected from Needle Point northerly to day beacon No. 14 and thence to Ramsey Point, outside and westerly of a line projected from Stony Point to the Bay Center Channel Light (F1 4 seconds, (+18)) 16 feet) to the northern tip of Goose Point, downstream and westerly of a line projected from the outermost tip of Johnson Point to a fishing boundary marker on the Willapa River's south bank, outside and southerly of a line commencing at a boundary marker on the west shore of the North River projected 82 degrees true through channel marker No. 16 to a boundary marker on the east shore, outside and southerly of a line projected from the Cedar River's meander corner between Section 31, Township 15N, and Section 6, Township 14N, Range 10W, W.M., to the meander corner between Sections 36, Township 15N, and Section 1,

Township 14N, Range 11W, W.M., and inside and easterly of a straight line projected from the Cape Shoalwater Light through buoy 8A, located between buoy 8 and buoy 10, approximately 1,500 yards from Cape Shoalwater Light on a line 171° true, to Leadbetter Point.

(8) Area 2H shall include those waters of Willapa Harbor and the Willapa River estuary lying upstream from a line projected from the outermost tip of Johnson Point to a fishing boundary marker on the river's south bank and downstream from a line projected true north across the river from a fishing boundary marker on the section line between Section 27 and 28, Township 14N, Range 9W.

(9) Area 2J shall include those waters of Willapa Harbor lying southerly of a line projected from Needle Point approximately 285° true to the Island Sands Light approximately 2 miles south of Riddle Spit Light No. 10, and thence due west to the North Beach Peninsula, northerly of a line projected true east-west through Marker ((19)) 20 between Long Island and the North Beach Peninsula, downstream and westerly of the Highway 101 Bridge over the Naselle River, and northerly of a line projected true east from a fishing boundary marker at the south entrance to Baldwin Slough on Long Island to a fishing boundary marker on the shore of Stanley Peninsula on the mainland.

(10) Area 2K shall include those waters of Willapa Harbor easterly of a line projected from the northern tip of Goose Point to the Bay Center Channel Light (F1 4 seconds, ((18)) 16 feet) to Stony Point and westerly of the Palix River Highway 101 Bridge.

(11) Area 3 shall include those waters of District 1 northerly of a line projected true west from the Queets River mouth and southerly of a line projected true west from Cape Alava.

(12) Area 4 shall include those waters of District 1 northerly of a line projected true west from Cape Alava, westerly of lines projected from the northern tip of Portage Head to the southern tip of Waatch Point and from the Tatoosh Island Light to Bonilla Point and southerly of a line projected true west from the intersection of the Bonilla-Tatoosh line with the U.S.-Canada International Boundary Line.

(13) Area 4A shall include those waters easterly and inside of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point, outside and westerly of the mouth of any river or stream flowing to the sea.

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-36-021 SALMON FISHING AREAS—GILL NET—SEASONS. It ((~~shall be~~)) is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Grays Harbor Fishing Areas except during the seasons provided for hereinafter in each respective fishing area:

Area 2A

6:00 p.m. September ((24)) 23 to 6:00 p.m. October ((3, 1980)) 2, 1981.

Areas 2B, 2C and 2D —

6:00 p.m. July 6 to 6:00 p.m. October ((3, 1980)) 29, 1981.

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-36-022 SALMON FISHING AREAS—WEEKLY PERIODS. It ((~~shall be~~)) is unlawful to take, fish for or possess salmon taken with gill net gear except during the weekly open periods hereinafter designated in the following Grays Harbor Fishing Areas:

Area 2A

September ((24)) 23 to September ((26, 1980)) 25, 1981: 6:00 p.m. Wednesday to 6:00 p.m. Friday.

September ((28)) 27 to October ((3, 1980)) 2, 1981: 6:00 p.m. Sunday to 6:00 p.m. Friday.

October 25, 6:00 p.m. to October 29, 1981, 6:00 p.m.: Open continuously.

Areas 2B, 2C and 2D

July 6, 6:00 p.m. to August ((15, 1980)) 14, 1981, 6:00 p.m.: Open continuously.

September ((24)) 23 to September ((26, 1980)) 25, 1981: 6:00 p.m. Wednesday to 6:00 p.m. Friday.

September ((28)) 27, 6:00 p.m. to October ((3, 1980)) 2, 1981, 6:00 p.m.: 6:00 p.m. Sunday to 6:00 p.m. Friday.

October 25, 6:00 p.m. to October 29, 1981, 6:00 p.m.: Open continuously.

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-36-024 SALMON FISHING AREAS—MESH SIZES—GEAR. (1) It ((~~shall be~~)) is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum sizes or larger than the maximum size stretch measure as hereinafter designated in the following Grays Harbor Fishing Areas:

Areas 2A, 2B, 2C and 2D

For the period September ((24)) 23 to October ((3, 1980)) 2, 1981: 5-inch minimum and 7-inch maximum mesh.

(2) Except as provided for in subsection (1) of this section, it ((~~shall be~~)) is unlawful to fish in Grays Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-40-021 WILLAPA HARBOR—GILL NET—SEASONS. It ((~~shall be~~)) is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor Fishing

Areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G—6:00 p.m. July 6 to 12:00 midnight November 30, ~~((1980))~~ 1981.

Area 2H—6:00 p.m. September ~~((14))~~ 13 to 6:00 p.m. October ~~((12))~~ 11, and 6:00 p.m. November 4 to 12:00 midnight November 30, ~~((1980))~~ 1981.

Areas 2J and 2K—6:00 p.m. July 6 to 12:00 midnight November 30, ~~((1980))~~ 1981.

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-40-022 WILLAPA HARBOR—WEEKLY PERIODS. It ~~((shall be))~~ is unlawful to take, fish for or possess salmon taken with gill net gear, except during the weekly open periods hereafter designated in the following Willapa Harbor Fishing Areas:

Area 2G

July 6, 6:00 p.m. to August 20, ~~((1980))~~ 1981, 6:00 p.m.—Open continuously.

August ~~((20))~~ 24 to September ~~((14, 1980))~~ 13, 1981—6:00 p.m. ~~((Sunday))~~ Monday to 6:00 p.m. ~~((Monday))~~ Tuesday.

September ~~((14))~~ 13 to October ~~((12, 1980))~~ 11, 1981—6:00 p.m. Sunday to 6:00 p.m. Friday.

October ~~((12))~~ 11 to November 4, ~~((1980))~~ 1981—6:00 p.m. ~~((Wednesday))~~ Sunday, October ~~((15))~~ 11 to 6:00 p.m. ~~((Thursday))~~ Monday, October ~~((16, 1980))~~ 12; 6:00 p.m. ~~((Thursday, October 15 to 6:00 p.m. Friday, October 16; 6:00 p.m. Sunday, October 18 to 6:00 p.m. Monday, October 19; 6:00 p.m. Sunday, October 25 to 6:00 p.m. Monday, October 26.~~

November 4, 6:00 p.m. to 12:00 midnight November 30, ~~((1980))~~ 1981—Open continuously.

Area 2H

September ~~((14))~~ 13 to October ~~((12, 1980))~~ 11, 1981—6:00 p.m. Sunday to 6:00 p.m. Friday.

November 4, 6:00 p.m. to 12:00 midnight November 30, ~~((1980))~~ 1981—Open continuously.

Areas 2J and 2K

July 6, 6:00 p.m. to August 20, ~~((1980))~~ 1981, 6:00 p.m.—Open continuously.

August ~~((20))~~ 24 to September ~~((14, 1980))~~ 13, 1981—6:00 p.m. ~~((Sunday))~~ Monday to 6:00 p.m. ~~((Monday))~~ Tuesday.

September ~~((14))~~ 13 to October ~~((12, 1980))~~ 11, 1981—6:00 p.m. Sunday to 6:00 p.m. Monday and 6:00 p.m. Wednesday to 6:00 p.m. Thursday.

October ~~((12))~~ 11 to November 4, ~~((1980))~~ 1981—6:00 p.m. ~~((Wednesday))~~ Sunday, October ~~((15))~~ 11 to 6:00 p.m. ~~((Thursday))~~ Monday, October ~~((16, 1980))~~ 12; 6:00 p.m. ~~((Thursday, October 15 to 6:00 p.m. Friday,~~

October 16; 6:00 p.m. Sunday, October 18 to 6:00 Monday, October 19; 6:00 p.m. Sunday, October 25 to 6:00 p.m. Monday, October 26.

November 4, 6:00 p.m. to 12:00 midnight November 30, ~~((1980))~~ 1981—Open continuously.

AMENDATORY SECTION (Amending Order 80-69, filed 7/18/80)

WAC 220-40-024 WILLAPA HARBOR—MESH SIZES—GEAR. (1) It ~~((shall be))~~ is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure as hereinafter designated in the following Willapa Harbor Fishing Areas:

Areas 2G ~~((and)), 2H, 2J and 2K~~

For the period September ~~((14))~~ 13 to October ~~((12, 1980))~~ 11, 1981: 5-inch minimum to 7-inch maximum mesh.

For the period 12:01 a.m. November 19 to 12:00 midnight November 30, ~~((1980))~~ 1981: 7-1/2-inch minimum mesh.

~~((Areas 2J and 2K~~

~~For the period 12:01 a.m. November 19 to 12:00 midnight November 30, 1980: 7-1/2-inch minimum mesh:))~~

(2) Except as provided in subsection (1) of this section, it shall be unlawful to fish in Willapa Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

WSR 81-13-006

EMERGENCY RULES

HEALTH CARE FACILITIES AUTHORITY

[Order 8—Filed June 8, 1981]

I, Gerald L. Sorte, director of the Washington Health Care Facilities Authority, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the organization and general operating rules of the Authority; and the procedures for the preparation and processing of applications for financing of health care facilities, and for the issuance of bonds, through the Authority, amending chapter 247-16 WAC.

I, Gerald L. Sorte, 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 notify parties of the Authority's new permanent address; provide funds for the support of the Authority and to clarify the amount the Authority shall assess an annual fee; all changes and/or amendments must be implemented immediately so that the Authority may proceed with its normal business incorporating amendments approved by members of the Health Care Facilities Authority.

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

This rule is promulgated pursuant to RCW 70.37.050 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 8, 1981.

By Gerald L. Sorte
Executive Director

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-02-040 DESCRIPTION OF ORGANIZATION. (1) The authority is a public entity established under the provisions of chapter 70.37 RCW, which exercises essential governmental functions.

(2) Members. The authority consists of the governor, the lieutenant governor, the insurance commissioner, the chairman of the Washington state hospital commission; and one public member appointed by the governor on the basis of his or her interest or expertise in health care delivery, and confirmed by the senate for a term of four years. If the public office of any of the first four mentioned members is abolished, the resulting vacancy on the authority shall be filled by the officer who shall succeed substantially to the powers and duties thereof.

(3) Officers. The officers of the authority shall be a chairman, who shall be the governor, and a secretary. The secretary shall hold office for two years, or until his or her successor is later elected, and shall be elected by a majority vote of the members from among themselves. Whenever a vacancy occurs in the office of secretary, the members of the authority shall elect a successor who shall serve out the remaining term.

(4) Authority staff: The staff of the authority shall consist of an executive director and such other employees as are determined by the authority as necessary to fulfill its responsibilities and duties. The executive director shall be the chief administrative officer of the authority and subject to its direction. All other staff shall be under his or her supervision and direction. The executive director shall keep a record of the proceedings of the authority and, when required by the authority, shall sign notes, contracts and other instruments (~~and affix thereto the seal of the authority~~). The executive director shall have custody of and be responsible for all moneys and securities of the authority and shall deposit all such moneys forthwith in such banks as the authority may designate from time to time.

~~((PROVIDED, HOWEVER, That the secretary of the authority, elected from time to time, shall exercise the duties of executive director specified in these rules until such time as an executive director is retained by the authority.))~~

(5) Administrative office: The administrative office of the authority shall be located(~~(, until such time as an~~

~~executive director and/or staff are retained by the authority, at 4300 Seattle-First National Bank Building, Seattle, WA 98154,)) at 504 E. 14th, Suite 130 Olympia, Washington 98504, which office shall be open each day for the transaction of business from ((9:00)) 8:00 a.m. to 5:00 p.m. (Saturdays, Sundays and legal holidays excepted, and except for business relating to public records, which is governed by WAC 247-12-050).~~

(6) Address for communications: All communications with the authority, including but not limited to the submission of materials pertaining to its operations and these rules, requests for copies of the authority's decisions and other matters, (~~until such time as an executive director and/or staff are retained by the authority,)) shall be addressed as follows: Washington Health Care Facilities Authority, ((4300 Seattle-First National Bank Building, Seattle, WA 98154)) 504 E. 14th, Suite 130, Olympia, Washington 98504.~~

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-02-050 OPERATIONS AND PROCEDURES. (1) Uniform Procedure Rules: Practice and procedure in and before the authority are governed by the Uniform Procedural Rules codified in the Washington Administrative Code, WAC 1-08-005 through 1-08-590, as now or hereafter amended, which rules the authority adopts as its own, subject to any additional rules the authority may add from time to time. The authority reserves the right to make whatever determination is fair and equitable should any question not covered by its rules come before the authority, said determination to be in accordance with the spirit and intent of the law.

(2) Authority meetings: The meetings of the authority shall all be "special meetings" as that designation is applied in chapter 42.30 RCW. They may be called at any time and place by the chairman or a majority of the members of the authority. At least ten days' notice of all special meetings shall be given by delivering personally or by mail to each member a written notice specifying the time and place of the meeting and a copy of the agenda prepared by the executive director in consultation with the chairman, and by giving such notice to the public as may be required by law. If an emergency is deemed to exist, the chairman may shorten the notice period to not less than twenty-four hours. An executive session may be called by the chairman or by a majority of all members of the authority to consider the appointment, employment or dismissal of an officer or employee, and such other matters as are permitted by RCW 42.30.110.

(3) Quorum: Three members shall constitute a quorum, and the act of a majority of the members present at any meeting, if there is a quorum, shall be deemed the act of the authority except as specified hereafter in WAC 247-02-050(7).

(4) Chairman's voting rights: The chairman shall have the right to vote on all matters before the authority, just as any other authority member.

(5) *Minutes of meetings:* Minutes shall be kept of the proceedings of the authority.

(6) *Rules of order:* The authority shall generally follow Robert's Rules of Order, newly revised, in conducting its business meetings.

(7) *Form of authority action:* The authority may act on the basis of a motion except when authorizing issuance of bonds pursuant to WAC 247-16-070 (~~and when adopting a plan and system of an applicant pursuant to WAC 247-16-080;~~) and when otherwise taking official and formal action with respect to the creation of special funds and the issuance and sale of bonds for a project of a participant, in which case the authority shall act by resolution. Such resolutions shall be adopted upon the affirmative vote of a majority of the members of the authority and shall be signed by the chairman and (~~attested by~~) the secretary. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting.

(8) *Public participation in the meetings of the authority shall be as follows:*

(a) Any person or organization wishing to make a formal presentation at a regularly scheduled meeting of the authority shall so notify the executive director in writing at least forty-eight hours prior to the time of the meeting.

(i) Such notification shall contain the name of the person, association, corporation or organization that desires to make a presentation; the address of such person and, if applicable, the address of the entity to be represented in the presentation; and the topic to be presented or discussed.

(ii) Permission to make a presentation to the authority shall be granted by the executive director as authorized by the authority.

(iii) Confirmation of permission to make a presentation to the authority shall be made, if at all possible, by the authority staff prior to the meeting of the authority and shall include the date and time of the meeting and time set for the formal presentation.

(b) The chairman of the authority shall have the discretion to recognize anyone in the audience who indicates in writing at the time of the meeting a desire to speak at such meeting, provided that remarks by any individual person shall be limited to five minutes unless a time extension is granted by the chairman.

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-16-010 *PURPOSE.* The purpose of this chapter shall be to set forth the procedures pursuant to which the authority determines those (~~hospitals~~) health care facilities to which the authority will give financial assistance.

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-16-030 *APPLICATIONS FOR FINANCIAL ASSISTANCE.* Because the needs of (~~hospitals~~) health care facilities in the state vary substantially, no application forms shall be provided by the

authority. However, an applicant should furnish the following information to the authority, where applicable, with its request for financial assistance, and such other information as is deemed pertinent by the applicant or the executive director of the authority:

(1) Identification of applicant:

(a) Legal name and address of applicant;

(b) Names, titles and telephone numbers of chief executive officer, chief financial officer and person assigned responsibility for liaison with the authority;

(c) Names, addresses and telephone numbers of applicant's legal counsel, outside accounting firm and financial consultant or investment banking firm (if any);

(d) Description of applicant's legal structure (e.g., private nonprofit corporation, public district hospital). If private, describe type and ownership of stock, if any; how assets held and by whom; and attach copies of articles of incorporation or similar documentation;

(e) If applicant is a private hospital, attach a copy of IRS determination of 501(c)(3) status;

(f) Religious or other group affiliation, if any.

(2) Project for which financial assistance is sought (if applicable):

(a) Amount and requested terms of repayment for financing sought;

(b) General description of project to be accomplished with authority financial assistance;

(c) Current status of planning for project and dates proposed for (i) completion of drawings for project, if necessary (attach copies if completed); (ii) filing of environmental impact statement, if necessary; (iii) entry into construction contract; and (iv) completion or occupancy;

(d) Recommendations of the appropriate regional health systems agency, and of the state hospital commission, or the current status of their respective reviews;

(e) Current status of certificate of need for project. If certificate has been issued, attach copy;

(f) Cost of project (including simple breakdown of costs of general construction, site work, utilities, equipment, land acquisition, architects' and other fees, contingency, interim interest, other);

(g) Sources of funds for payment of project costs and dates of expected receipt (assistance from authority, interim financing, grants, funds on hand, interest and profit on interim investment of construction funds, other);

(h) Amount of projected revenues to be derived from project, the sources of such revenues, when expected to begin, and a three-year projection;

(i) Feasibility studies on project, if any (attach copy if one has been completed);

(j) Proposed security for authority-issued bonds;

(k) Contracts or preliminary arrangements with planners, architects, consultants, investment banking firm, if any, regarding project.

(3) Debt to be refinanced with authority assistance (if applicable):

(a) Amount, date, maturity or maturities, interest rate or rates, prepayment penalties, if any, debt service and form of applicant's existing debt to be refinanced;

(b) Source of revenue for payment of existing debt, security for debt and rating, if any, assigned to debt instruments at time of debt issuance;

(c) Most recent decision and order of the state hospital commission on its annual review of the applicant's budget;

(d) Holder of debt (if ascertainable);

(e) Any negative debt service payment history;

(f) Proposed security for new authority-issued debt;

(g) Proposed date schedule for accomplishing debt refinancing.

(4) Finances of applicant:

(a) Audited (if audited) financial statements for past three years;

(b) Latest current financial statement;

(c) Current year's budget of revenues, expenses and capital expenditures;

(d) Projection of revenues, expenses, capital expenditures for next three-five years, including revenues and expenses of proposed project (if applicable);

(e) Description of long-term debts of applicant, if not already given above, including date incurred, by whom held, debt service schedule, interest rate, form of debt, source of revenues for repayment, security for repayment;

(f) Sources of hospital revenues (private patient, Medicare, Medicaid, welfare, Blue Cross, grants, etc.) and approximate dollar volumes and percentages of total revenues for each source in last three years.

(5) General:

(a) Pending or threatened litigation or administrative actions with potential of material adverse effect on applicant;

~~(b) ((Willingness and ability of applicant to convey all of the real and personal property of hospital or of the project to authority until bonds are retired, with reconveyance of said property to applicant thereafter for \$10.00. If willing and able to convey, estimate of time to accomplish and any expected obstacles;~~

~~(c))~~ (c) Brief description of existing medical facilities, including number of beds, number of medical and other staff, categories of medical services offered, and laboratory and research facilities, if any;

~~((d))~~ (d) Brief description of hospital expansion plans, if any, in next ten years;

~~((e))~~ (e) Brief summary of statistics (last three years, if available) on percentage of bed occupancy and types and numbers of patients cared for (inpatient, outpatient, welfare, etc);

~~((f))~~ (f) Estimate of aggregate savings over the life of the proposed financing to be realized by applicant through authority financing by tax-exempt bonds as compared to financing through taxable obligations. Specify interest assumptions on which savings calculations based;

~~((g))~~ (g) Describe means applicant proposes to use to ensure that savings from tax-exempt financing are passed on to patients of applicant.

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-16-040 FEES. (1) Authorization to charge fees: The authority, pursuant to RCW 70.37.090, shall require applicants to pay fees and charges to the authority to provide it with funds for investigations, financial feasibility studies, expenses of issuance and sale of bonds, and other charges for services provided by the authority in connection with projects undertaken, as well as the operating and administrative expenses of the authority. In accordance with this authorization, an applicant shall pay to the authority such fees and charges as are necessary to meet any and all expenses incurred by the authority in connection with the processing of the application of the applicant, together with an annual service fee to defray expenses of the authority in administering and servicing the financing provided to the applicant and other allocable expenses of the authority. The authority shall assess an annual fee of one-tenth of one percent of the outstanding and unredeemed bonds of each applicant. The initial annual fee shall be paid to the authority on the date of closing of each tax exempt note or bond issue and in every anniversary date thereafter: PROVIDED, HOWEVER, That the authority by an adopted motion may set a different fee schedule and may waive all or any part of the annual or application fee.

~~((All of the costs and expenses of the authority shall be paid from such fees. No moneys of the state of Washington shall be expended for such purposes.))~~

~~((Initial payment on fees and charges obligation.))~~ Fee obligations of the applicants: An applicant shall submit with its application an initial remittance of \$7,500.00, to be credited against the fees and charges imposed or to be imposed by the authority on such applicant pursuant to this section in connection with the processing of an application. The applicant shall pay such fees and charges as they are billed to it from time to time by the authority. These expenses may be reimbursed to the applicants from the bond proceeds if financing is consummated. In addition, the application shall contain an appropriate legal commitment to indemnify the authority against any expenses or costs incurred by it in connection with the processing of the applicant's application and the completion of any project or plan and system subsequently approved and undertaken by the authority, as well as to pay the authority an annual service fee to defray expenses of the authority in administering and servicing the financing provided to the applicant and other allocable expenses of the authority, which annual fee shall be imposed so long as financing is being provided by the authority to the applicant.

~~((PROVIDED, HOWEVER, That the initial applications whose applications are used for purposes of testing in court the constitutionality of the act shall pay such fees as are necessary to defray all expenses of the authority in processing such applications and conducting such court test. The amount or amounts of such fees and the time or times and the manner in which such fees are to be paid shall be determined by the secretary of the~~

~~authority, elected from time to time. Such initial applicants shall provide to the authority an appropriate legal commitment to indemnify the authority against such expenses. If such court test is successful and financing is provided by the authority pursuant to such initial applications, the authority may waive the levy of annual service fees upon such applicants.)~~

(3) Refund of excess fees: The authority will refund any surplus fees paid or deposited by an applicant or participant which exceed the actual application-processing expenses and authority-determined pro rata administrative and operating costs of the authority.

(4) All the costs and expenses of the authority shall be paid from fees assessed pursuant to this section. No moneys of the state of Washington shall be expended for such purposes.

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-16-060 PRIORITIES REGARDING APPLICANT FUNDING. ~~((The authority may establish and revise priorities for the providing of assistance to applicants based on criteria which best effectuate the purposes of the act, including but not limited to:~~

~~(1) Determinations of area-wide needs for additional or improved health care facilities;~~

~~(2) Determinations regarding public benefit and good; and~~

~~(3) Determinations regarding the reasonable expectations that the project can be funded on terms satisfactory to the authority.)~~ The authority will process health care facility applications for assistance in the order of their date of receipt. The date of receipt shall be the date the health care facility application together with the application fee is received by the authority at its Olympia office.

The authority reserves the right to change priorities and scheduling when the authority determines that a "first come, first served" priority scheduling is detrimental to the sale of another health care facility's bond issue or when conditions of health and safety or public benefit require a different priority.

AMENDATORY SECTION (Amending Order 2, Resolution 79-3, filed 9/26/79)

WAC 247-16-070 AUTHORITY ACTION ON APPLICATIONS. (1) The authority shall meet to review and consider the staff analysis and recommendations and the application.

(2) The authority may approve an application ~~((and its proposed plan or system))~~ and adopt a resolution authorizing the issuance of bonds for the requested financing where it determines:

(a) It is necessary or advisable for the benefit of the public health for the authority to provide financing for the proposed project;

(b) The applicant can reasonably be expected to achieve successful completion of the health care facilities to be financed by the authority;

(c) The proposed project and the issuance of bonds by the authority for such project are economically feasible

and can be undertaken on terms economically satisfactory to the authority;

(d) The proposed health care facility, if completed as described in the application, will carry out the purposes and policies of the act;

(e) The applicant has satisfied the authority that substantially all of the savings realized by the applicant from the availability of financing through tax-exempt bonds, as contrasted to financing through taxable debt, will be passed on by the applicant to its patients;

(f) The applicant has reasonably satisfied the requirements of the act and these regulations; and

(g) Other criteria that the authority has determined are appropriate factors in its decision-making process have been met.

(3) The authority may approve an application ~~((and its proposed plan or system))~~ and a bond resolution on a conditional basis where the criteria of WAC 247-16-070(2) have been met and pending satisfaction of such other conditions or requirements as the authority shall determine to be reasonable and necessary in order to carry out the purposes, policies and requirements of the act and these regulations. The applicant shall be notified in writing of such conditions or requirements, which may include, but need not be limited to, the amendment of an application ~~((, plan, or system))~~ or proposed bond resolution in order to meet the availability of funds, changes in costs, or other purposes or circumstances which may enhance the ability of the authority or the applicant to complete the project or better serve the purposes and policies of the act. Upon the satisfaction of such additional conditions or requirements, the application shall be deemed approved pursuant to WAC 247-16-070(2).

(4) The authority may also deny an application; in such event, it shall notify the applicant of such action, specifying in writing the reasons for its denial.

NEW SECTION

WAC 247-16-090 SELECTION OF INVESTMENT BANKING FIRMS AS UNDERWRITERS.

(1) The applicants may select an investment banking firm as senior managing underwriter for its proposed financing, subject to review and approval by the authority. In every instance, the senior manager selected must be able to demonstrate a familiarity, competence and experience in the structuring and sale of health care facility bonds. The applicant shall notify the authority in writing of its proposed senior manager selection fifteen days prior to the date it intends to enter into a formal contractual agreement. The authority will notify the applicant of its acceptance or rejection of the applicant's senior manager selection no later than ten days after receipt of the applicant's notification. If rejected, the authority will set forth the reasons for rejection, and the applicant will then propose another senior manager, subject to authority approval in the same manner.

(2) To provide balanced management knowledge and sale distribution and to assure the most realistic bond terms and interest, the authority reserves the right to name investment banking firms as co-managers of any authority bond issue(s). The authority will not name an

investment banking firm or firms as a co-managing underwriter or co-managing underwriters on bond issues of less than \$10 million unless the authority determines that special circumstances so require. On issues of more than \$10 million the authority will name a co-manager or co-managers for each issue. The authority will also review the division of the management fee in each instance where a co-manager is named. While the authority will actually select the co-managers, it will consider recommendations from the applicant as to the selection of any co-manager or co-managers.

In each instance, the applicant will be given a written notification fifteen days prior to the authority's actual designation of an investment banking firm or firms as a co-manager on a particular bond issue.

NEW SECTION

WAC 247-16-100 SELECTION OF A FEASIBILITY CONSULTANT. The authority shall maintain a list of management and accounting firms which it deems qualified to conduct feasibility studies for the applicants. The applicant's selection of a firm from the approved list shall constitute authority approval. In the event an applicant wishes to select a firm not on the approved list, the authority will review the proposed firm's qualifications on a case-by-case basis, based on its familiarity, competence, and experience in health care management and accounting. The applicant shall not enter into any contractual agreement with a management or accounting firm not on the approved list until written approval has been granted by the authority.

REPEALER (Amending Order 2, Resolution 79-3, filed 9/26/79)

The following section of the Washington Administrative Code is repealed:

WAC 247-16-080 ADOPTION OF PLAN AND SYSTEM.

WSR 81-13-007
PROPOSED RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Filed June 9, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 38.52 RCW, that the Washington State Department of Emergency Services intends to adopt, amend, or repeal rules concerning regulations for allocation of emergency management assistance funding;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, July 2, 1981, in the Conference Room, Washington State Department of Emergency Services Office, 4220 East Martin Way, Olympia, WA.

The authority under which these rules are proposed is chapter 38.52 RCW.

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

agency prior to June 25, 1981, and/or orally at 10:00 a.m., Thursday, July 2, 1981, Conference Room, Washington State Department of Emergency Services, 4220 East Martin Way, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-10-040 filed with the code reviser's office on April 30, 1981.

Dated: June 9, 1981
 By: Floyd P. Etheridge, Jr.
 Manager, Administration Division

WSR 81-13-008
PROPOSED RULES
BELLEVUE COMMUNITY COLLEGE
 [Filed June 10, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Bellevue Community College, Community College District VIII, intends to adopt, amend, or repeal rules concerning student grievance appeal procedures, amending WAC 132H-120-060;

that such institution will at 1:30 p.m., Tuesday, August 4, 1981, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Tuesday, August 4, 1981, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

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 August 4, 1981, and/or orally at 1:30 p.m., Tuesday, August 4, 1981, Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 81-08-065 and 81-11-012 filed with the code reviser's office on April 1, 1981 and May 13, 1981.

Dated: June 5, 1981
 By: Thomas E. O'Connell
 Secretary, Board of Trustees

WSR 81-13-009
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed June 10, 1981]

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 Instream Resources Protection Program—Kitsap Water Resource Inventory Area (WRIA) 15, adopting chapter 173-515 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Friday, July 10, 1981, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, 4224 Sixth Avenue S.E., Lacey, WA.

The authority under which these rules are proposed is chapters 90.22 and 90.54 RCW.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-17-045 and 81-09-020 filed with the code reviser's office on November 19, 1980 and April 10, 1981.

Dated: June 8, 1981
By: John F. Spencer
Deputy Director

WSR 81-13-010
ADOPTED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Order R-166, Cause No. TV-1487—Filed June 10, 1981]

In the matter of amending WAC 480-12-165, relating to out of service criteria for motor vehicles operated under chapter 81.80 RCW.

This action is taken pursuant to Notice No. WSR 81-10-067 filed with the Code Reviser on May 6, 1981. The rule changes hereinafter adopted shall take effect pursuant to RCW 34.04.040(2).

This rulemaking proceeding is brought on pursuant to RCW 81.01.040, 81.80.130, 81.80.140 and 81.80.290 and is intended to administratively to implement these statutes.

This rulemaking proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), and the State Environmental Policy Act of 1971 (chapter 43-21C RCW).

Pursuant to Notice No. WSR 81-10-067, the above matter was scheduled for consideration at 8:00 a.m., Wednesday, June 10, 1981, in the Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington, before Chairman Robert W. Bratton and Commissioners Robert C. Bailey and A. J. Benedetti.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to June 5, 1981. Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments orally at 8:00 a.m., Wednesday, June 10, 1981, in the Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington.

Written comments were received from Bestway Transport and Larry Munger Enterprises, Inc.

At the June 10, 1981, meeting the commission considered the rules as proposed, at which time the commission considered the amendment. Oral comments were received from Larry Pursley of WTA. Also present were

Linda Taylor, Officer in Charge, BMCS, and Ken Winters, WTA. Mr. Pursley supported the rule change. No oral comments were received in opposition to the rule change.

The commission has considered all oral and written comments. Express out of service standards are an essential part of effective maintenance of safe vehicles. The standards proposed are comprehensive and sensible. The commission understands that flexibility will remain as to whether an out of service vehicle will be directed to the nearest point of repair or shall be repaired on the spot. Further penalty or complaint actions will also add flexibility in enforcement options.

The amendment of WAC 480-12-165 affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-165 should be amended to read as set forth in Appendix A and by this reference made a part hereof. The amendment will specify the criteria upon which vehicles operated under chapter 81.80 RCW will be determined to be unsafe and placed out of service. Discretion will remain as to whether the vehicle will be directed to the nearest point of repair or will be held until the defects are repaired.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-165 as set forth in Appendix A, be amended as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rules after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

DATED at Olympia, Washington, this 10th day of June, 1981.

Washington Utilities and Transportation Commission

Robert W. Bratton, Chairman

Robert C. Bailey, Commissioner

A. J. Benedetti, Commissioner

APPENDIX A

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69, effective 10/9/69)

WAC 480-12-165 EQUIPMENT—INSPECTION—ORDERED FOR REPAIRS. (1) All motor vehicles operated under chapter 81.80 RCW shall be maintained in a safe and sanitary condition. They shall at all times be subject to inspection by the commission and its duly authorized representatives who shall have power to order out of service any vehicle (~~which in their judgment is unsafe~~) meeting the standards set forth in this rule, or is not being operated in compliance with state laws in regard to equipment or method.

(2) Equipment standards - Out of service criteria.

(a) Steering mechanism.

(i) Turning – The steering wheels are incapable of being turned from full right to full left because of interference by parts of the steering mechanism, or by other damaged or dislocated parts of the vehicle. Power steering mechanism in this test is permitted.

(ii) Steering wheel play – If total movement of more than 30 degrees is required at the steering wheel rim before the front wheels move when the wheels are initially in the straight-ahead position.

(iii) Steering column – Any absence or looseness of bolts or positioning parts resulting in motion of the steering column from its normal position.

(iv) Steering gear attachment – Any absence or looseness of bolts or other parts resulting in motion of the steering gear at the point of attachment to the vehicle's frame.

(v) Ball and socket joints – Any looseness at any ball and socket joint in the steering linkage in excess of three-eighths inch measured in alignment with the shank or neck of the ball.

(vi) Front wheel play – The play about either a horizontal or vertical axis of either front wheel exceeds one-half inch measured at the tread surface of the tire.

(b) Brake systems.

(i) Stopping – The vehicle or combination fails, in two trials, to stop from a speed of twenty miles per hour in a distance of sixty feet from a point at which the brake controls are first moved for the purpose of applying brakes when tested on a smooth, dry, level surface free from loose materials. (Such tests may be made only when they will clearly not interfere with or endanger other traffic, and then only if adequate police protection is utilized to assure the safety of the other traffic on the roadway.)

(ii) Missing or inoperative brakes – Brakes missing, not operating, or the shoes not touching the drum on any wheel required to have operative brakes. (Three axle trucks or truck tractors having on the front wheels brakes which have been rendered inoperative, shall not be placed "out of service" because the front wheel brakes are inoperative. However, this finding should be cited on safety equipment compliance form as a violation of Section 393.48.)

(iii) Pedal reserve – On hydraulic, mechanical or power-assisted brake systems, the service brake pedal first meets firm resistance at a point closer to the floor board or other fixed obstruction to the pedal travel than twenty percent of the total pedal travel from released position when measured in a straight line.

(iv) Brake linings and pads – Any brake lining or pad which has:

(A) Rivets or bolts loose or missing.

(B) Lining friction surface contaminated with oil, grease, or brake fluid in such a manner as to change its frictional characteristics.

(v) Drums and discs – Any drum or disc which:

(A) Is contaminated with oil, grease, or brake fluid in such a manner as to change the frictional characteristics of the friction face.

(B) Has any crack visible on the exterior of any brake drum extending more than three-fourths the width of the drum, except when the drum is properly banded to

prevent the crack from expanding to any degree upon the application of brakes or otherwise. (Bands so used must be free of cracks.)

(vi) Brake internal components – Any internal mechanical parts misaligned, broken, or missing.

(vii) Hydraulic brake systems and external components – An hydraulic brake system which:

(A) Has leaks in the master cylinder.

(B) Has hydraulic hoses worn, chafed, cut or cracked through the outer casing and through one ply of fabric.

(C) Has hydraulic hoses, tubes, or connections leaking, restricted, crimped, cracked, or broken.

(D) The hydraulic service brake pedal, while applied with uniform foot pressure, continues to move forward and downward.

(E) Lacks an operative warning signal as required by Section 393.51(b). (Check exemptions in Section 393.51(g).)

(F) Has any visually observed leading hydraulic fluid anywhere in the brake system.

(G) Has connecting lines or tubes not properly attached or supported to prevent damage by vibration or abrasion by contact with the frame, axle, other lines, or any other part of the vehicle and damage as set forth in (vii)(B) or (vii)(C) is present.

(viii) Vacuum systems – Any vacuum system which:

(A) Has evidence of leakage in the system.

(B) Has a vacuum hose worn, chafed, cut, or cracked through the outer casing and through one ply of fabric.

(C) Has a hose tube or connection leaking, restricted, crimped, cracked, or broken.

(D) Has a collapsed vacuum hose when vacuum is applied.

(E) Has connecting lines or tubes not properly attached or supported to prevent damage by vibration or abrasion by contact with the frame, axle, other lines, or any other part of the vehicle and damage as set forth in (viii)(B) or (viii)(C) is present.

(F) Lacks an operative low-vacuum warning device as required in Section 393.51(d). (Check exemptions in Section 393.51(g).)

(G) In vacuum-assisted systems and the system at atmospheric pressure (no vacuum), the service brake pedal does not move slightly as the engine is started while pressure is maintained on the brake pedal.

(H) With all vacuum brakes fully applied, with the trailer brake connections open (if a trailer is connected) and the engine operated long enough to reach constant vacuum, and the trailer brake connections disconnected from the towing vehicle, the trailer brake application cannot be maintained for at least five minutes.

(I) Fails to have an operative second independent means for applying brakes on towed vehicles equipped with vacuum brakes, as required in Section 393.43(c).

(J) Has any vacuum reservoir not securely attached to the motor vehicle.

(ix) Air-mechanical brake systems – Any air-mechanical brake system which:

(A) Has an air hose worn, chafed, cut or cracked through the outer casing and through one ply of fabric, except the outer casing of steel braided hose.

(B) Has an air hose, tube, or connection leaking, restricted, crimped, or broken.

(C) Has connecting line or tubes not properly attached or supported to prevent damage by vibration or abrasion by contact with the frame, axle, other lines or other part of the vehicle and damage as set forth in (ix)(A) or (ix)(B) is present.

(D) Has a brake chamber, foot valve, or any other valve in the system or stop-light switch with a clearly audible leak.

(E) Has an air reservoir not securely attached to the motor vehicle.

(F) Has a belt-driven compressor subject to intermittent operation due to looseness of belts or defective pulley condition, or any looseness of mounting bolts on any compressor.

(G) Has an air pressure drop of more than 3 psi in 1 minute for single-unit vehicle, and 4 psi in 1 minute for vehicle combinations, with engine running at idling speed and the service brake applied.

(H) With control (service) and supply (emergency) lines disconnected, the towed vehicle brakes fail to remain in the applied position for at least 5 minutes.

(I) Lacks an operative low-air warning device as required in Section 393.51(c). (Check exemptions in Section 393.51(g).)

(J) On an air-mechanical braked power unit, towing a trailer with air-mechanical brakes, the power unit is: (I) Not equipped with automatic and manual means for activation, (II) found to be inoperative, or (III) malfunctioning to the extent that towing unit air supply is vented to atmosphere when either of the means are used.

(K) The brakes on air-mechanical braked towed vehicles do not apply automatically when the power unit air pressure is reduced to some point between 45 and 20 psi.

(x) Electric brake systems – Any electric brake system that:

Has loose or dirty terminal connections, or broken, frayed, or unsupported wires.

Has brakes that do not apply and remain applied for at least five minutes when the breakaway safety switch is activated.

(xi) Parking brake system – Any parking brake system that:

(A) Has any mechanical part of the parking brake missing, broken, or disconnected.

(B) Is not capable under any load condition of holding the vehicle or combination of vehicles on the grade on which it is tested.

(C) The application mechanism, when fully applied, will not hold in the applied position without manual effort.

(D) Uses fluid pressure, air pressure, or electric energy to hold it in the applied position.

(c) Lighting devices and reflectors.

During the period of one-half-hour after sunset to one-half-hour before sunrise:

(i) Headlamps – The single vehicle or towing vehicle does not have at least one operative headlamp on one side and at least one other operative road lighting device

on the other, or all required front clearance lamps installed and operative.

(ii) Lamps on rear.

(A) Buses, trucks, and towed vehicles, including driveaway-towaway operations, eighty inches or more in width. There are not at least two operative red lamps, other than stop lamps, on the rear of the rearmost vehicle visible from a distance of five hundred feet.

(B) Truck-tractors as single vehicles, and all other vehicles and combination of vehicles less than eighty inches in width. There is not at least one operative red lamp, other than a stop lamp, on the rear of the rearmost vehicle visible from a distance of five hundred feet.

(iii) Lamps on projecting loads – There are not at least two operative red lamps on the rear of loads projecting four or more feet beyond the vehicle body.

(iv) None of the turn signals on a vehicle or combination of vehicles are operative, regardless of light conditions.

(v) At least one operative stop lamp on the rear of a single unit vehicle or the rearmost vehicle of a combination of vehicles, at any time the vehicle or combination is being operated, regardless of light conditions.

(d) Tires.

(i) Tread depth – Any tire on:

(A) Front wheels worn so that less than 2/32-inch tread remains when measured in any two adjacent major tread grooves at three equally spaced intervals around the circumference of the tire.

(B) Any wheel other than a front wheel that has a tire worn so that less than 1/64-inch tread remains when measured in any two adjacent major tread grooves at three equally spaced intervals around the circumference of the tire.

(ii) Any tire that:

(A) Has any visually observed bump, bulge, or knot apparently related to tread or sidewall separation.

(B) Has any tread separation from the carcass:

(I) Exposing fabric in excess of four square inches.

(II) Exposing buffed or prepared carcass surface in excess of four square inches.

(III) Extending across three-fourths of the width of the tread.

(C) Has cuts – Any tire, cut through three or more layers of textile plies, and the cut being four inches or more long at the third layer.

(D) Is flat – Any tire, on any wheel, flat or having an audible leak.

(E) Contacts mate – Any dual tire so mounted or inflated that it comes in contact with its mate.

(F) Is marked "Not for highway use" or otherwise marked and having like meaning.

(G) Any steering axle tire with any textile ply showing in the tread area or worn through one ply in the sidewall.

(e) Wheel and rims.

(i) Rims and rings which are mismatched, bent, sprung, or cracked. (Not to be confused with rims purposely split or cut at manufacture.)

(ii) Disc wheels with elongated bolt holes or cracks between hand holes or stud holes, or both.

(iii) Cast wheels (spoke type) that are cracked.

(iv) Two or more of the wheel bolts, nuts, or clamps are loose, broken, missing, or mismatched.

(v) Any disc, spoke type wheel, or rim with welded repair.

(f) Exhaust systems.

(i) Exhaust systems not securely fastened. (Some exhaust systems have mounting brackets that are intended to allow movement to counteract thermal expansion. Such vehicles shall not be written up as in violation of the regulations, unless the bolts or other method of attaching the mounting brackets are loose.)

(ii) Exhaust systems determined to be leading at a point forward of or directly below the driver compartment of any truck or truck tractor, or forward of or below the passenger compartment of any bus of closed body of any truck used for transporting migratory workers. (For purposes of this item, a vehicle body is not considered to be closed if it uses a canvas tarpaulin or flexible material to exclude weather at the top, sides, or ends.)

NOTE: The criteria in (f)(i) and (f)(ii) are not to be construed to exclude vehicles equipped with exhaust systems intentionally designed to exhaust to the front end of the vehicle. However, such vehicles should be written up on safety equipment compliance form as being in violation of Section 393.83 of the safety regulations.

NOTE: Carbon or other types of residue are found in flexible pipe and joints in exhaust systems. The carbon and other materials will work through the flexible pipe and joints. Therefore, actual leakage of exhaust gases must be occurring at the locations specified above before writing up the vehicle on safety equipment compliance form. This can be determined by placing a piece of paper on your hand near the suspected leak point to detect escaping gases.

(g) Fuel systems.

(i) Any fuel system with visible leaks at any point in the fuel system.

(ii) Any fuel tank filler cap missing, poorly fitted or with a defective gasket.

(iii) Any fuel tank not securely attached to the motor vehicle. (Some fuel tanks use springs or rubber bushing to permit movement.)

(h) Coupling devices.

(i) Any tow-bar or adjustable fifth wheel assembly with one-fourth or more of the locking pins missing.

(ii) Any adjustable fifth wheel locking mechanism that does not remain in the locked position without manual effort.

(iii) Any leakage in adjustable fifth wheel locking mechanisms dependent on fluid energy or air pressure.

(iv) Fifth wheel and tow-bar play.

(A) Play lengthwise of the vehicle exceeding one inch between the upper and lower fifth wheel halves.

(B) Where provision is made for adjustment of a fifth wheel lower half or tow-bar, relative to the vehicle frame, there is more than one inch of play lengthwise of

the vehicle in any adjustment when locked or latched in position.

(v) Fifth wheel mounting. Fifth wheel mountings including bolts, nuts, welds, and brackets, but not including adjustable features, which are loose, worn, or broken so as to permit one-fourth inch or more observable relative motion between the fifth wheel mounting and the frame of the vehicle.

(vi) Fifth wheel and tow-bar cracks or breaks. Any cracks or breaks in the tow-bar or fifth wheel except:

(A) Cracks in the ramps or horns of fifth wheels.

(B) Casting shrinkage cracks in the ribs of the body of cast fifth wheels.

(i) Suspension.

(i) Axle positioning parts. Any torque arms, U-bolts, spring hangers, or other axle positioning parts cracked, broken, loose, or missing so as to permit displacement of an axle from its normal position.

(ii) Spring assembly.

(A) One-fourth or more of the leaves in any leaf spring assembly broken or missing, or the main leaf depended upon for positioning the axle is broken.

(B) One or more leaves shifted from normal position that could permit coming in contact with a tire, rim, brake drum, or frame.

(C) Air suspensions, leaking.

(iii) Torsion bar assembly or torque arm. Any part of the torsion arm assembly or torque arm or any part used for attaching the same to the vehicle frame or axle, cracked, broken, or missing.

(iv) Frame members. Any cracked, loose, or broken frame member (permitting shifting of the body onto moving parts or collapse of the frame).

(v) Any suspension system defect or any condition of loading that permits the body or frame to come in contact with a tire or any part of the wheel assemblies.

(vi) Adjustable axle assemblies - any:

(A) Adjustable axle assembly with one-fourth or more of the locking pins missing.

(B) Adjustable axle assembly with more than one inch of play lengthwise along the vehicle in any such adjustment when locked or latched in position.

(j) Safe loading.

(i) Any lading within any passenger-carrying space which interferes with the ready exit of passengers from the vehicle.

(ii) Any lading within the driver's compartment which obscures his view ahead or to the right or left sides or to the rear.

(iii) Protection against shifting cargo.

(A) Any vehicle without front-end structures, or equivalent devices as required by Section 393.106.

(B) Vehicles and loading condition such that any part of the load can fall on the roadway.

(k) Engine.

The engine cannot be started without external assistance within five minutes.

(l) Power train.

Engine cannot be started with the transmission in neutral because of a defective or improperly adjusted clutch. (Transmission cannot be shifted from neutral after engine is started.)

(m) Mirrors.

Any power unit with only one mirror on the driver's side that is cracked, pitted, or clouded to the extent that rear vision is obscured.

(n) Windshield wipers.

Any power unit that has inoperative wiper or parts of blades or arms are missing or are severely damaged on the driver's side.

(o) Vehicles - Hazardous materials.

(i) Loss or leakage of any cargo classed as a hazardous material, when visible on the outside of the vehicle.

(ii) Loaded cargo tanks or portable tanks having loose dome covers or other openings not securely closed.

(iii) Vehicles transporting hazardous materials in such quantity to require placards and no placards are installed on sides, rear and front.

(iv) Vehicles transporting hazardous materials in such quantity to require placards having bare electrical wiring or evidence of burning or short circuiting.

(3) References in subsection (2) of this rule to Sections 393.43, 393.48, 393.51, 393.83, and 396.106 shall refer to those sections contained in the Code of Federal Regulations, part 393, as adopted by the commission in WAC 480-12-180(1), or hereafter amended by the commission in that section. References in subsection (2) of this rule to "psi" shall refer to pounds per square inch.

(4) Duly authorized commission personnel shall order any piece of equipment in need of repairs to be properly repaired, and this equipment shall not be used in further service until a certificate of correction is forwarded to the commission. A certificate of correction form will be furnished by the commission. Additional forms may be obtained from any office of the commission.

WSR 81-13-011**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 81-38—Filed June 11, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Areas 4B, 5, 6, 6A and 6C are closed to protect Puget Sound sockeye salmon and Canadian and Puget Sound chinook salmon. Area 8 and the Skagit and Baker Rivers are closed to protect spring chinook salmon and Baker River sockeye salmon. Areas 6B, 9, 10 and 10A are restricted to protect Lake Washington sockeye salmon. Areas 10B, 10C, 10D and the Cedar River are closed to protect Lake Washington sockeye 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 June 11, 1981.

By R. A. Schmitten
Director

NEW SECTION

WAC 220-28-004B0T CLOSED AREA. Effective June 12 through June 20, 1981, it is 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 4B.

NEW SECTION

WAC 220-28-00500X CLOSED AREA. Effective June 12 through June 20, 1981, it is 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 Salmon Management and Catch Reporting Area 5.

NEW SECTION

WAC 220-28-00600V CLOSED AREA. Effective June 12 through June 20, 1981, it is 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 Salmon Management and Catch Reporting Area 6.

NEW SECTION

WAC 220-28-006A0T CLOSED AREA. Effective June 12 through June 20, 1981, it is 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 Salmon Management and Catch Reporting Area 6A.

NEW SECTION

WAC 220-28-006B0U CLOSED AREA. Effective June 12 through July 24, 1981 it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gill net gear having a mesh size smaller than 6-1/2 inches in Puget Sound Salmon Management and Catch Reporting Area 6B. All sockeye salmon taken with purse seine gear in Area 6B must be released immediately.

NEW SECTION

WAC 220-28-006C0P CLOSED AREA. Effective June 12 through June 20, 1981, it is 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 Salmon Management and Catch Reporting Area 6C.

NEW SECTION

WAC 220-28-00800E CLOSED AREA. Effective June 16 through August 1, 1981, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gill net gear having a mesh size smaller than 6-1/2 inches in Puget Sound Salmon Management and Catch Reporting Area 8. All sockeye salmon taken with gear other than gill net gear in Area 8 must be released immediately.

NEW SECTION

WAC 220-28-008F0P CLOSED AREA. (1) Effective immediately through those times and in those portions of the Skagit River listed below, it is 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 June 15, 1981, that portion of the Skagit River from the mouth upstream to the mouth of Gilligan Creek.

(b) effective immediately through June 18, 1981, that portion of the Skagit River from the mouth of Gilligan Creek upstream to the Hamilton boat landing.

(c) effective immediately through July 7, 1981, that portion of the Skagit River from the Hamilton boat landing upstream to the Old Faber Ferry Landing above Concrete.

(d) effective immediately until further notice, that portion of the Skagit River upstream from the Old Faber Ferry Landing above Concrete, including all tributaries.

(2) Effective June 16, 1981 through those times and in those portions of the Skagit River listed below, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gill net gear having a mesh size smaller than 6-1/2 inches. All sockeye salmon taken with gear other than gill net gear in the times and areas listed below must be released immediately:

(a) effective June 16 through August 1, 1981, that portion of the Skagit River from the mouth upstream to the mouth of Gilligan Creek.

(b) effective June 19 through August 1, 1981, that portion of the Skagit River from the mouth of Gilligan Creek upstream to the Hamilton boat landing.

(c) effective July 8 through August 1, 1981, that portion of the Skagit River from the Hamilton boat landing upstream to the Old Faber Ferry Landing above Concrete, including the Baker River.

NEW SECTION

WAC 220-28-00900M CLOSED AREA. Effective June 12 through July 31, 1981, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gill net gear having a mesh size smaller than 6-1/2 inches in Puget Sound Salmon Management and Catch Reporting Area 9. All sockeye salmon taken with gear other than gill net gear in Area 9 must be released immediately.

NEW SECTION

WAC 220-28-01000U CLOSED AREA. Effective June 12 through July 31, 1981, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gill net gear having a mesh size smaller than 6-1/2 inches in Puget Sound Salmon Management and Catch Reporting Area 10. All sockeye salmon taken with gear other than gill net gear in Area 10 must be released immediately.

NEW SECTION

WAC 220-28-010A0S CLOSED AREA. Effective June 12 through July 14, 1981, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gill net gear having a mesh size smaller than 6-1/2 inches in Puget Sound Salmon Management and Catch Reporting Area 10A. All sockeye salmon taken with gear other than gill net gear in Area 10A must be released immediately.

NEW SECTION

WAC 220-28-010B0V CLOSED AREA. Effective June 12 through July 31, 1981, it is 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 Salmon Management and Catch Reporting Area 10B.

NEW SECTION

WAC 220-28-010C0R CLOSED AREA. Effective June 12 through December 31, 1981, it is 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 Salmon Management and Catch Reporting Area 10C.

NEW SECTION

WAC 220-28-010D0U CLOSED AREA. Effective June 12 through July 31, 1981, it is 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 Salmon Management and Catch Reporting Area 10D.

NEW SECTION

WAC 220-28-010G0C CLOSED AREA. Effective June 12 through December 31, 1981, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Cedar River.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-28-008F0N CLOSED AREA (Order 81-23)

effective June 12, 1981:

WAC 220-28-004B0S CLOSED AREA (Order 81-23)

WAC 220-28-00500W CLOSED AREA (Order 81-23)

WAC 220-28-00600U CLOSED AREA (Order 81-23)

WAC 220-28-006A0S CLOSED AREA (Order 81-23)

WAC 220-28-006C0N CLOSED AREA (Order 81-23)

effective June 16, 1981:

WAC 220-28-00800D CLOSED AREA (Order 81-23)

WSR 81-13-012
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-39—Filed June 11, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, 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 adopts regulations consistent with those adopted by the U.S. Department of Commerce.

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

This rule is promulgated pursuant to RCW 75.40.050 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 11, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-24-01000E UNLAWFUL ACTS — TROLL Notwithstanding the provisions of WAC 220-24-010, effective 12:01 a.m. June 15 through 11:59 p.m. July 14, 1981, it is unlawful to possess in or transport through the waters of District No. 1 any salmon taken for commercial purposes from District No. 1, the Pacific Ocean or District 2.

NEW SECTION

WAC 220-24-02000H CLOSED SEASON — TROLL Notwithstanding the provisions of WAC 220-24-020, effective 12:01 a.m. June 15 through 11:59 p.m. July 14, 1981, it is unlawful to take, fish for or possess salmon taken for commercial purposes with troll gear in Washington coastal waters.

WSR 81-13-013

ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 81-17—Filed June 11, 1981]

I, John F. Spencer, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, the annexed rules relating to lakes coming under purview of chapter 90.58 RCW—Kitsap County lakes, amending WAC 173-20-380.

This action is taken pursuant to Notice No. WSR 81-09-078 filed with the code reviser on April 22, 1981. 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 June 9, 1981.

By John F. Spencer
Deputy Director

AMENDATORY SECTION (Amending Order DE 76-16, filed 5/3/76)

WAC 173-20-380 LAKES COMING UNDER PURVIEW OF CHAPTER 90.58 RCW—KITSAP COUNTY LAKES.

LOCATION	SECTION	NAME	AREA (ACRES)	USE
(1) T22N-R1W	2-E1/2	Wye Lk.	37.9	R
(2) T22N-R1W	2-E1/2	Carney Lake	18.7 Kitsap Co. 20.5 Pierce Co.	
			39.2 Total	R

LOCATION	SECTION	NAME	AREA (ACRES)	USE
(3)	T24N-R1E	8-N Kitsap Lk.	238.4	R
(4)	T24N-R1W	2-H Wildcat Lk.	111.6	R
(5)	T24N-R1W	26-M Union River Res.	93.0	PS
(6)	T24N-R1W	31-L Panther Lk.	74.1 Kitsap Co. 30.0 Mason Co.	
			104.1 Total	R
(7)	T24N-R1W	32-C Mission Lk.	87.7	R
(8)	T24N-R1W	35-Q/R Twin Lks. (Res.)	21.7	PS
(9)	T24N-R1W	35-Q/R Tiger Lk.		
(10)	T22N-R1E	10-K/L Horseshoe Lk.	40.3	R
(11)	T23N-R2E	8-E Long Lk.	314.0	R
(12)	T25N-R1E	3-S1/2 Island Lk.	42.7	R
(13)	T27N-R2E	21-M Miller Lk.	25.7	R
(14)	T24N-R1W	5 William Symington		
(15)	T24N-R1W	17 Tahuya Lk.		R
(16)	T24N-R2W	23&26 Three Fingers Pond & Holland Ponds	30.8	R
(17)	T28N-R2E	21 Buck Lk.	22.0	R
(18)	T24N-R2W	Morgan Marsh	95.0	R

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

APPROVED AND ADOPTED June 9, 1981.

By John F. Spencer
Deputy Director

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

WAC 173-19-2604 WINSLOW, CITY OF. City of Winslow master program approved October 3, 1979. Revision approved June 9, 1981.

WSR 81-13-014
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 11, 1981]

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 Anacortes, City of, amending WAC 173-19-3701;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Wednesday, July 1, 1981, in Room 273, Department of Ecology, Headquarters Office, St. Martin's College Campus, Lacey, Washington.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-09-081 filed with the code reviser's office on April 22, 1981.

Dated: June 9, 1981
By: John F. Spencer
Deputy Director

WSR 81-13-015
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 81-16—Filed June 11, 1981]

I, John F. Spencer, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Winslow, City of, amending WAC 173-19-2604.

This action is taken pursuant to Notice No. WSR 81-09-080 filed with the code reviser on April 22, 1981. 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

WSR 81-13-016
ADOPTED RULES
EMPLOYMENT SECURITY DEPARTMENT
[Order 2-81—Filed June 11, 1981]

I, Norward J. Brooks, director of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to computation of pension deductions under RCW 50.04-.323, definition of regular shareable benefits, RCW 50-.20.120; special requalification under RCW 50.20.050(4) when shareable or extended benefits are in issue, RCW 50.22.020(7); interpretation of "good prospect for work within a reasonably short period of time", RCW 50.22.020(3); interpretation of RCW 50.22.020(4) relating to failure to apply for or accept work; application of RCW 50.20.080 in work refusal situations when shareable or extended benefits are at issue; standards to establish "tangible evidence of a systematic and sustained effort to obtain work", RCW 50.22.020(5).

This action is taken pursuant to Notice No. WSR 81-10-065 filed with the code reviser on May 6, 1981. 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 pursuant to RCW 50.12.010 and 50.12.040 which directs that the Commissioner of the Employment Security Department has authority to implement the provisions of 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 June 11, 1981.

By Norward J. Brooks
Commissioner

NEW SECTION

WAC 192-16-030 INTERPRETIVE REGULATION—COMPUTATION OF PENSION DEDUCTIONS UNDER RCW 50.04.323. RCW 50.04.323

provides, in part, that the amount of any reduction under that section shall take into account contributions made by the individual for the pension, retirement or retired pay, annuity, or other similar periodic payment, in accordance with regulations prescribed by the commissioner. There will be presumed to have been no employee contribution unless the claimant provides evidence satisfactory to the department that such a contribution was made.

In the absence of a written certification from the administrators of the plan under which the claimant is receiving the pension, retirement or retired pay, annuity, or other similar periodic payment which verifies the specific percentage of the individual's contributions to the plan, the deductible pension amount will be calculated in the manner set forth in the following paragraph.

The deductible pension amount shall be determined as of the last pay period in the individual's base year for which contributions were made. For example, during such period the employees contributed 6% of gross wages and the employer contributed 7% of gross wages. The total contributions is 13% of gross wages. Dividing the employer's contributions by the total results in an employer share of contributions of 54%. The employer share represents that portion of the gross monthly pension that is deductible.

NEW SECTION

WAC 192-16-033 INTERPRETIVE REGULATION—REGULAR SHAREABLE BENEFITS DEFINED. The term "regular shareable benefits" refers to regular benefits in excess of 26 times an individual's weekly benefit amount, paid with respect to weeks of unemployment which occur during an extended benefit period.

NEW SECTION

WAC 192-16-036 INTERPRETIVE REGULATION—REQUALIFICATION FOR REGULAR SHAREABLE OR EXTENDED BENEFITS UNDER RCW 50.20.050(4). RCW 50.22.020(7) provides that individuals cannot requalify for regular shareable or extended benefits unless such requalification is based upon employment subsequent to the date of the disqualifying separation.

An individual disqualified under RCW 50.20.050(4) who has requalified on the basis of reporting for ten weeks will not be eligible for regular shareable or extended benefits unless such an individual has, subsequent to the disqualifying separation, performed work in each of five weeks earning not less than his or her suspended weekly benefit amount in each of such weeks.

NEW SECTION

WAC 192-16-040 INTERPRETIVE REGULATION—GOOD PROSPECTS OF OBTAINING WORK WITHIN A REASONABLY SHORT PERIOD OF TIME UNDER RCW 50.22.020(3)—SHAREABLE OR EXTENDED BENEFITS. For the purpose of RCW 50.22.020(3) an individual shall be

deemed to have a good prospect for work within a reasonably short period of time if said individual has (1) a definite recall or hire date, within five weeks, or (2) a probable recall or hire date within five weeks, based on an extremely favorable position on a union out-of-work list, seasonal factors, or historical experience.

NEW SECTION

WAC 192-16-042 INTERPRETIVE REGULATION—FAILURE TO APPLY FOR OR ACCEPT WORK UNDER RCW 50.22.020(4)(b)—SHAREABLE OR EXTENDED BENEFITS. RCW 50.22.020(4) provides, in part:

"Extended compensation shall not be denied under subsection (1)(a) of this section to any individual for any week by reason of a failure to accept an offer of, or apply for, suitable work if: . . . (b) The position was not offered to such individual in writing and was not listed with the Employment Security Department;"

This section means that a person will be disqualified from receiving extended or shareable benefits for failure to accept or apply for suitable work, as defined in RCW 50.22.020(3), if the job at issue was either offered to the person in writing or was listed with the Employment Security Department and the other requirements of that subsection have been met.

NEW SECTION

WAC 192-16-045 INTERPRETIVE REGULATION—DISQUALIFICATION FOR FAILING TO ACCEPT AN OFFER OF OR TO APPLY FOR SUITABLE WORK—SHAREABLE OR EXTENDED BENEFITS. If, during a week for which an individual has claimed regular shareable or extended benefits, he or she fails to accept any offer of work or fails to apply for any work to which he or she was referred by the Employment Security Department:

(a) Such individual will be disqualified from benefits under the terms of RCW 50.20.080 if the work was "suitable" under the provisions of RCW 50.20.100 and RCW 50.20.110 and if the individual's failure was without "good cause";

(b) Such individual, if disqualified from benefits under RCW 50.20.080 as provided in subparagraph (a) above, will further be disqualified from regular shareable and extended benefits under RCW 50.22.020(1)(a) and (2) unless this additional disqualification is precluded by RCW 50.22.020(4);

(c) Such individual may be disqualified from regular shareable or extended benefits under only the provisions of RCW 50.22.020(1)(a) and (2) if the work was not "suitable" under the provisions of RCW 50.20.100 or if the individual had "good cause" in refusing the work.

NEW SECTION

WAC 192-16-047 INTERPRETIVE REGULATION—INTERPRETATION OF REQUIREMENTS OF RCW 50.22.020(5)—TANGIBLE EVIDENCE OF A SYSTEMATIC AND SUSTAINED EFFORT TO

OBTAIN WORK—SHAREABLE OR EXTENDED BENEFITS. Work search efforts for individuals claiming shareable and extended benefits must be of a quality and frequency that would clearly indicate that the individual is making sincere efforts to immediately return to gainful employment.

The completed work search section of the continued claim form which includes the date of work seeking contact, the name of the employer or union involved, and the type of work sought will be considered as tangible but not conclusive evidence of a systematic and sustained effort to obtain work.

An individual engaged in a training program approved by the commissioner in accordance with the requirements of 26 U.S.C. § 3304(a)(8), WAC 192-12-182, and WAC 192-12-184 will be deemed to meet the requirements of RCW 50.22.020(5).

WSR 81-13-017
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-40—Filed June 12, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to ceremonial and subsistence fishery.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is there are harvestable salmon available at Priest Rapids.

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 June 12, 1981.

By Rolland A. Schmitten
 Director

NEW SECTION

WAC 220-32-05500D WANAPUM CEREMONIAL AND SUBSISTENCE FISHERY. (1) *Notwithstanding the provisions of WAC 220-32-055 effective June 13 through June 14, 1981, it is lawful for the following Wanapum Indians to take, fish for and possess salmon for ceremonial and subsistence purposes in the*

creek leading from Priest Rapids Spawning Channel under the conditions provided in subsection (2) of this section.

Fishermen:

- | | |
|---------------|---------------------------|
| Frank Buck | Lester Umtuch |
| Stanley Buck | Robert S. Tomanawash, Sr. |
| Willie Buck | Grant Wyena |
| Harry Buck | Douglas Wyena |
| Ken Buck | Jerry Wyena |
| Rex Buck, Jr. | Jimmy Wyena |
| Phillip Buck | Patrick Wyena |
| Richard Buck | |

(2)(a) *All gear except dip nets and seines in unlawful.*

(b) *It is unlawful to fish except from 6:00 a.m. to 9:00 p.m. on June 13 and June 14, 1981.*

(c) *It is unlawful to fish in any area except between the outfall of the spawning channel and the creek's confluence with the Columbia River. It is unlawful to fish in the Columbia River.*

(d) *It is unlawful for participating fishermen to fail to submit their catch to Department of Fisheries employees for the conduct of biological sampling.*

(e) *It is unlawful for participating fishermen to fail to report their total catch of salmon to the Department of Fisheries.*

(f) *It is unlawful to sell, barter, offer for sale or barter, buy or for a commercially licensed fish buyer or wholesale fish dealer to have in possession, salmon taken pursuant to this section.*

WSR 81-13-018
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-41—Filed June 12, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial and personal use fishing rules.

I, Rolland A. Schmitten, 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 proposals for permanent rules on the recovery of sampling data and tags are forthcoming. This order provides for orderly and more accurate data and tag collection during current fisheries.

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 June 12, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-20-01000E SAMPLING DATA AND TAG RECOVERY. *It is unlawful for any person or corporation licensed by the Department of Fisheries to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from salmon or other food fish. It is also unlawful for any such person or corporation to fail to relinquish to the department any part of a salmon or other food fish containing coded wire tags, including but not limited to, the snouts of those salmon that are marked by having clipped adipose fins.*

**WSR 81-13-019
ADOPTED RULES
COMMUNITY COLLEGE
DISTRICT 12**

[Resolution 81-8—Filed June 12, 1981]

Be it resolved by the board of trustees, of Community College District 12, acting at Garrett Heyns Education Center, Shelton, Washington, that it does promulgate and adopt the annexed rules relating to tenure review, amending chapter 132L-128 WAC.

This action is taken pursuant to Notice No. WSR 81-09-029 filed with the code reviser on April 13, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of Community College District 12 as authorized in chapters 28B.10 and 28B.50 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 June 9, 1981.

By Nels W. Hanson
District President

AMENDATORY SECTION (Amending Order 76-65, filed 3/30/77)

WAC 132L-128-030 DUTIES AND RESPONSIBILITIES OF PROBATIONARY REVIEW COMMITTEES. (1) The general duty and responsibility of the probationary review committee shall be to assess and advise the probationer of his professional strengths and weaknesses and to make reasonable efforts to encourage and aid him to overcome his deficiencies.

(2) The probationary review committee shall meet at the call of the chairman, when in his discretion the need for such a meeting arises, provided that the committee shall meet with the probationer at least twice during

each of the first two quarters of employment and once during all other quarters and, additionally within 10 days of the receipt of a written request setting forth good cause to meet as directed to the chairman by the probationer.

(3) The first order of business for each probationary review committee shall be to establish the procedure it will follow in evaluating the performance and professional competence of the full-time probationer assigned thereto. The committee's evaluation of the probationer shall be directed toward and result in the determination of whether or not the probationer possesses the necessary personal characteristics and professional competence to perform effectively in his appointment. A probationary review committee's evaluation procedures should include the following:

(a) Classroom observations by members of the probationary review committee;

(b) Student evaluation administered by the director of counseling;

(c) Assessment of the probationer's participation in professional activities both on and off campus;

(d) Self-evaluation; and

(e) The probationer shall have the right to determine one of the above or an additional method or procedure of evaluation.

(4) Each probationary review committee shall be required to conduct an on-going evaluation of the full-time probationer assigned thereto and render the following written reports to the probationer, the president, and the appointing authority on or before the designated times during each regular college year such appointee is on probationary status; or, as is also required, within fifteen days of the president's written request therefore:

(a) A written progress report after fall quarter outlining the probationer's strengths and weaknesses. This report should also include a list of steps that can be taken by the probationer to improve his deficiencies.

(b) A written evaluation of each full-time probationer's performance including the degree to which the probationer has overcome stated deficiencies on or before February 15. The review committee shall obtain the probationer's written acknowledgement of receipt of the written evaluation. The probationer shall have the right to answer the evaluation report in writing and attach his answer to the report.

(c) A written recommendation that the appointing authority award or not award tenure, such written recommendations to be submitted at times during the regular college year deemed appropriate by each probationary review committee, provided, that during such probationer's third regular college year of appointment, the probationary review committee shall, prior to February 15 of such regular college year, make a written recommendation as to the award or nonaward of tenure.

Failure of any review committee to make such written recommendation by February 15 of a probationer's third consecutive regular college year shall be deemed a recommendation neither for nor against the awarding of tenure and the appointing authority may award or deny tenure based upon this type of recommendation by the committee.

(5) The final decision to award or withhold tenure shall rest with the appointing authority after it has given reasonable consideration to the recommendations of the probationary review committee.

(6) All written evaluations and recommendations prepared and submitted by a probationary review committee pursuant to these rules shall include the committee's findings and supportive data and analysis.

(7) On or before the last day of the winter quarter of a probationer's third consecutive regular college year of appointment, the appointing authority shall notify him of the decision to either grant him tenure or not renew his appointment for the ensuing year.

(8) This appointment to tenure is effective until the faculty member is either dismissed for "sufficient cause", (as defined in WAC 132L-128-040), or until the age of ((65)) 70 years whereupon contract renewal is at the annual option of the appointing authority.

AMENDATORY SECTION (Amending Order 76-65, filed 3/30/77)

WAC 132L-128-060 PROCEDURE RELATING TO THE DISMISSAL OF A TENURED OR PROBATIONARY FACULTY MEMBER. When reason arises to question the fitness of a tenured faculty member or of a probationary faculty member whose appointment may be terminated prior to the terms of the written contract, then the appropriate administrative officer shall discuss the matter with him in personal conference. The matter may be terminated by mutual consent at this point, but if an adjustment does not result, the case shall be referred to the president. If the president deems that the case warrants dismissal, the dismissal process shall be governed by the following procedure:

(1) It shall be the responsibility of the president, or his designee, to formulate a statement with reasonable particularity of the grounds proposed for the dismissal.

(2) Formal proceedings shall commence by a letter addressed to the faculty member from the president. The letter shall include (a) a copy of the statement of particulars proposed for dismissal, and (b) the fact that the case will be referred to the review committee as required by law.

(3) The president shall refer the case to the dismissal review committee, in writing, with a request that the committee review the matter and make recommendations to the Board of Trustees as required by law. A copy of this communication, with any accompanying documents, shall be sent to the members of the Board of Trustees and to the faculty member under review for their information.

(4) Except under emergency conditions, as determined by the president, the dismissal proceedings described above shall be instituted prior to February 15.

(5) Within five calendar days after the establishment of the dismissal review committee, the committee shall set a date for a review hearing, and inform in writing, the faculty member under review and the president of the date, time and place of the hearing.

(6) The date set for the dismissal review committee hearing shall provide sufficient time, but not to exceed

twenty calendar days, for the faculty member whose case is being reviewed to prepare his defense against the charges filed against him.

(7) The dismissal review committee hearing shall:

(a) Include testimony from all interested parties including, but not limited to, other faculty members and students.

(b) The faculty member whose case is being reviewed shall be afforded the right of cross-examination and the opportunity to defend himself.

(8) The review committee shall complete the hearing and prepare recommendations within ten calendar days on the action they propose be taken and submit such recommendations to the appointing authority: Except, the appointing authority may grant an extension of time should evidence be presented to it from which the Board of Trustees determines that an extension of time is justified. These recommendations, in writing, shall be accompanied by a copy of the written record of proceedings described above.

(9) The appointing authority shall be the final authority in cases of faculty dismissal. Before taking final action, the appointing authority shall give reasonable consideration to the recommendations of the review committee. In addition, the Board of Trustees may give consideration to other evidence and recommendations which they deem appropriate or necessary.

(10) As soon as possible thereafter, the appointing authority shall inform the faculty member by letter of their decision regarding the case. In the letter the appointing authority shall state the basis for their decision.

(11) A dismissed tenured faculty member or a probationary faculty member whose appointment is terminated prior to the terms of the written contract shall have a right to appeal the final decision of the appointing authority in accordance with RCW 28B.19.150 as now or hereafter amended.

(12) Suspension of the faculty member whose case is being reviewed during proceedings involving him may be imposed by the president if immediate harm to the faculty member or to others is threatened by his continuance. Salary payments during the period of suspension may be withheld. If the appointing authority retains the faculty member in his previous employment status, any withheld salary payments shall be paid to the faculty member.

AMENDATORY SECTION (Amending Order 76-65, filed 3/30/77)

WAC 132L-128-070 DESIGNATION OF ADMINISTRATIVE APPOINTMENTS. A tenured faculty member, upon appointment to an administrative appointment, except that of president, shall be allowed to retain his tenure as a faculty member. However, persons assigned administrative responsibility and authority will occupy positions for which the privileges of tenure cannot be extended. The recognized administrative positions which are specifically exempt from provisions of tenure as described herein include the following full-time and part-time positions: The president, assistant to the president, dean of instruction, dean of students, dean

of administration, director of continuing and occupational education, head librarian, director of student activities, director of financial aids, division chairmen, registrar, and other directors, coaches, or supervisors for which extra pay and/or released time is given for activities other than the regular duties for which the employee's certification and basic contract indicate, and other administrators specified in Board Resolution No. ((73=58)) 76-62 dated ((October 11, 1973)) December 9, 1976 and Board Resolution No. 80-12A dated March 13, 1980.

Reviser's Note: RCW 28B.19.077 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 81-13-020
EMERGENCY RULES
COMMUNITY COLLEGE
DISTRICT 12

[Resolution 81-9—Filed June 12, 1981]

Be it resolved by the board of trustees, of Community College District 12, acting at Garrett Heyns Education Center, Shelton, Washington, that it does promulgate and adopt the annexed rules relating to emergency procedures, amending chapter 132L-26 WAC.

We, the Board of Trustees of Community College District 12, 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 conflicts existing between Higher Education Personnel Board rules and District 12 rules would preclude the district from invoking a suspended operation order. The imminent threat posed by Mt. St. Helens and strikes by state employee unions could precipitate a condition requiring an order for suspended operations. The board finds these conditions imminent and posing an emergency condition which must be addressed by appropriate emergency rules.

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 Community College District 12 as authorized in chapters 28B.10 and 28B.50 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 June 9, 1981.

By Nels W. Hanson
District President

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-010 AUTHORITY TO SUSPEND OPERATIONS. The president of District 12 is authorized to suspend the operation of any or all campuses in the district if, in his opinion, an emergency condition beyond his control makes this closure advisable(~~(. (Such as, but not limited to: Riot, civil disturbance, mechanical failure, severe weather conditions, strike or work stoppage.))~~), and the public health, or property, or safety is jeopardized.

In accordance with WAC 251-22-240, as amended by the Higher Education Personnel Board ((December 22, 1975)), April 6, 1981, Community College District 12 adopts the following suspended operation rules.

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 28B.19.077 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 77-30, filed 9/1/77)

WAC 132L-26-040 VOLUNTARY STAFFING. When the period of suspended operation is expected to exceed five working days, (~~(but less than twenty-one.))~~ staffing shall be on a volunteer basis. Employees qualified to perform the task with the most layoff seniority shall be given the first option to work.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-050 MANDATORY STAFFING. If sufficient volunteers cannot be found, the president shall have the authority to require employees to work. If the employees who are requested to work withhold their services (except for extenuating circumstances as determined by the president) they shall not be allowed to use compensatory time ((or)), annual leave, a personal holiday, or make up work time lost, but will not be subject to any further disciplinary action. Employees will be called in reverse seniority.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-060 SUSPENDED OPERATION PROCEDURES AFTER ((TWENTY-ONE)) FIFTEEN DAYS. If the period of suspended operation is expected to exceed ((~~twenty-one~~)) fifteen days, the (~~(full classified personnel layoff provisions shall apply.))~~ personnel director shall request an extension from the director of the Higher Education Personnel Board subject to confirmation by the board. If the period of suspended operation exceeds fifteen days and no extension is granted, the full classified personnel layoff provisions shall apply.

If the suspended operation exceeds the period for which an extension was granted, the full classified personnel layoff provisions shall apply.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-075 OPTION TO RECOVER TIME LOSS. The district shall have the option to make up lost time due to suspended operations by extending the calendar. Classified and administrative employees who lose regular work time as a result of suspended operation may request to work additional hours in accordance with WAC 251-22-240. The District President shall have the option to approve or deny such requests. This response must be made within fifteen days after receipt of the request. Compensation for additional work hours shall be granted on a compensatory time basis at straight time.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-080 SUSPENDED OPERATIONS—NOT A LOCK-OUT. Suspended operations shall not be interpreted as a lock-out by the management of District 12.

WSR 81-13-021
ADOPTED RULES
COMMUNITY COLLEGE
DISTRICT 12

[Resolution 81-9—Filed June 12, 1981]

Be it resolved by the board of trustees, of Community College District 12, acting at Garrett Heys Education Center, Shelton, Washington, that it does promulgate and adopt the annexed rules relating to emergency procedures, amending chapter 132L-26 WAC.

This action is taken pursuant to Notice No. WSR 81-08-041 filed with the code reviser on March 31, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of Community College District 12 as authorized in chapters 28B.10 and 28B.50 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 June 9, 1981.

By Nels W. Hanson
 District President

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-010 AUTHORITY TO SUSPEND OPERATIONS. The president of District 12 is authorized to suspend the operation of any or all campuses in the district if, in his opinion, an emergency

condition beyond his control makes this closure advisable (~~(Such as, but not limited to: Riot, civil disturbance, mechanical failure, severe weather conditions, strike or work stoppage.))~~), and the public health, or property, or safety is jeopardized.

In accordance with WAC 251-22-240, as amended by the Higher Education Personnel Board (~~December 22, 1975~~), April 6, 1981, Community College District 12 adopts the following suspended operation rules.

Reviser's Note: RCW 28B.19.077 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 77-30, filed 9/1/77)

WAC 132L-26-040 VOLUNTARY STAFFING. When the period of suspended operation is expected to exceed five working days, (~~but less than twenty-one~~), staffing shall be on a volunteer basis. Employees qualified to perform the task with the most layoff seniority shall be given the first option to work.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-050 MANDATORY STAFFING. If sufficient volunteers cannot be found, the president shall have the authority to require employees to work. If the employees who are requested to work withhold their services (except for extenuating circumstances as determined by the president) they shall not be allowed to use compensatory time (~~(or)~~), annual leave, a personal holiday, or make up work time lost, but will not be subject to any further disciplinary action. Employees will be called in reverse seniority.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-060 SUSPENDED OPERATION PROCEDURES AFTER ((~~TWENTY-ONE~~)) FIFTEEN DAYS. If the period of suspended operation is expected to exceed (~~(twenty-one)~~) fifteen days, the (~~full classified personnel layoff provisions shall apply~~) personnel director shall request an extension from the director of the Higher Education Personnel Board subject to confirmation by the board. If the period of suspended operation exceeds fifteen days and no extension is granted, the full classified personnel layoff provisions apply.

If the suspended operation exceeds the period for which an extension was granted, the full classified personnel layoff provisions shall apply.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-075 OPTION TO RECOVER TIME LOSS. The district shall have the option to make up lost time due to suspended operations by extending the calendar. Classified and administrative employees

who lose regular work time as a result of suspended operation may request to work additional hours in accordance with WAC 251-22-240. The District President shall have the option to approve or deny such requests. This response must be made within fifteen days after receipt of the request. Compensation for additional work hours shall be granted on a compensatory time basis at straight time.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-080 SUSPENDED OPERATIONS—NOT A LOCK-OUT. Suspended operations shall not be interpreted as a lock-out by the management of District 12.

**WSR 81-13-022
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGE
DISTRICT 12**

[Memorandum—June 12, 1981]

In your listing of meeting schedules for state public agencies, would you please make the following change for the July meeting date of the Board of Trustees of Community College District 12:

From: Thursday, July 9, 1981
To: Monday, July 13, 1981
7:30 p.m., Board Room, Centralia College

**WSR 81-13-023
ADOPTED RULES
COLUMBIA BASIN COLLEGE**
[Order 81-1—Filed June 12, 1981]

Be it resolved by the board of trustees of Columbia Basin College District No. 19, acting at Columbia Basin College, that it does promulgate and adopt the annexed rules relating to regulations governing firearms and weapons on or in college facilities, adopting WAC 132S-12-055.

This action is taken pursuant to Notice No. WSR 81-09-001 filed with the code reviser on April 3, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to chapter 28B.10 RCW and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Columbia Basin College, District No. 19 as authorized in chapter 28B.10 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 June 8, 1981.

By F. L. Esvelt
Secretary, Board of Trustees

NEW SECTION

WAC 132S-12-055 REGULATIONS GOVERNING FIREARMS AND WEAPONS ON OR IN COLLEGE FACILITIES (1) It shall be the policy of this college that possession of weapons apparently capable of producing bodily harm and/or property damage is prohibited on or in college facilities or college-leased facilities.

(2) Explosives are prohibited on or in college facilities or leased college facilities.

(3) Carrying of firearms on or in college facilities or college-leased facilities is prohibited except and unless the firearm is registered with the campus security department for a specified period of time.

(4) The aforementioned regulations shall not apply to equipment or materials owned, used or maintained by the college; nor will they apply to law enforcement officers.

(5) Violations of these rules may be grounds for immediate suspension pending a hearing in accordance with WAC 132S-12-160.

**WSR 81-13-024
PROPOSED RULES
WASHINGTON STATE UNIVERSITY**
[Filed June 12, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 34.08.020, that the Washington State University intends to adopt, amend, or repeal rules concerning policies of the Washington State University Libraries, including general policies, borrower use rules, return procedures for various classes of materials, and fines and other charges, amending WAC 504-40-010, 020, 030, 040 and 060;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, July 30, 1981, in the Administration Building, Western Washington Research and Extension Center, Puyallup, Washington.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-08-038 filed with the code reviser's office on March 30, 1981.

Dated: June 9, 1981
By: Wallis Beasley
Executive Vice President

WSR 81-13-025
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed June 12, 1981]

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 foster care and adoption support, amending chapter 388-70 WAC.

It is the intention of the secretary to adopt these rules on an emergency basis on July 1, 1981.

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

David A. Hogan, Director
 Division of Administration
 Department of Social and Health Services
 Mailstop OB-44
 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 July 7, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Tuesday, July 21, 1981, in the Auditorium, 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, July 29, 1981, in William B. Pope's office, 4th floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 74.08.090 and 74.13.109.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1981, and/or orally at 10:00 a.m., Tuesday, July 21, 1981, Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: June 12, 1981

By: David A. Hogan, Director
 Division of Administration

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend WAC 388-70-013, Foster care and 388-70-510, 530, 550 and 570, Adoption support.

Purpose of the rule or rule change is to comply with the new federal legislation, Title IV-E of PL 96-272, the Adoption Assistance and Child Welfare Act of 1980.

The reason these rules are necessary is to modify our current program to meet the law and allow DSHS to claim additional federal financial participation.

Statutory authority: RCW 74.08.090 and 74.13.109.

Summary of the rule or rule change is as follows:

The Federal Adoption Assistance and Child Welfare Act, PL-96-272, requires a case review for every child who is in foster care for more than six months. Our current court review system complies with these federal guidelines. However, children who are voluntarily placed are not part of this process. The proposed amendment limits the duration of foster care for children who are voluntarily placed by their parents/guardian to five months. At the end of five months, a petition for dependency or an ARP would have to be filed if continuation of the placement was necessary. This act also provides for an Adoption Assistance program, with federal reimbursement, which is similar to, but not identical to our state funded Adoption Support program. The WAC changes bring the program into compliance with federal requirements as follows:

eligibility is modified so that "close emotional ties to foster parents" by itself is not sufficient to establish eligibility; termination age is lowered from age 21 to age 18, except for disabled persons; and the Adoption Support Agreement is modified to assure continuation of the agreement regardless of the family's state of residence.

Person or persons responsible for the drafting, implementation and enforcement of the rule:

Name of initiator: Leila K. Todorovich

Title: Director

Office: Bureau of Children's Services

Mail Stop: OB-41

Phone: 753-7002

These rules are necessary as a result of federal law, Public Law 96-272, June 17, 1980, 94 STAT. 500 et seq. DSHS is proceeding to comply with the Title IV-E portion of this law since it is consistent with our current program directions and provides a fiscal incentive. Further action toward compliance with the additional requirements of this law will depend on the outcome of the block grant legislation pending in Congress.

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-70-013 AUTHORIZATION FOR FOSTER CARE PLACEMENT. A child may be placed in foster care only under the following circumstances:

(1) The child has been placed in temporary residential care after having been taken into custody pursuant to chapter 13.30 RCW, Run-away Youth Act. A child shall in no event remain in temporary residential care for more than seventy-two hours from the time of initial contact with the law enforcement officer, except as otherwise provided in this section.

(2) A petition, by child, parent(s), or the department requesting alternative residential placement for the child has been filed pursuant to section 26 or 28, chapter 155, Laws of 1979 or approved pursuant to

section 31, chapter 155, Laws of 1979 or upon a child having been admitted directly by section 23(1)(b), chapter 155, Laws of 1979.

(3) A child has been placed in shelter care as provided below:

(a) The child has been taken into custody, and placed in shelter care when there is probable cause to believe, pursuant to RCW 26.44.050, that the child is abused or neglected and the child would be injured or could not be taken into custody as provided in RCW 13.34.050.

(b) A petition has been filed with the juvenile court alleging the child is dependent; that the child's health, safety and welfare will be seriously endangered if not taken into custody and the juvenile court enters an order placing the child in shelter care. See RCW 13.34.050 and 13.34.060.

(c) No child shall be held longer than seventy-two hours, excluding Sundays and holidays, after such child is taken into custody, unless a court order has been entered for continued shelter care.

(d) No child shall be detained for longer than thirty days without a court order, authorizing continued shelter care.

(4) A juvenile court has determined a child is dependent and the court's order of disposition issued pursuant to RCW 13.34.130 removes the child from his or her home.

(5) A juvenile court has terminated the parent and child relationship pursuant to chapter 13.34 RCW, and placed the custody of the child with the department or a licensed child placing agency.

(6) The child and his or her parent(s) agree to the arrangement and/or continuation of alternative residential placement pursuant to RCW 74.13.031, as evidenced by a written consent to placement.

(7) When otherwise authorized by court order.

(8) The child's parent(s) or legal guardian(s) has voluntarily requested, on forms prescribed by the department, the placement of the child by the department or a licensed child placement agency into foster care and the department concurs that such placement is currently necessary, provided that the maximum time period for the voluntary placement shall be five months. Such requests shall comply with foster care placement criteria as developed by the department. (See WAC 388-70-016(5))

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-510 ADOPTION SUPPORT FOR CHILDREN—LEGAL BASIS—PURPOSE. (1) The legal basis for the adoption support program is RCW 74.13.100 through 74.13.145 and P.L. 96-272.

(2) The purpose of the program is to encourage the adoption of hard-to-place children, that is, the child who would have to live out his childhood without the security and stability of a permanent adoptive home if support payments were not made. The program includes children cared for by both public and voluntary child care agencies. Interpretation of the statute and the philosophy of the adoption support program shall emphasize a flexible approach to subsidized adoption, focusing on the welfare of the child; rules shall not be adversely applied to the child's welfare.

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-530 ADOPTION SUPPORT FOR CHILDREN—ELIGIBLE CHILD. (1) A child to be considered for adoption support must be registered with the office given administrative authority for the program:

(2) A child meeting the eligibility criteria for registration is one who
(a) was or is residing in a foster home or a child caring institution or a child who in the judgment of the secretary, is both eligible for, and likely to be placed in, either a foster home or a child caring institution(-); and

(b) is legally free for adoption, and

(c) is under 18 years of age at the time the contract is signed, and

(d) adoption is the most appropriate plan, and

(e) is hard-to-place for adoption.

(3) The child must have been registered for three months with the ~~((Washington adoption resource exchange (WARE) and the adoption resource exchange of North America (ARENA)))~~ DSHS adoption exchange or the Washington Adoption Resource Exchange (WARE) in addition to the Northwest Adoption Exchange (NWAE) in order to demonstrate that a nonsubsidized resource is not available if the plan is regular agency adoption.

(4) ~~((Registration with the exchanges shall not be necessary when foster parents desire to adopt a child who has been in their foster home for at least six months prior to application to the department.~~

(5)) The child must be found to be difficult to place in adoption because of but not limited to one or more of the following:

(a) Physical or mental handicap,

(b) Emotional disturbance,

(c) Ethnic background, including race, color or language,

(d) Age,

(e) Sibling grouping(;

~~(f) Close ties to the current foster family which if severed could cause emotional damage to the child)).~~

(5) Registration with the exchanges shall not be necessary when foster parents desire to adopt a child who has been in their home for at least twelve months prior to application to the department. In cases of adoption by foster parents, the following criteria must be met:

(a) The child must be hard-to-place by virtue of eligibility as defined in subsection (4) (a) through (e) of this section; and

(b) The child must have close emotional ties to the current foster family which, if severed, could cause emotional damage to the child; and

(c) The foster family must have been identified as the adoptive family of choice by the agency staff having responsibility for the child.

AMENDATORY SECTION (Amending Order 1516, filed 6/25/80)

WAC 388-70-550 ADOPTION SUPPORT FOR CHILDREN—TYPES AND AMOUNTS OF PAYMENTS. (1) The three types of support payments are monthly maintenance, attorney fees and/or court costs, medical (corrective-rehabilitative) service, or any combination of these. ~~((Support payments may continue until a child is 21 years of age. The secretary may approve and continue payment, if warranted, after a child is 21 years of age.))~~

(2) The payment for monthly maintenance shall not exceed the monthly cost standards for foster care established by the department for its foster homes. This payment includes regular foster care or specialized foster care, where indicated, and clothing and personal incidentals. (See WAC 388-70-042 and WAC 388-70-048.)

(3) If the department determines that the prospective adoptive parent(s) cannot, because of limited financial means, pay the cost or the full cost of legal proceedings for the adoption of a hard-to-place child eligible for support under the act and these regulations, the secretary may authorize departmental participation in adoption legal fees as determined by the superior court at the adoption hearing up to two hundred dollars plus court costs for each child or family unit, unless a different arrangement has been made by the department with the family and their attorney.

~~((Each community service office will maintain a list of attorneys who express an interest in providing legal services for such a figure, and upon request, will provide such a list to prospective parents. In such instance))~~ In cases in which the attorney indicates that the fee shall be in excess of two hundred dollars plus costs, a request for departmental participation in that fee must be made to the adoption support program at least three weeks prior to the finalization of the adoption. In any case, the attorney for the adoptive parent(s) shall furnish the department with a certified copy of the decree of adoption containing the finding as to his fee and an itemized statement of all other costs of the adoption proceedings.

(4) The medical needs of a child in the adoption support program shall be met from the department's medical services program.

(a) Payment of the costs of medical services shall be made directly to the physician or provider of the services according to the department's established procedures.

(b) Prior to entering an agreement for medical services, the medical needs of a particular child must be reviewed and approved by the department's office of personal health services. Following review and approval, all medical services requested by the adopting parents shall be coordinated through the adoption support program and furnished according to the department's medical programs when there is no other resource available during the effective period of the family's agreement with the department.

(c) Requests for orthodontics, psychiatric care, physical therapy and appliances require special procedures; these requests shall be submitted to the department and its approval obtained before the service is rendered.

(5) Adoption support payments shall continue pursuant to the following conditions:

(a) The child has not yet reached the age of eighteen, or the age of twenty-one if the following apply:

(i) The child has not yet completed high school or its equivalent and is a full-time student; and/or

- (ii) The child is physically or mentally handicapped such that continued assistance is warranted and no other assistance is available;
(b) The child continues to be the legal responsibility of the adoptive family;
(c) The child continues to receive support from the adoptive family.

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-570 ADOPTION SUPPORT FOR CHILDREN—AGREEMENT FOR ADOPTION SUPPORT. An agreement shall constitute a binding contract between the department and the prospective adoptive family to provide adoption support for a child after adoption. This agreement shall be completed in accordance with RCW 74.13.124 and P.L. 96-272 Sec. 475(2), and shall, at minimum, include the following:

(1) The amount of adoption support payments and any additional assistance which is to be provided as a part of the agreement including, where appropriate, indication of eligibility for Title XIX and Title XX services.

(2) A stipulation that the agreement shall remain in effect regardless of the state of residence of the adoptive family:

(a) In case of a move outside of the state of Washington, for eligible children Title XIX services shall remain the responsibility of the state of Washington.

(b) In case of a move outside of the state of Washington, for eligible children Title XX services shall become the responsibility of the new state of residence.

(3) A stipulation that the agreement must be renewed each year, with termination from the program resulting from the adoptive parents' failure to renew.

WSR 81-13-026
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed June 12, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 49.17 RCW, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning new WAC 296-62-146 through 296-62-14605 Appendices, is proposed to implement the mandatory appendices to the Cotton Dust standard. This proposal is identical to the Federal regulation 29 CFR 1910.1046. Appendix A, WAC 296-62-05221 and Appendix B, WAC 296-62-05223 are for the new proposal in recordkeeping requirements. These appendices implement Federal regulations.

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules 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:

The Division of Industrial Safety and Health
 Technical Services Section
 P.O. Box 207
 Olympia, Washington 98504;

that such agency will at 9:30 a.m., Wednesday, July 22, 1981, 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, August 27, 1981, in the Director's Office, Labor and Industries, Olympia, Washington.

The authority under which these rules are proposed is RCW 49.17.040, 49.17.050 and 49.17.240.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 15, 1981, and/or orally at 9:30 a.m., Wednesday, July 22, 1981, Conference Room, General Administration Building, Olympia, Washington.

Dated: June 12, 1981

By: Sam Kinville
 Director

STATEMENT OF PURPOSE

Title and WAC number of rule(s) or chapter: Chapter 296-62 WAC, General Occupational Health.

Statutory authority: RCW 49.17.040, 49.17.050 and 49.17.240.

Summary of the rule(s): New sections are proposed for the Occupational Health standard, chapter 296-62 WAC, adding appendices to Cotton Dust and Record Keeping Requirements.

Description of the purpose of the rule(s): The new sections of WAC 296-62-146 are proposed to implement the mandatory appendices to the Cotton Dust standard in chapter 296-62 WAC, Occupational Health standards. This will ensure the state standard to be as effective as the Federal regulation; 29 CFR 1910.1046. WAC 296-62-05221, Appendix A, and WAC 296-62-05223, Appendix B, are for the new proposal on recordkeeping requirements in WAC 296-62-052. Appendix A is a sample authorization letter, and Appendix B—availability of NIOSH Registry of Toxic Effects of Chemical Substances. These appendices implement the Federal regulation; 29 CFR 1910.20.

Reasons supporting the proposed rule(s): To ensure safe and healthful working conditions for every man and woman working in the State of Washington. To be in compliance with Federal regulations.

The agency personnel, with office location and telephone number, who are responsible for the drafting, implementation and enforcement of the rule:

Drafting: Richard E. Martin, Technical Services Chief, 814 East Fourth, Olympia, Washington 98504, 753-6381.

Implementation and Enforcement: James P. Sullivan, Assistant Director, Division of Industrial Safety and Health, 814 East

Fourth, Olympia, Washington 98504, 753-6500.

Name of the person or organization, whether private, public, or governmental, that is proposing the rule(s): Department of Labor and Industries, Division of Industrial Safety and Health.

Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement and fiscal matters pertaining to the rule(s): None.

The rule is necessary to comply with a Federal law, 29 U.S.C. § 667(c)(2).

Any other information that may be of assistance in identifying the rule or its purpose: None.

NEW SECTION

WAC 296-62-05221 APPENDIX A - Sample Authorization Letter for the Release of Employee Medical Record Information to a Designated Representative.

I, _____ (full name of worker/patient) hereby authorize _____ (individual or organization holding the medical records) to release to _____ (individual or organization authorized to receive the medical information), the following medical information from my personal medical records:

(Describe generally the information desired to be released.)

I give my permission for this medical information to be used for the following purpose: _____, but I do not give permission for any other use or re-disclosure of this information.

(NOTE: Several extra lines are provided below so that you can place additional restrictions on this authorization letter if you want to. You may, however, leave these lines blank. On the other hand, you may want to (1) specify a particular expiration date for this letter (if less than one year); (2) describe medical information to be created in the future that you intend to be covered by this authorization letter; or (3) describe portions of the medical information in your records which you do not intend to be released as a result of this letter.)

Full name of Employee or Legal Representative

Signature of Employee or Legal Representative

Date of Signature

NEW SECTION

WAC 296-62-05223 APPENDIX B - Availability of NIOSH Registry of Toxic Effects of Chemical Substances (RTECS).

WAC 296-62-052 applies to all employee exposure and medical records, and analyses thereof, of employees exposed to toxic substances or harmful physical agents (WAC 296-62-05203). The term "toxic substance or harmful physical agent" is defined by WAC 296-62-05205(11) to encompass chemical substances, biological agents, and physical stresses for which there is evidence of harmful health effects. The standard uses the latest printed edition of the National Institute

for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS) as one of the chief sources of information as to whether evidence of harmful health effects exists. If a substance is listed in the latest printed RTECS, the standard applies to exposure and medical records (and analyses of these records) relevant to employees exposed to the substance.

It is appropriate to note that the final standard does not require that employers purchase a copy of RTECS, and many employers need not consult RTECS to ascertain whether their employee exposure or medical records are subject to the standard. Employers who do not currently have the latest printed edition of the NIOSH RTECS, however, may desire to obtain a copy. The RTECS is issued in an annual printed edition as mandated by section 20(a)(6) of the Occupational Safety and Health Act (29 U.S.C. 669(a)(6)). The 1978 edition is the most recent printed edition as of May 1, 1980. Its Foreword and Introduction describes the RTECS as follows:

"The annual publication of a list of known toxic substances is a NIOSH mandate under the Occupational Safety and Health Act of 1970. It is intended to provide basic information on the known toxic and biological effects of chemical substances for the use of employers, employees, physicians, industrial hygienists, toxicologists, researchers, and, in general, anyone concerned with the proper and safe handling of chemicals. In turn, this information may contribute to a better understanding of potential occupational hazards by everyone involved and ultimately may help to bring about a more healthful workplace environment. (p.iii)

"This Registry contains 124,247 listings of chemical substances; 33,929 are names of different chemicals with their associated toxicity data and 90,318 are synonyms. This edition includes approximately 7,500 new chemical compounds that did not appear in the 1977 Registry. (p.xiii)

"The Registry's purposes are many, and it serves a variety of users. It is a single source document for basic toxicity information and for other data, such as chemical identifiers and information necessary for the preparation of safety directives and hazard evaluations for chemical substances. The various types of toxic effects linked to literature citations provide researchers and occupational health scientists with an introduction to the toxicological literature, making their own review of the toxic hazards of a given substance easier. By presenting data on the lowest reported doses that produce effects by several routes of entry in various species, the Registry furnishes valuable information to those responsible for preparing safety data sheets for chemical substances in the workplace. Chemical and production engineers can use the Registry to identify the hazards which may be associated with chemical intermediates in the development of final products, and thus can more readily select substitutes or alternate processes which may be less hazardous. (p.xiii)

"In this edition of the Registry, the editors intend to identify "all known toxic substances" which may exist in the environment and to provide pertinent data on the toxic effects from known doses entering an organism by any route described. Data may be used for the evaluation of chemical hazards in the environment, whether they be in the workplace, recreation area, or living quarters. (p.xiii)

"It must be reemphasized that the entry of a substance in the Registry does not automatically mean that it must be avoided. A listing does mean, however, that the substance has the documented potential of being harmful if misused, and care must be exercised to prevent tragic consequences. (p.xiv)"

The RTECS 1978 printed edition may be purchased for \$13.00 from the Superintendent of Documents, U.S. Government Printing Office (GPO), Washington, D.C. 20402 (202-783-3238) (Order GPO Stock No.017-033-00346-7). The 1979 printed edition is anticipated to be issued in the summer of 1980. Some employers may also desire to subscribe to the quarterly update to the RTECS which is published in a microfiche edition. An annual subscription to the quarterly microfiche may be purchased from the GPO for \$14.00 (Order the "Microfiche Edition, Registry of Toxic Effects of Chemical Substances"). Both the printed edition and the microfiche edition of RTECS are available for review at many university and public libraries throughout the country. The latest RTECS editions may also be examined at the OSHA Technical Data Center, Room N2439-Rear, U.S. Department of Labor, 200 Constitution Avenue N.W. Washington D.C. 20210 (202-523-9700), or at any OSHA Regional or Area Office.

NEW SECTION

WAC 296-62-146 APPENDICES. Contains appendices to chapter 296-62 WAC, for air contaminants, etc., that are not found immediately following their respective sections.

NEW SECTION

WAC 296-62-14601 APPENDIX A—REQUIREMENTS FOR CLASSIFICATION AND RESPIRATORY USE OF WORKERS EXPOSED TO COTTON DUST IN GINS.

APPENDIX A—REQUIREMENTS FOR CLASSIFICATION AND RESPIRATORY USE OF WORKERS EXPOSED TO COTTON DUST IN GINS

Functional severity	FEV 1 (percent of predicted)	FEV 1 (percent)
F0	Greater than 80 (no evidence of chronic ventilatory impairment).	(a)-4 to 0; or more. (b)-9 to -5 or more. (c)-10 or more.

F1	60-79 (evidence of slight to moderate irreversible impairment of ventilatory capacity).	(a)-4 to 0; or more. (b)-5 or more.
F2	Less than 60 (evidence of moderate to severe irreversible impairment of ventilatory capacity).

NOTE: These recommendations are generally accepted criteria for classification and management of workers exposed to cotton dust. Since medical removal provisions are not included in the standard, WISHA believes them to constitute equally useful criteria for the physician to use in determining whether a gin worker is suffering any degree of functional severity which calls for respiratory protection.

Although these criteria are advisory, a worker who falls in the F2 category of functional severity shall be sent to a pulmonary physician according to WAC 296-62-14531(5)(d)(iii).

NEW SECTION

WAC 296-62-14603 APPENDIX B-1.

APPENDIX B-1

Respiratory Questionnaire

**Non-Textile Workers for the
Cotton Industry**

Identification No.	Interviewer Code
---------------------------	-------------------------

Location	Date of Interview
-----------------	--------------------------

SEE ILLUSTRATION
(WAC 296-62-14603 Illustration 2, A. Identification)

A. IDENTIFICATION

1. NAME (Last) (First) (Middle Initial)	3. PHONE NUMBER AREA CODE () NO.	4. SOCIAL SECURITY NO. (optional see below)
2. CURRENT ADDRESS (Number, Street, or Rural Route, City or Town, County, State, Zip Code)	5. BIRTHDATE (Mo., Day, Yr.)	6. AGE LAST BIRTHDAY
	7. SEX 1 <input type="checkbox"/> Male 2 <input type="checkbox"/> Female	
	8. ETHNIC GROUP OR ANCESTRY 1. <input type="checkbox"/> White, not of Hispanic Origin 2. <input type="checkbox"/> Black, not of Hispanic Origin 3. <input type="checkbox"/> Hispanic 4. <input type="checkbox"/> American Indian or Alaskan Native 5. <input type="checkbox"/> Asian or Pacific Islander 6. <input type="checkbox"/> Other: _____	
9. STANDING HEIGHT _____ (cm)	10. WEIGHT _____	11. WORK SHIFT 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>
12. PRESENT WORK AREA Please indicate primary assigned work area and percent of time spent at that site. If at other locations, please indicate and note percent of time for each.		
PRIMARY WORK AREA	_____	
SPECIFIC JOB	_____	
13. APPROPRIATE INDUSTRY 1 <input type="checkbox"/> Garnetting 3 <input type="checkbox"/> Cotton Warehouse 5 <input type="checkbox"/> Cotton Classification 2 <input type="checkbox"/> Cottonseed Oil Mill 4 <input type="checkbox"/> Utilization 6 <input type="checkbox"/> Cotton Ginning		

(Furnishing your Social Security number is voluntary. Your refusal to provide this number will not affect any right, benefit, or privilege to which you would be entitled if you did provide your Social Security number. Your Social Security number is being requested since it will permit use in future determinations in statistical research studies.)

B. OCCUPATIONAL HISTORY TABLE

Complete the following table showing the entire work history of the individual from present to initial employment. Sporadic, part-time periods of employment, each of no significant duration, should be grouped if possible.

INDUSTRY AND LOCATION	TENURE OF EMPLOYMENT		SPECIFIC OCCUPATION	AVERAGE NO. DAYS WORKED PER WEEK	HAZARDOUS HEALTH EXPOSURE ASSOCIATED WITH WORK		
	FROM 19__	TO 19__			YES	NO	IF YES, DESCRIBE

C. SYMPTOMS

Use actual wording of each question. Put X in appropriate square after each question. When in doubt record "No".

COUGH

1. Do you usually cough first thing in the morning?
(on getting up)*
(Count a cough with first smoke or on
"first going out of doors". Exclude
clearing throat or a single cough.) 1 Yes 2 No
2. Do you usually cough during the day or at night?
(Ignore an occasional cough.) 1 Yes 2 No

If YES to either question 1 or 2:

3. Do you cough like this on most days for as much as
three months a year? 1 Yes 2 No 9 NA
4. Do you cough on any particular day of the week? 1 Yes 2 No

If YES:

5. Which day? Mon. Tue. Wed. Thur. Fri. Sat. Sun. _____

PHLEGM

6. Do you usually bring up any phlegm from your
chest first thing in the morning? (on getting
up)* (Count phlegm with the first smoke or on
"first going out of doors." Exclude phlegm
from the nose. Count swallowed phlegm.) 1 Yes 2 No
7. Do you usually bring up any phlegm from your
chest during the day or at night?
(Accept twice or more.) 1 Yes 2 No

If YES to either question 6 or 7:

8. Do you bring up phlegm like this on most days
for as much as three months each year? 1 Yes 2 No

If YES to question 3 or 8:

9. How long have you had this phlegm? (cough)
(Write in number of years) (1) 2 years or less
(2) More than 2 years - 9 years
(3) 10-19 years
(4) 20+ years

*These words are for subjects who work at night

CHEST ILLNESS

10. In the past three years, have you had a period of (increased) cough and phlegm lasting for 3 weeks or more?

- (1) No
- (2) Yes, only one period
- (3) Yes, two or more periods

For subjects who usually have phlegm:

11. During the past 3 years have you had any chest illness which has kept you off work, indoors at home or in bed? (For as long as one week, flu?)

- 1 Yes
- 2 No

If YES to 11:

12. Did you bring up (more) phlegm than usual in any of these illnesses?

- 1 Yes
- 2 No

If YES to 12: During the past three years have you had:

13. Only one such illness with increased phlegm?

- 1 Yes
- 2 No

14. More than one such illness:

- 1 Yes
- 2 No

Br. Brade _____

TIGHTNESS

15. Does your chest ever feel tight or your breathing become difficult?

- 1 Yes
- 2 No

16. Is your chest tight or your breathing difficult on any particular day of the week? (after a week or 10 days away from the mill)

- 1 Yes
- 2 No

17. If YES, Which day? Mon. (1) Sometimes (3) Tues. (2) Always (4) Wed. (5) Thur. (6) Fri. (7) Sat. (8) Sun.

18. If YES Monday: At what time on Monday does your chest feel tight or your breathing difficult?

- Before entering mill
- After entering mill

(ASK ONLY IF NO TO QUESTION 15)

19. In the past, has your chest ever been tight or your breathing difficult on any particular day of the week?

- 1 Yes
- 2 No

20. If YES, Which day? Mon. (1) Sometimes (3) Tues. (2) Always (4) Wed. (5) Thur. (6) Fri. (7) Sat. (8) Sun.

BREATHLESSNESS

21. If disabled from walking by any condition other than heart or lung disease put "X" in the space and leave questions (22-30) unasked.
22. Are you ever troubled by shortness of breath, when hurrying on the level or walking up a slight hill? 1 Yes 2 No
 If NO, grade is 1. If YES, proceed to next question
23. Do you get short of breath walking with other people at an ordinary pace on the level? 1 Yes 2 No
 If NO, grade is 2. If YES, proceed to next question
24. Do you have to stop for breath when walking at your own pace on the level? 1 Yes 2 No
 If NO, grade is 3. If YES, proceed to next question
25. Are you short of breath on washing or dressing? 1 Yes 2 No
 If NO, grade is 4. If YES, grade is 5.
26. **Dyspnea Grd.** _____

ON MONDAYS:

27. Are you ever troubled by shortness of breath, when hurrying on the level or walking up a slight hill? 1 Yes 2 No
 If NO, grade is 1. If YES, proceed to next question
28. Do you get short of breath walking with other people at an ordinary pace on the level? 1 Yes 2 No
 If NO, grade is 2, If YES, proceed to next question
29. Do you have to stop for breath when walking at your own pace on the level? 1 Yes 2 No
 If NO, grade is 3. If YES, proceed to next question
30. Are you short of breath on washing or dressing? 1 Yes 2 No
 If NO, grade is 4. If YES, grade is 5
31. **B. Grd.** _____

OTHER ILLNESSES AND ALLERGY HISTORY

32. Do you have a heart condition for which you are under a doctor's care? 1 Yes 2 No

OTHER ILLNESSES AND ALLERGY HISTORY CONTINUED:

33. Have you ever had asthma? 1 Yes 2 No
 If yes, did it begin: (1) Before age 30
 (2) After age 30
34. If yes before 30: did you have asthma before ever going to work in a textile mill? 1 Yes 2 No
35. Have you ever had hay fever or other allergies (other than above)? 1 Yes 2 No

TOBACCO SMOKING

36. Do you smoke? 1 Yes 2 No
 Record Yes if regular smoker up to one month ago. (Cigarettes, cigar or pipe)
- If NO to (33).
37. Have you ever smoked? (Cigarettes, cigars, pipe. Record NO if subject has never smoked as much as one cigarette a day, or 1 oz. of tobacco a month, for as long as one year.) 1 Yes 2 No

If Yes to (33) or (34); what have you smoked for how many years? (Write in specific number of years in the appropriate square)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Years	(<5)	(5-9)	(10-14)	(15-19)	(20-24)	(25-29)	(30-34)	(35-39)	(>40)
38. Cigarettes									
39. Pipe									
40. Cigars									

41. If cigarettes, how many packs per day? Less than 1/2 pack
 Write in number of cigarettes _____ 1/2 pack, but less than 1 pack
 1 pack, but less than 1 1/2 packs
 1-1/2 packs or more
42. Number of pack years: _____
43. If an ex-smoker (cigarettes, cigar or pipe), how long since you stopped? (Write in number of years.) _____
 0-1 year
 1-4 years
 5-9 years
 10+ years

SEE ILLUSTRATION
(WAC 296-62-14603 Illustration 8, Occupational History)

OCCUPATIONAL HISTORY

Have you ever worked in:

44. A foundry? (As long as one year) 1 Yes 2 No
45. Stone or mineral mining, quarrying or
processing? (As long as one year) 1 Yes 2 No
46. Asbestos milling or processing? (Ever) 1 Yes 2 No
47. Cotton or cotton blend mill? (For controls only) 1 Yes 2 No
48. Other dusts, fumes or smoke? If yes, specify. 1 Yes 2 No

Type of exposure _____

Length of exposure _____

APPENDIX B-II

**CUESTIONARIO RESPIRATORIO PARA TRABAJADORES
QUE NO SEAN DE TEXTIL DE LA INDUSTRIA ALGODONERA**

Numero de identificación	Clave del entrevistador
Localidad	Fecha de entrevista

A. IDENTIFICACION

1. NOMBRE (Apellido) (Nombre de pila)	3. Num. de telefono Area ()	4. * Num. de Seguro Social <div style="border: 1px solid black; width: 100%; height: 15px;"></div>
2. DIRECCION ACTUAL (Numero, Calle, Ciudad o Pueblo, Condado, Estado, Zona Postal)	5. Fecha de Nacimiento Mes/Día/Año	6. Edad
	7. SEXO 1 <input type="checkbox"/> Varón 2 <input type="checkbox"/> Hembra	
	8. RAZA 1. <input type="checkbox"/> Blanco, no de origen hispano 2. <input type="checkbox"/> Negro, no de origen hispano 3. <input type="checkbox"/> Hispano 4. <input type="checkbox"/> Indio Americano o Nativo de 5. <input type="checkbox"/> Alaska 6. <input type="checkbox"/> Asiatico o de Islas pacificas 6. <input type="checkbox"/> Otro _____	
9. ALTURA MEDIDA _____ (cm)	10. PESO MEDIDO _____	11. TURNO DE TRABAJO 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>
12. SITIO DE TRABAJO ACTUAL Indique el sitio de trabajo asignado y el porcentaje de tiempo que pasa en ese lugar. Si trabaja en otros sitios, por favor indique esos lugares y el porcentaje de tiempo que pasa en cada uno.		
SITIO DE TRABAJO PRIMARIO	_____ _____	
TRABAJO ESPECIFICO	_____ _____	
13. INDUSTRIA APROPIADA 1 <input type="checkbox"/> Desperdicios de maquina garnet 3 <input type="checkbox"/> Almacen de algodón 5 <input type="checkbox"/> Clasificación de algodón 2 <input type="checkbox"/> Fabrica de aceite de semilla de algodón 4 <input type="checkbox"/> Utilización 6 <input type="checkbox"/> Desmotador		

* Proveer su número de seguro social es voluntario. El rehuso de proveer este número no afecta ningun derecho, beneficio, o privilegio al cual ud podría tener derecho. Su número de seguro social ha sido requerido desde que este permite el uso de determinaciones en el futuro en la busqueda de estudios estaticales.

Registro Federal, Vol. 43, No. 122, Viernes 23 de junio de 1978.

B. TABLA DE HISTORIA LABORAL

Llene la siguiente tabla indicando la historia laboral del individuo desde que lo primero empleo hasta el presente. Períodos de empleo aislados ó de tiempo parcial deben ser agrupados si es posible.

INDUSTRIA Y LOCAL	Tiempo de empleo		TRABAJO ESPECIFICO	Promedio de # de días , trab.por sem.	RIESGO DE SALUD POR CONTACTO ASOCIADO CON EL TRABAJO		
	Desde 19__	Hasta 19__			SI	NO	Si se contesta "SI" explíquese

C. Sintomas

Empleense las palabras exactas de cada pregunta. Póngase una "X" en la casilla que sigue cada pregunta. En caso de duda, póngase "No." Donde no hay casilla, póngase un circulo alrededor de la respuesta apropiada.

LA TOS

1. ¿Tose Ud. ordinamente al levantarse por la mañana?
(Tenga en cuenta la flema arrancada al fumar o al salir de la casa por primera vez. No tenga en cuenta los mucos nasales).

1. Sí 2. No

2. ¿Tose Ud. ordinariamente de día ó de noche?

1. Sí 2. No

Si se contesta "Sí" a las preguntas 1 ó 2, pregúntese:

3. ¿Tose así la mayoría de los días por un periodo de por lo menos 3 meses durante el pasado año?

1. Sí 2. No

4. ¿Tose Ud. mas de lo ordinario algun día en particular de la semana?

1. Sí 2. No

Si contesta "Si"; pregúntese:

5. ¿Que día? Lun. Mar. Mier. Jue. Vie. Sab. Dom.

LA FLEMA

6. ¿Se arranca Ud. flema ó catarro del pecho al levantarse?
(Tenga en cuenta la flema arrancada al fumar or al salir de la casa por primera vez. No tenga en cuenta los mucos nasales. Tenga en cuenta la flema que se traga).

1. Sí 2. No

7. ¿Se arranca Ud. flema ó catarro del pecho ordinariamente de día ó de noche? (Nótense solo 2 veces o mas)

1. Sí 2. No

8. Arroja ud. flemas así la mayor parte de días tanto como tres meses al año?

1. Sí 2. No

Si se contesta "Sí" a las preguntas 3 ó 8, pregúntese:

¿Cuantos años hace que se arranca flema ó catarro o tose frecuentemente?

(Responda en numeros de años)

(1) 2 años ó menos

(2) mas de 2 años - 9 años

(3) 10-19 años

(4) 20 años ó mas

ENFERMEDADES PULMONARIAS

10. ¿Durante los tres pasados años, ha pasado algún periodo de tos* y flemas que duró 3 semanas ó más?
*Sujetos que ordinariamente se arrancan flemas

No

Sí, un solo periodo

Sí, dos periodos o mas

11. ¿Ha tenido Ud. durante los 3 años pasados alguna enfermedad del pecho que le haya impedido a trabajar o obligado a permanecer en casa ó en cama por tanto como una semana? (por ejemplo, ¿la gripe?)

Sí

No

Si se contesta "Sí" a la pregunta 11, pregúntese:

12. ¿Se arrancó Ud. más flemas que lo general durante alguno de estos ataques?

Sí

No

Si se contesta "Sí" a 12, pregúntese:

13. ¿Ha tenido durante los tres años pasados:

Solo un tal ataque con aumento de flemas?

Sí

No

14. Más de uno?

Sí

No

Br. Grade _____

LA OPRESION DEL PECHO

15. ¿Ha tenido Ud. alguna vez opresión en el pecho ó dificultad en respirar?
 Sí No
16. ¿Se le oprime el pecho ó se le hace difícil respirar algún día en la semana en particular? (después de una semana ó 10 días de ausencia de la planta)
 Sí No
17. Si se contesta "Sí," ¿Que día?
Lun. Mar. Mier. Jue. Vie. Sab. Dom. Siempre A veces
18. Si se contesta "Sí" para los lunes, pregúntese: ¿A que hora del lunes siente opresión en el pecho o dificultad en respirar?
a. Antes de entrar en la desmotadora
b. Después de entrar en la desmotadora
c. Después de salir de la desmotadora
(Pregúntese solo si se contesta "No" a la 15)
19. ¿En el pasado, se le ha oprimido el pecho o hecho difícil respirar algún día de la semana en particular?
 Sí No
20. Si se contesta "Sí," ¿Que día?
Lun. Mar. Mier. Jue. Vier. Sab. Dom. Siempre A veces

EL DESALIENTO (La Dispnea)

21. Si se inhabilita de caminar a causa de cualquier condición que no sea enfermedad del corazón o de los pulmones, ponga una "X" y ignore las preguntas 22-30.
22. ¿Lo aflige un desaliento al caminar aprisa en terreno llano ó al subir una pequeña cuesta?
 Sí No
(Si "No", el grado es 1. Si es "Sí", siga a la próxima pregunta)

23. ¿Lo aflige un desaliento al caminar con otros de su propia edad a su paso ordinario en terreno llano?
 Sí No
(Si "No" el grado es 2. Si es "Sí", prosiga)

24. ¿Tiene que detenerse porque se ahoga al caminar a paso ordinario en terreno llano?
 Sí No
(Si "No" el grado es 3. Si es "Sí", prosiga)

25. ¿Se desalienta al lavarse ó vestirse?
 Sí No
(Si "No", el grado es 4. Si es "Sí", el grado es 5.)

26. Dyspnea Grd. _____
LOS LUNES: EL PRIMER DIA DE VUELTA AL TRABAJO DESPUES DE SUS DIAS LIBRES

27. ¿Lo aflige un desaliento al caminar aprisa en terreno llano ó al subir una pequeña cuesta?
 Sí No
(Si "No", el grado es 1. Si es "Sí", siga a la próxima pregunta)

28. ¿Lo aflige un desaliento al caminar con otros de su propia edad a su paso ordinario en terreno llano?
 Sí No
(Si "No", el grado es 2. Si es "Sí", prosiga)

29. ¿Tiene que detenerse porque se ahoga al caminar a paso ordinario en terreno llano?
 Sí No
(Si "No", el grado es 3. Si es "Sí", prosiga)

30. ¿Se desalienta al lavarse o vestirse?

Sí No

(Si "No", el grado es 4. Si es "Sí", el grado es 5.)

31. Br. Grd. _____

OTRAS ENFERMEDADES

32. ¿Tiene Ud. una condición del corazón que requiere los servicios de un médico?

Sí No

33. ¿Ha tenido alguna vez asma?

Sí No

Si se contesta "Sí", a la 33, pregúntese si empezó:

_____ Antes de los 30 años

_____ Después de los 30 años

34. Si se contesta "Antes de los 30 años"; ¿Tenía Ud. asma antes de trabajar en una desmotadora de algodón?

Sí No

35. ¿Ha tenido alguna vez otras alergias (además de las de arriba)?

Sí No

CONSUMO DE TABACO

36. ¿Fuma Ud. actualmente? Indique "Sí" si fumaba regularmente hasta hace un mes (Cigarrillos, puros, o pipa)

Sí No

Si contesta "No" a la (33), pregúntese:

37. ¿Ha fumado Ud. alguna vez? (Cigarrillos, puros, o pipa). Indique "No" si el sujeto nunca ha fumado ni un cigarrillo diario o una onza de tabaco al mes, por un año)

Sí No

Si se contesta "Sí" a la (33) o (34); ¿que ha fumado Ud. y por cuantos años? (Indique el número específico de años en la casilla apropiada)

AÑOS	(< 5)	(5-9)	(10-14)	(15-19)	(20-24)	(25-29)	(30-34)	(35-39)	(> 40)
38. Cigarillos									
39. Pipa									
40. Puros									

41. ¿Si fuma cigarrillos, cuantas cajetillas fuma diarias? Indique en número de cigarrillos:

- menos de 1/2 cajetilla
- 1/2 cajetilla, pero menos de 1
- 1 cajetilla, pero menos de 1 1/2
- 1 1/2 cajetillas o más

42. Número de cajetillas por año _____

43. Si ha dejado de fumar (cigarrillos, pipas o puros), cuanto tiempo hace que lo dejó. (Indique en número de años)

- 0 - 1 año
- 1 - 4 años
- 5 - 9 años
- 10 años o mas

HISTORIA LABORAL

¿Ha trabajado Ud. alguna vez en:

- 44. Una fundación (por tanto como un año)? Sí No
- 45. La minería o elaboración de piedras o metales (por tanto como un año)? Sí No
- 46. En una planta de asbesto? (alguna vez) Sí No
- 47. En una fabrica de algodón o de mezclado de algodón Sí No
- 48. En proximidad de otros polvos, emanaciones o humos? Si se contesta "Sí", especifíquese: Sí No

Clase de contacto _____

Duración de contacto _____

TABLE 1. PREDICTED FVC FOR MALES (KNUDSON, ET AL; AM REV RESPIR DIS, 1976, 113, 507.)

Table with columns for AGE (17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65) and rows for HT (60.0 to 85.0). Each cell contains a numerical value representing predicted FVC.

(d) The zero time point for the purpose of timing the FEV₁ shall be determined by extrapolating the steepest portion of the volume time curve back to the maximal inspiration volume (1, 2, 3, 4) or by an equivalent method.

(e) Instruments incorporating measurements of airflow to determine volume shall conform to the same volume accuracy stated in (a) of this subsection when presented with flow rates from at least 0 to 12 liters per second.

(f) The instrument or user of the instrument must have means of correcting volumes to a body temperature saturated with water vapor (BTPS) under conditions of varying ambient spirometer temperatures and barometric pressures.

(g) The instrument used shall provide a tracing or display of either flow versus volume or volume versus time during the entire forced expiration. A tracing or display is necessary to determine whether the patient has performed the test properly. The tracing must be stored and available for recall and must be of sufficient size that hand measurements may be made within requirement of paragraph (a) of this subsection. If a paper record is made it must have a paper speed of at least 2 cm/sec and a volume sensitivity of at least 10.0 mm of chart per liter of volume.

(h) The instrument shall be capable of accumulating for a minimum of ten seconds and shall not stop accumulating volume before (i) the volume change for a 0.5 second interval is less than 25 milliliters or (ii) the flow is less than 50 milliliters per second for a 0.5 second interval.

(i) The forced vital capacity (FVC) and forced inspiratory volume in 1 second (FEV_{1.0}) measurements shall comply with the accuracy requirements stated in paragraph (a) of this subsection. That is, they should be accurately measured to within ± 50 ml or within ± 3 percent of reading, whichever is greater.

(j) The instrument must be capable of being calibrated in the field with respect to the FEV₁ and FVC. This calibration of the FEV₁ and FVC may be either directly or indirectly through volume and time base measurements. The volume calibration source should provide a volume displacement of at least 2 liters and should be accurate to within ± 30 milliliters.

(2) TECHNIQUE FOR MEASUREMENT OF FORCED VITAL CAPACITY MANEUVER.

(a) Use of a nose clip is recommended but not required. The procedures shall be explained in simple terms to the patient who shall be instructed to loosen any tight clothing and stand in front of the apparatus. The subject may sit, but care should be taken on repeat testing that same position be used and, if possible, the same spirometer. Particular attention shall be given to insure that the chin is slightly elevated with the neck slightly extended. The patient shall be instructed to make a full inspiration from a normal breathing pattern and then blow into the apparatus, without interruption, as hard, fast, and completely as possible. At least three forced expirations shall be carried out. During the maneuvers, the patient shall be observed for compliance with instructions. The expirations shall be checked visually for reproducibility from flow-volume or volume-time tracings or displays. The following efforts shall be judged unacceptable when the patient:

- (i) has not reached full inspiration preceding the forced expiration,
- (ii) has not used maximal effort during the entire forced expiration,
- (iii) has not continued the expiration for at least 5 seconds or until an obvious plateau in the volume time curve has occurred,
- (iv) has coughed or closed his glottis,
- (v) has an obstructed mouthpiece or a leak around the mouthpiece (obstruction due to tongue being placed in front of mouthpiece, false teeth falling in front of mouthpiece, etc.),
- (vi) has an unsatisfactory start of expiration, one characterized by excessive hesitation (or false starts), and therefore not allowing back extrapolation of time 0 (extrapolated volume on the volume time tracing must be less than 10 percent of the FVC),
- (vii) has an excessive variability between the three acceptable curves. The variation between the two largest FVC's and FEV₁'s of the three satisfactory tracings should not exceed 10 percent or ± 100 milliliters, whichever is greater.

(b) Periodic and routine recalibration of the instrument or method for recording FVC and FEV_{1.0} should be performed using a syringe or other volume source of at least 2 liters.

(3) INTERPRETATION OF SPIROGRAM.

(a) The first step in evaluating a spiogram should be to determine whether or not the patient has performed the test properly or as described in subsection (2) of this section. From the three satisfactory tracings, the forced vital capacity (FVC) and forced expiratory volume

in 1 second (FEV_{1.0}) shall be measured and recorded. The largest observed FVC and largest observed FEV_{1.0} shall be used in the analysis regardless of the curve(s) on which they occur.

(b) The following guidelines are recommended by NIOSH for the evaluation and management of workers exposed to cotton dust. It is important to note that employees who show reductions in FEV₁/FVC ratio below .75 or drops in Monday FEV₁ of 5 percent or greater on their initial screening exam, should be reevaluated within a month of the first exam. Those who show consistent decrease in lung function, as shown on the following table, should be managed as recommended.

(4) QUALIFICATIONS OF PERSONNEL ADMINISTERING THE TEST.

Technicians who perform pulmonary function testing should have the basic knowledge required to produce meaningful results. Training consisting of approximately 16 hours of formal instruction should cover the following areas.

(a) Basic physiology of the forced vital capacity maneuver and the determinants of airflow limitation with emphasis on the relation to reproducibility of results.

(b) Instrumentation requirements including calibration procedures, sources of error and their correction.

(c) Performance of the testing including subject coaching, recognition of improperly performed maneuvers and corrective actions.

(d) Data quality with emphasis on reproducibility.

(e) Actual use of the equipment under supervised conditions.

(f) Measurement of tracings and calculations of results.

WSR 81-13-027 PROPOSED RULES DEPARTMENT OF LABOR AND INDUSTRIES [Filed June 12, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 49.17 RCW, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning:

Amd	ch. 296-37 WAC	Commercial diving operations, to reflect Federal recordkeeping requirements, 29 CFR 1910.44.
Amd	ch. 296-62 WAC	General Occupational Health is amended to reflect Subpart Z of the Federal recordkeeping requirements.
New	WAC 296-62-052	through 296-62-05219, Access to employee exposure and medical records identical to the Federal Standard 29 CFR 1910.20.
New	WAC 296-78-500	through 296-78-84011, Safety standards for sawmills and woodworking operations.
Rep	WAC 296-78-005	through 296-78-450.

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules 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:

The Division of Industrial Safety and Health
Technical Services Section
P. O. Box 207
Olympia, Washington 98504;

that such agency will at 9:30 a.m., Wednesday, July 22, 1981, 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, August 27, 1981, in the Director's Office, Labor and Industries, Olympia, Washington.

The authority under which these rules are proposed is RCW 49.17.040, 49.17.050 and 49.17.240.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 15, 1981, and/or orally at 9:30 a.m., Wednesday, July 22, 1981, Conference Room, General Administration Building, Olympia, Washington.

Dated: June 12, 1981

By: Sam Kinville
Director

STATEMENT OF PURPOSE

Title and WAC number of rule(s) or chapter: chapter 296-37 WAC Commercial Diving Operations; chapter 296-62 WAC General Occupational Health; and chapter 296-78 WAC Safety Standards for Sawmills and Woodworking Operations.

Statutory authority: RCW 49.17.040, 49.17.050 and 49.17.240.

Summary of the rule(s): Amendments are proposed for chapters 296-37 and 296-62 WAC. New sections are proposed for the Occupational Health standard, chapter 296-62 WAC. WAC 296-78-005 through 296-78-450 of the Safety Standard for Sawmills and Woodworking Operations are to be repealed and a revised Sawmill code is proposed for adoption.

Description of the purpose of the rule(s): WAC 296-37-575, Recordkeeping requirements, is amended to reflect the Federal recordkeeping requirements, dealing with access to employee exposure records, 29 CFR 1910.1044. Chapter 296-62 WAC, Occupational Health amendments propose to establish rights of access to employee exposure records by employees, designated representatives and the Director of Labor and Industries. These amendments reflect the Federal regulations. A new section is proposed for the Occupational Health standard identical to the Federal standard, 29 CFR 1910.20. The purpose of this section is to provide employees and their designated representatives a right of access to relevant exposure and medical records, while at the same time affording appropriate privacy and confidentiality protection. Chapter 296-78 WAC, Safety Standards for Sawmills and Woodworking Operations, has been revised, and the new proposal is presented for adoption. The existing chapter sections will be repealed.

Reasons supporting the proposed rule(s): To ensure safe and healthful working conditions for every man and woman working in the State of Washington. To be in compliance with Federal regulations.

The agency personnel, with office location and telephone number, who are responsible for the drafting, implementation and enforcement of the rule:

Drafting: Richard E. Martin, Technical Services Chief, 814 East Fourth, Olympia, Washington 98504, 753-6381.

Implementation and Enforcement: James P. Sullivan, Assistant Director, Division of Industrial Safety and Health, 814 East Fourth, Olympia, Washington 98504, 753-6500.

Name of the person or organization, whether private, public, or governmental, that is proposing the rule(s): Department of Labor and Industries, Division of Industrial Safety and Health.

Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement and fiscal matters pertaining to the rule(s): None.

The rule is necessary to comply with a Federal law, 29 U.S.C. § 667(c)(2).

Any other information that may be of assistance in identifying the rule or its purpose: None.

AMENDATORY SECTION (Amending Order 78-18, filed 10/2/78)

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

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

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

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

(b) (~~Upon request of any employee, former employee or authorized representative, the employer shall make available for inspection and copying any record or document required by this standard which pertains to the individual employee or former employee~~) Records and documents required by this standard shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Safe practices manuals, depth-time profiles, recording of dives, decompression procedure assessment evaluations, and records of hospitalizations shall be provided in the same manner as employee exposure records or analyses using exposure or medical records. Equipment inspections and testing records which pertain to employees shall also be provided upon request to employees and their designated representatives.

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

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

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

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

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

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

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

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

(d) After the expiration of the retention period of any record required to be kept for five years, the employer shall forward such records to the National Institute for Occupational Safety and Health, Department of Health(~~(-Education, and Welfare)~~) and Human Services. The employer shall also comply with any additional requirements set forth in WAC 296-62-05215.

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

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

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

NEW SECTION

WAC 296-62-052 ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS. This standard establishes rights of access to the information by employees and designated representatives, while at the same time affording appropriate privacy and confidentiality protection.

NEW SECTION

WAC 296-62-05201 PURPOSE. The purpose of this section is to provide employees and their designated representatives a right of access to relevant exposure and medical records, and to provide representatives of the Director of Labor and Industries a right of access to these records. Access by employees, their representatives, and the Director of Labor and Industries is necessary to yield both direct and indirect improvements in the detection, treatment and prevention of occupational disease. Each employer is responsible for assuring compliance with this section, but the activities involved in complying with the access to medical records provisions can be carried out, on behalf of the employer, by the physician or other health care personnel in charge of employee medical records. Except as expressly provided, nothing in this section is intended to affect existing legal and ethical obligations concerning the maintenance and confidentiality of employee medical information, the duty to disclose information to a patient/employee or any other aspect of the medical-care relationship, or affect existing legal obligations concerning the protection of trade secret information.

NEW SECTION

WAC 296-62-05203 SCOPE AND APPLICATION. (1) This section applies to each general industry, maritime and construction employer who makes, maintains, contracts for, or has access to employee exposure or medical records, or analyses thereof, pertaining to employees exposed to toxic substances or harmful physical agents.

(2) This section applies to all employee exposure and medical records, and analyses thereof, of employees exposed to toxic substances or harmful physical agents, whether or not the records are related to specific occupational safety and health standards.

(3) This section applies to all employee exposure and medical records, and analyses thereof, made or maintained in any manner, including on an in-house or contractual (e.g., fee-for-service) basis. Each employer shall assure that the preservation and access requirements of this section are complied with regardless of the manner in which records are made or maintained.

NEW SECTION

WAC 296-62-05205 DEFINITIONS APPLICABLE TO THIS SECTION. (1) Access – the right and opportunity to examine and copy.

(2) Analysis using exposure or medical records – any compilation of data, or any research, statistical or other study based at least in part

on information collected from individual employee exposure or medical records or information collected from health insurance claims records, provided that either the analysis has been reported to the employer or no further work is currently being done by the person responsible for preparing the analysis.

(3) Designated representative – any individual or organization to whom an employee gives written authorization to exercise a right of access. For the purposes of access to employee exposure records and analyses using exposure or medical records, a recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.

(4) Employee – a current employee, a former employee, or an employee being assigned or transferred to work where there will be exposure to toxic substances or harmful physical agents. In the case of a deceased or legally incapacitated employee, the employee's legal representative may directly exercise all the employee's rights under this section.

(5) Employee exposure record – a record containing any of the following kinds of information concerning employee exposure to toxic substances or harmful physical agents:

(a) Environmental (workplace) monitoring or measuring, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;

(b) Biological monitoring results which directly assess the absorption of a substance or agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including records which assess the biological effect of a substance or agent;

(c) Material safety data sheets; or

(d) In the absence of the above, any other record which reveals the identity (e.g., chemical, common or trade name) of a toxic substance or harmful physical agent.

(6)(a) Employee medical record – a record concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel, or technician, including:

(i) Medical and employment questionnaires or histories (including job description and occupational exposures);

(ii) The results of medical examinations (preemployment, pre-assignment, periodic, or episodic) and laboratory tests (including x-ray examinations and all biological monitoring);

(iii) Medical opinions, diagnoses, progress notes and recommendations;

(iv) Descriptions of treatments and prescriptions; and

(v) Employee medical complaints.

(b) Employee medical record does not include the following:

(i) Physical specimens (e.g., blood or urine samples) which are routinely discarded as a part of normal medical practice, and are not required to be maintained by other legal requirements;

(ii) Records concerning health insurance claims if maintained separately from the employer's medical program and its records, and not accessible to the employer by employee name or other direct personal identifier (e.g., social security number, payroll number, etc.); or

(iii) Records concerning voluntary employee assistance programs (alcohol, drug abuse, or personal counseling programs) if maintained separately from the employer's medical program and its records.

(7) Employer – a current employer, a former employer or a successor employer.

(8) Exposure or exposed – an employee is subjected to a toxic substance or harmful physical agent in the course of employment through any route of entry (inhalation, ingestion, skin contact or absorption, etc.), and includes past exposure and potential (e.g., accidental or possible) exposure, but does not include situations where the employer can demonstrate that the toxic substance or harmful physical agent is not used, handled, stored, generated, or present in the workplace in any manner different from typical nonoccupational situations.

(9) Record – any item, collection, or grouping of information regardless of the form or process by which it is maintained (e.g., paper document, microfiche, microfilm, x-ray film, or automated data processing).

(10) Specific written consent – (a) A written authorization containing the following:

(i) The name and signature of the employee authorizing the release of medical information;

(ii) The date of the written authorization;

(iii) The name of the individual or organization that is authorized to release the medical information;

(iv) The name of the designated representative (individual or organization) that is authorized to receive the released information;

(v) A general description of the medical information that is authorized to be released;

(vi) A general description of the purpose for the release of the medical information; and

(vii) A date or condition upon which the written authorization will expire (if less than one year).

(b) A written authorization does not operate to authorize the release of medical information not in existence on the date of written authorization, unless this is expressly authorized, and does not operate for more than one year from the date of written authorization.

(c) A written authorization may be revoked in writing prospectively at any time.

(11) Toxic substance or harmful physical agent – any chemical substance, biological agent (bacteria, virus, fungus, etc.), or physical stress (noise, heat, cold, vibration, repetitive motion, ionizing and nonionizing radiation, hypo- or hyperbaric pressure, etc.) which:

(a) Is regulated by any WISHA law or rule due to a hazard to health;

(b) Is listed in the latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS) (See Appendix B);

(c) Has yielded positive evidence of an acute or chronic health hazard in human, animal, or other biological testing conducted by, or known to, the employer; or

(d) Has a material safety data sheet available to the employer indicating that the material may pose a hazard to human health.

NEW SECTION

WAC 296-62-05207 PRESERVATION OF RECORDS. (1) Unless a specific occupational safety and health standard provides a different period of time, each employer shall assure the preservation and retention of records as follows:

(a) Employee medical records. Each employee medical record shall be preserved and maintained for at least the duration of employment plus thirty years, except that health insurance claims records maintained separately from the employer's medical program and its records need not be retained for any specified period;

(b) Employee exposure records. Each employee exposure record shall be preserved and maintained for at least thirty years, except that:

(i) Background data to environmental (workplace) monitoring or measuring, such as laboratory reports and worksheets, need only be retained for one year so long as the sampling results, the collection methodology (sampling plan), a description of the analytical and mathematical methods used, and a summary of other background data relevant to interpretation of the results obtained, are retained for at least thirty years; and

(ii) Material safety data sheets and WAC 296-62-05205(5) records concerning the identity of a substance or agent need not be retained for any specified period as long as some record of the identity (chemical name if known) of the substance or agent, where it was used, and when it was used is retained for at least thirty years; and

(c) Analyses using exposure or medical records. Each analysis using exposure or medical records shall be preserved and maintained for at least thirty years.

(2) Nothing in this section is intended to mandate the form, manner, or process by which an employer preserves a record so long as the information contained in the record is preserved and retrievable, except that x-ray films shall be preserved in their original state.

NEW SECTION

WAC 296-62-05209 ACCESS TO RECORDS. (1) General.

(a) Whenever an employee or designated representative requests access to a record, the employer shall assure that access is provided in a reasonable time, place and manner, but in no event later than fifteen days after the request for access is made.

(b) Whenever an employee or designated representative requests a copy of a record, the employer shall, within the period of time previously specified, assure that either:

(i) A copy of the record is provided without cost to the employee or representative;

(ii) The necessary mechanical copying facilities (e.g., photocopying) are made available without cost to the employee or representative for copying the record; or

(iii) The record is loaned to the employee or representative for a reasonable time to enable a copy to be made.

(c) Whenever a record has been previously provided without cost to an employee or designated representative, the employer may charge reasonable, nondiscriminatory administrative costs (i.e., search and copying expenses but not including overhead expenses) for a request by the employee or designated representative for additional copies of the record, except that:

(i) An employer shall not charge for an initial request for a copy of new information that has been added to a record which was previously provided; and

(ii) An employer shall not charge for an initial request by a recognized or certified collective bargaining agent for a copy of an employee exposure record or an analysis using exposure or medical records.

(d) Nothing in this section is intended to preclude employees and collective bargaining agents from collectively bargaining to obtain access to information in addition to that available under this section.

(2) Employee and designated representative access.

(a) Employee exposure records. Each employer shall, upon request, assure the access of each employee and designated representative to employee exposure records relevant to the employee. For the purpose of this section, exposure records relevant to the employee consist of:

(i) Records of the employee's past or present exposure to toxic substances or harmful physical agents;

(ii) Exposure records of other employees with past or present job duties or working conditions related to or similar to those of the employee;

(iii) Records containing exposure information concerning the employee's workplace or working conditions; and

(iv) Exposure records pertaining to workplaces or working conditions to which the employee is being assigned or transferred.

(b) Employee medical records.

(i) Each employer shall, upon request, assure the access of each employee to employee medical records of which the employee is the subject, except as provided in subdivision (2)(b)(iv) of this section.

(ii) Each employer shall, upon request, assure the access of each designated representative to the employee medical records of any employee who has given the designated representative specific written consent. Appendix A to this section contains a sample form which may be used to establish specific written consent for access to employee medical records.

(iii) Whenever access to employee medical records is requested, a physician representing the employer may recommend that the employee or designated representative:

(A) Consult with the physician for the purposes of reviewing and discussing the records requested;

(B) Accept a summary of material facts and opinions in lieu of the records requested; or

(C) Accept release of the requested records only to a physician or other designated representative.

(iv) Whenever an employee requests access to his or her employee medical records, and a physician representing the employer believes that direct employee access to information contained in the records regarding a specific diagnosis of a terminal illness or a psychiatric condition could be detrimental to the employee's health, the employer may inform the employee that access will only be provided to a designated representative of the employee having specific written consent, and deny the employee's request for direct access to this information only. Where a designated representative with specific written consent requests access to information so withheld, the employer shall assure the access of the designated representative to this information, even when it is known that the designated representative will give the information to the employee.

(v) Nothing in this section precludes a physician, nurse, or other responsible health care personnel maintaining employee medical records from deleting from requested medical records the identity of a family member, personal friend, or fellow employee who has provided confidential information concerning an employee's health status.

(c) Analyses using exposure or medical records.

(i) Each employer shall, upon request, assure the access of each employee and designated representative to each analysis using exposure or medical records concerning the employee's working conditions or workplace.

(ii) Whenever access is requested to an analysis which reports the contents of employee medical records by either direct identifier (name, address, social security number, payroll number, etc.) or by information which could reasonably be used under the circumstances indirectly

to identify specific employees (exact age, height, weight, race, sex, date of initial employment, job title, etc.) the employer shall assure that personal identifiers are removed before access is provided. If the employer can demonstrate that removal of personal identifiers from an analysis is not feasible, access to the personally identifiable portions of the analysis need not be provided.

NEW SECTION

WAC 296-62-05211 **TRADE SECRETS.** (1) Except as provided in subsection (2) of this section, nothing in this section precludes an employer from deleting from records requested by an employee or designated representative any trade secret data which discloses manufacturing processes, or discloses the percentage of a chemical substance in a mixture, as long as the employee or designated representative is notified that information has been deleted. Whenever deletion of trade secret information substantially impairs evaluation of the place where or the time when exposure to a toxic substance or harmful physical agent occurred, the employer shall provide alternative information which is sufficient to permit the employee to identify where and when exposure occurred.

(2) Notwithstanding any trade secret claims, whenever access to records is requested, the employer shall provide access to chemical or physical agent identities including chemical names, levels of exposure, and employee health status data contained in the requested records.

(3) Whenever trade secret information is provided to an employee or designated representative, the employer may require, as a condition of access, that the employee or designated representative agree in writing not to use the trade secret information for the purpose of commercial gain and not to permit misuse of the trade secret information by a competitor or potential competitor of the employer.

NEW SECTION

WAC 296-62-05213 **EMPLOYEE INFORMATION.** (1) Upon an employee's first entering into employment, and at least annually thereafter, each employer shall inform employees exposed to toxic substances or harmful physical agents of the following:

(a) The existence, location and availability of any records covered by this section;

(b) The person responsible for maintaining and providing access to records; and

(c) Each employee's rights of access to these records.

(2) Each employer shall make readily available to employees a copy of this standard and its appendices, and shall distribute to employees any informational materials concerning this standard which are made available to the employer by the Department of Labor and Industries, Technical Services.

NEW SECTION

WAC 296-62-05215 **TRANSFER OF RECORDS.** (1) Whenever an employer is ceasing to do business, the employer shall transfer all records subject to this section to the successor employer. The successor employer shall receive and maintain these records.

(2) Whenever an employer is ceasing to do business and there is no successor employer to receive and maintain the records, or intends to dispose of any records required to be preserved for at least thirty years, the employer shall:

(3) Whenever an employer either is ceasing to do business and there is no successor employer to receive and maintain the records, or intends to dispose of any records required to be preserved for at least thirty years, the employer shall:

(a) Transfer the records to the Director of the Department of Labor and Industries if so required by a specific occupational safety and health standard; or

(b) Notify the Director of the Department of Labor and Industries in writing of the impending disposal of records at least three months prior to the disposal of the records.

(4) Where an employer regularly disposes of records required to be preserved for at least thirty years, the employer may, with at least three months notice, notify the Director of the Department of Labor and Industries on an annual basis of the records intended to be disposed of in the coming year.

NEW SECTION

WAC 296-62-05217 **APPENDICES.** The information contained in the appendices to this section is not intended, by itself, to create any additional obligations not otherwise imposed by this section nor detract from any existing obligation. Copies of these appendices can be obtained from the following address:

Department of Labor and Industries
Division of Industrial Safety & Health
Technical Services Section
P.O. Box 207
Olympia, Washington 98504

NEW SECTION

WAC 296-62-05219 **EFFECTIVE DATE.** WAC 296-62-052 through 296-62-05219 shall become effective thirty days after filing with the Code Reviser. All obligations of this section commence on the effective date except that the employer shall provide the information required under WAC 296-62-05213(1) to all current employees within sixty days after the effective date.

AMENDATORY SECTION (Amending Order 75-41, filed 12/19/75)

WAC 296-62-07329 **VINYL CHLORIDE.** (1) Scope and Application.

(a) This section includes requirements for the control of employee exposure to vinyl chloride (chloroethene), Chemical Abstracts Service Registry No. 75014.

(b) This section applies to the manufacture, reaction, packaging, re-packaging, storage, handling or use of vinyl chloride or polyvinyl chloride, but does not apply to the handling or use of fabricated products made of polyvinyl chloride.

(c) This section applies to the transportation of vinyl chloride or polyvinyl chloride except to the extent that the Department of Transportation may regulate the hazards covered by this section.

(2) Definitions.

(a) "Action level" means a concentration of vinyl chloride of 0.5 ppm averaged over an 8-hour work day.

(b) "Authorized person" means any person specifically authorized by the employer whose duties require him to enter a regulated area or any person entering such an area as a designated representative of employees for the purpose of exercising an opportunity to observe monitoring and measuring procedures.

(c) "Director" means Chief, Industrial Hygiene Section, Department of Labor and Industries.

(d) "Emergency" means any occurrence such as, but not limited to, equipment failure, or operation of a relief device which is likely to, or does, result in massive release of vinyl chloride.

(e) "Fabricated product" means a product made wholly or partly from polyvinyl chloride, and which does not require further processing at temperatures, and for times, sufficient to cause mass melting of the polyvinyl chloride resulting in the release of vinyl chloride.

(f) "Hazardous operation" means any operation, procedure, or activity where a release of either vinyl chloride liquid or gas might be expected as a consequence of the operation or because of an accident in the operation, which would result in an employee exposure in excess of the permissible exposure limit.

(g) "Polyvinyl chloride" means polyvinyl chloride homopolymer or copolymer before such is converted to a fabricated product.

(h) "Vinyl chloride" means vinyl chloride monomer.

(3) Permissible exposure limit.

(a) No employee may be exposed to vinyl chloride at concentrations greater than 1 ppm averaged over any 8-hour period, and

(b) No employee may be exposed to vinyl chloride at concentrations greater than 5 ppm averaged over any period not exceeding 15 minutes.

(c) No employee may be exposed to vinyl chloride by direct contact with liquid vinyl chloride.

(4) Monitoring

(a) A program of initial monitoring and measurement shall be undertaken in each establishment to determine if there is any employee exposed, without regard to the use of respirators, in excess of the action level.

(b) Where a determination conducted under paragraph (4)(a) of this section shows any employee exposures without regard to the use of respirators, in excess of the action level, a program for determining

exposures for each such employee shall be established. Such a program:

(i) Shall be repeated at least monthly where any employee is exposed, without regard to the use of respirators, in excess of the permissible exposure limit.

(ii) Shall be repeated not less than quarterly where any employee is exposed, without regard to the use of respirators, in excess of the action level.

(iii) May be discontinued for any employee only when at least two consecutive monitoring determinations, made not less than 5 working days apart, show exposures for that employee at or below the action level.

(c) Whenever there has been a production, process or control change which may result in an increase in the release of vinyl chloride, or the employer has any other reason to suspect that any employee may be exposed in excess of the action level, a determination of employee exposure under subsection (4)(a) of this section shall be performed

(d) The method of monitoring and measurement shall have an accuracy (with a confidence level of 95 percent) of not less than plus or minus 50 percent from 0.25 through 0.5 ppm, plus or minus 35 percent from over 0.5 ppm through 1.0 ppm, plus or minus 25 percent over 1.0 ppm, (methods meeting these accuracy requirements are available from the director).

(e) Employees or their designated representatives shall be afforded reasonable opportunity to observe the monitoring and measuring required by this subdivision.

(5) Regulated Area.

(a) A regulated area shall be established where:

(i) Vinyl chloride or polyvinyl chloride is manufactured, reacted, repackaged, stored, handled or used; and

(ii) Vinyl chloride concentrations are in excess of the permissible exposure limit.

(b) Access to regulated areas shall be limited to authorized persons. A daily roster shall be made of authorized persons who enter.

(6) Methods of Compliance. Employee exposures to vinyl chloride shall be controlled to at or below the permissible exposure limit provided in subsection (3) of this section by engineering, work practice, and personal protective controls as follows:

(a) Feasible engineering and work practice controls shall immediately be used to reduce exposures to at or below the permissible exposure limit.

(b) Wherever feasible engineering and work practice controls which can be instituted immediately are not sufficient to reduce exposures to at or below the permissible exposure limit, they shall nonetheless be used to reduce exposures to the lowest practicable level, and shall be supplemented by respiratory protection in accordance with subsection (6) of this section. A program shall be established and implemented to reduce exposures to at or below the permissible exposure limit, or to the greatest extent feasible, solely by means of engineering and work practice controls, as soon as feasible.

(c) Written plans for such a program shall be developed and furnished upon request for examination and copying to the director. Such plans shall be updated at least every six months.

(7) Respiratory Protection. Where respiratory protection is required under this section:

(a) The employer shall provide a respirator which meets the requirements of this subdivision and shall assure that the employee uses such respirator, except that until December 31, 1975, wearing of respirators shall be at the discretion of each employee for exposures not in excess of 25 ppm, measured over any 15-minute period. Until December 31, 1975, each employee who chooses not to wear an appropriate respirator shall be informed at least quarterly of the hazards of vinyl chloride and the purpose, proper use, and limitations of respiratory devices.

(b) Respirators shall be selected from among those jointly approved by the Mining Enforcement and Safety Administration, Department of the Interior, and the National Institute for Occupational Safety and Health under the provisions of 30 CFR Part 11.

(c) A respiratory protection program meeting the requirements of chapter 296-24 WAC shall be established and maintained.

(d) Selection of respirators for vinyl chloride shall be as follows:

Atmospheric concentration of Vinyl Chloride	Required Apparatus
(ii) Not over 3,600 ppm	(A) Combination type C supplied air respirator, pressure demand type, with full or half facepiece, and auxiliary self-contained air supply; or (B) Combination type C, supplied air respirator continuous flow type, with full or half facepiece, and auxiliary self-contained air supply.
(iii) Not over 1,000 ppm	Type C, supplied air respirator, continuous flow type, with full or half facepiece, helmet or hood.
(iv) Not over 100 ppm	(A) Combination type C supplied air respirator demand type, with full facepiece, and auxiliary self-contained air supply; or (B) Open-circuit self-contained breathing apparatus with full facepiece, in demand mode; or (C) Type C supplied air respirator, demand type, with full facepiece.
(v) Not over 25 ppm	(A) A powered air-purifying respirator with hood, helmet, full or half facepiece, and a canister which provides a service life of at least 4 hours for concentrations of vinyl chloride up to 25 ppm, or (B) Gas mask, front or back-mounted canister which provides a service life of at least 4 hours for concentrations of vinyl chloride up to 25 ppm.
(vi) Not over 10 ppm	(A) Combination type C supplied-air respirator, demand type, with half facepiece, and auxiliary self-contained air supply; or (B) Type C supplied-air respirator, demand type, with half facepiece; or (C) Any chemical cartridge respirator with an organic vapor cartridge which provides a service life of at least 1 hour for concentrations of vinyl chloride up to 10 ppm.

(c)(i) Entry into unknown concentrations or concentrations greater than 36,000 ppm (lower explosive limit) may be made only for purposes of life rescue; and

(ii) Entry into concentrations of less than 36,000 ppm, but greater than 3,600 ppm may be made only for purposes of life rescue, fire-fighting, or securing equipment so as to prevent a greater hazard from release of vinyl chloride.

(f) Where air-purifying respirators are used:

(i) Air-purifying canisters or cartridges shall be replaced prior to the expiration of their service life or the end of the shift in which they are first used, whichever occurs first, and

(ii) A continuous monitoring and alarm system shall be provided where concentrations of vinyl chloride could reasonably exceed the allowable concentrations for the devices in use. Such system shall be used to alert employees when vinyl chloride concentrations exceed the allowable concentrations for the devices in use.

(g) Apparatus prescribed for higher concentrations may be used for any lower concentration.

(8) Hazardous Operations. (a) Employees engaged in hazardous operations, including entry of vessels to clean polyvinyl chloride residue from vessel walls, shall be provided and required to wear and use;

(i) Respiratory protection in accordance with subsections (3) and (6) of this section; and

(ii) Protective garments to prevent skin contact with liquid vinyl chloride or with polyvinyl chloride residue from vessel walls. The protective garments shall be selected for the operation and its possible exposure conditions.

(b) Protective garments shall be provided clean and dry for each use.

Atmospheric concentration of Vinyl Chloride	Required Apparatus
(i) Unknown, or above 3,600 ppm	Open-circuit, self-contained breathing apparatus, pressure demand type, with full facepiece.

(i) Emergency situations. A written operational plan for emergency situations shall be developed for each facility storing, handling, or otherwise using vinyl chloride as a liquid or compressed gas. Appropriate portions of the plan shall be implemented in the event of an emergency. The plan shall specifically provide that:

(A) Employees engaged in hazardous operations or correcting situations of existing hazardous releases shall be equipped as required in subsection (8) of this section;

(B) Other employees not so equipped shall evacuate the area and not return until conditions are controlled by the methods required in subsection (6) of this section and the emergency is abated.

(9) Training. Each employee engaged in vinyl chloride or polyvinyl chloride operations shall be provided training in a program relating to the hazards of vinyl chloride and precautions for its safe use.

(a) The program shall include:

(i) The nature of the health hazard from chronic exposure to vinyl chloride including specifically the carcinogenic hazard;

(ii) The specific nature of operations which could result in exposure to vinyl chloride in excess of the permissible limit and necessary protective steps;

(iii) The purpose for, proper use, and limitations of respiratory protective devices;

(iv) The fire hazard and acute toxicity of vinyl chloride, and the necessary protective steps;

(v) The purpose for and a description of the monitoring program;

(vi) The purpose for and a description of, the medical surveillance program;

(vii) Emergency procedures:

(A) Specific information to aid the employee in recognition of conditions which may result in the release of vinyl chloride; and

(B) A review of this standard at the employee's first training and indoctrination program, and annually thereafter.

(b) All materials relating to the program shall be provided upon request to the director.

(10) Medical Surveillance. A program of medical surveillance shall be instituted for each employee exposed, without regard to the use of respirators, to vinyl chloride in excess of the action level. The program shall provide each such employee with an opportunity for examinations and tests in accordance with this subsection. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee.

(a) At the time of initial assignment, or upon institution of medical surveillance;

(i) A general physical examination shall be performed with specific attention to detecting enlargement of liver, spleen or kidneys, or dysfunction in these organs, and for abnormalities in skin, connective tissues and the pulmonary system (See Appendix A).

(ii) A medical history shall be taken, including the following topics:

(A) Alcohol intake,

(B) Past history of hepatitis,

(C) Work history and past exposure to potential hepatotoxic agents, including drugs and chemicals,

(D) Past history of blood transfusions, and

(E) Past history of hospitalizations.

(iii) A serum specimen shall be obtained and determinations made of:

(A) Total bilirubin,

(B) Alkaline phosphatase,

(C) Serum glutamic oxalacetic transaminase (SGOT),

(D) Serum glutamic pyruvic transaminase (SGPT), and

(E) Gamma glutamyl transpeptidase.

(b) Examinations provided in accordance with this subdivision shall be performed at least:

(i) Every 6 months for each employee who has been employed in vinyl chloride or polyvinyl chloride manufacturing for 10 years or longer; and

(ii) Annually for all other employees.

(c) Each employee exposed to an emergency shall be afforded appropriate medical surveillance.

(d) A statement of each employee's suitability for continued exposure to vinyl chloride including use of protective equipment and respirators, shall be obtained from the examining physician promptly after any examination. A copy of the physician's statement shall be provided each employee.

(e) If any employee's health would be materially impaired by continued exposure, such employee shall be withdrawn from possible contact with vinyl chloride.

(f) Laboratory analyses for all biological specimens included in medical examinations shall be performed in laboratories licensed under 42 CFR Part 74.

(g) If the examining physician determines that alternative medical examinations to those required by subsection (10)(a) of this section will provide at least equal assurance of detecting medical conditions pertinent to the exposure to vinyl chloride, the employer may accept such alternative examinations as meeting the requirements of subsection (10)(a) of this section, if the employer obtains a statement from the examining physician setting forth the alternative examinations and the rationale for substitution. This statement shall be available upon request for examination and copying to authorized representatives of the director.

(11) Signs and Labels.

(a) Entrances to regulated areas shall be posted with legible signs bearing the legend:

**CANCER-SUSPECT AGENT AREA AUTHORIZED
PERSONNEL ONLY**

(b) Areas containing hazardous operations or where an emergency currently exists shall be posted with legible signs bearing the legend:

**CANCER-SUSPECT AGENT IN THIS AREA PROTECTIVE
EQUIPMENT REQUIRED AUTHORIZED PERSONNEL ONLY**

(c) Containers of polyvinyl chloride resin waste from reactors or other waste contaminated with vinyl chloride shall be legibly labeled:

**CONTAMINATED WITH VINYL CHLORIDE CANCER-
SUSPECT AGENT**

(d) Containers of polyvinyl chloride shall be legibly labeled:

**POLYVINYL CHLORIDE (OR TRADE NAME) CONTAINS
VINYL
CHLORIDE VINYL CHLORIDE IS A CANCER-SUSPECT
AGENT**

(e) Containers of vinyl chloride shall be legibly labeled either:

**VINYL CHLORIDE EXTREMELY FLAMMABLE GAS UNDER
PRESSURE CANCER-SUSPECT AGENT (or)**

(f) In accordance with 49 CFR Part 173, Subpart H, with the additional legends:

CANCER-SUSPECT AGENT

applied near the label or placard.

(g) No statement 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.

(12) Records. (a) All records maintained in accordance with this section shall include the name and social security number of each employee where relevant.

(b) Records of required monitoring and measuring(;) and medical records (~~and authorized personnel rosters, shall be made and shall be available upon request for examination and copying to the director~~) shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209; and WAC 296-62-05213 through 296-62-05217. These records shall be provided upon request to the director. Authorized personnel rosters shall also be provided upon request to the assistant director.

(i) Monitoring and measuring records shall:

(A) State the date of such monitoring and measuring and the concentrations determined and identify the instruments and methods used;

(B) Include any additional information necessary to determine individual employee exposures where such exposures are determined by means other than individual monitoring of employees; and

(C) Be maintained for not less than 30 years.

(ii) Authorized personnel rosters shall be maintained for not less than 30 years.

(iii) Medical records shall be maintained for the duration of the employment of each employee plus 20 years, or 30 years, whichever is longer.

(c) In the event that the employer ceases to do business and there is no successor to receive and retain his records for the prescribed period, these records shall be transmitted by registered mail to the director, and each employee individually notified in writing of this transfer. The employer shall also comply with any additional requirements set forth in WAC 296-62-05215.

(d) Employees or their designated representatives shall be provided access to examine and copy records of required monitoring and measuring.

(e) Former employees shall be provided access to examine and copy required monitoring and measuring records reflecting their own exposures.

(f) Upon written request of any employee, a copy of the medical record of that employee shall be furnished to any physician designated by the employee.

(13) Reports. (a) Not later than 1 month after the establishment of a regulated area, the following information shall be reported to the director. Any changes to such information shall be reported within 15 days.

(i) The address and location of each establishment which has one or more regulated areas; and

(ii) The number of employees in each regulated area during normal operations, including maintenance.

(b) Emergencies and the facts obtainable at that time, shall be reported within 24 hours to the director. Upon request of the director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of similar nature.

(c) Within 10 working days following any monitoring and measuring which discloses that any employee has been exposed, without regard to the use of respirators, in excess of the permissible exposure limit, each such employee shall be notified in writing of the results of the exposure measurement and the steps being taken to reduce the exposure to within the permissible exposure limit.

(i) Effective January 1, 1975, the provisions set forth in WAC 296-62-07329 shall apply.

APPENDIX A SUPPLEMENTARY MEDICAL INFORMATION

When required tests under paragraph (10)(a) of this section show abnormalities, the tests should be repeated as soon as practicable, preferably within 3 to 4 weeks. If tests remain abnormal, consideration should be given to withdrawal of the employee from contact with vinyl chloride, while a more comprehensive examination is made.

Additional tests which may be useful:

(A) For kidney dysfunction: urine examination for albumin, red blood cells, and exfoliative abnormal cells.

(B) Pulmonary system: forced vital capacity, forced expiratory volume at 1 second, and chest roentgenogram (posterior-anterior, 14 x 17 inches).

(C) Additional serum tests: lactic acid dehydrogenase, lactic acid dehydrogenase isoenzyme, protein determination, and protein electrophoresis.

(D) For a more comprehensive examination on repeated abnormal serum tests: hepatitis B antigen, and liver scanning.

AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-62-07341 ACRYLONITRILE. (1) Scope and application.

(a) This section applies to all occupational exposure to acrylonitrile (AN), Chemical Abstracts Service Registry No. 000107131, except as provided in subsection (1)(b) and (c) of this section.

(b) This section does not apply to exposures which result solely from the processing, use, and handling of the following materials:

(i) ABS resins, SAN resins, nitrile barrier resins, solid nitrile elastomers, and acrylic and modacrylic fibers, when these listed materials are in the form of finished polymers, and products fabricated from such finished polymers;

(ii) Materials made from and/or containing AN for which objective data is reasonably relied upon to demonstrate that the material is not capable of releasing AN in airborne concentrations in excess of 1 ppm as an eight-hour time-weighted average, under the expected conditions of processing, use, and handling which will cause the greatest possible release; and

(iii) Solid materials made from and/or containing AN which will not be heated above 170° F during handling, use, or processing.

(c) An employer relying upon exemption under (1)(b)(ii) shall maintain records of the objective data supporting that exemption, and of the basis of the employer's reliance on the data as provided in subsection (17) of this section.

(2) Definitions, as applicable to this section:

(a) "Acrylonitrile" or "AN" - acrylonitrile monomer, chemical formula $CH_2=CHCN$.

(b) "Action level" - a concentration of AN of 1 ppm as an eight-hour time-weighted average.

(c) "Authorized person" - any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the opportunity to observe monitoring procedures under subsection (18) of this section.

(d) "Director" - the Director of Labor and Industries, or his authorized representative.

(e) "Emergency" - any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which is likely to, or does, result in unexpected exposure to AN in excess of the ceiling limit.

(f) "Polyacrylonitrile" or "PAN" - polyacrylonitrile homopolymers or copolymers, except for materials as exempted under subsection (1)(b) of this section.

(3) Permissible exposure limits. (a) Inhalation. (i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of two parts acrylonitrile per million parts of air (2 ppm), as an eight-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of (10) ppm as averaged over any fifteen-minute period during the working day.

(b) Dermal and eye exposure. The employer shall assure that no employee is exposed to skin contact or eye contact with liquid AN or PAN.

(4) Notification of use and emergencies. (a) Use. Within ten days of the effective date of this standard, or within fifteen days following the introduction of AN into the workplace, every employer shall report, unless he has done so pursuant to the emergency temporary standard, the following information to the director for each such workplace:

(i) The address and location of each workplace in which AN is present;

(ii) A brief description of each process of operation which may result in employee exposure to AN;

(iii) The number of employees engaged in each process or operation who may be exposed to AN and an estimate of the frequency and degree of exposure that occurs; and

(iv) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to AN. Whenever there has been a significant change in the information required by this subsection, the employer shall promptly amend such information previously provided to the director.

(b) Emergencies and remedial action. Emergencies, and the facts obtainable at that time, shall be reported within 24 hours of the initial occurrence to the director. Upon request of the director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of a similar nature.

(5) Exposure monitoring. (a) General. (i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to AN over an eight-hour period.

(ii) For the purposes of this section, employee exposure is that which would occur if the employee were not using a respirator.

(b) Initial monitoring. Each employer who has a place of employment in which AN is present shall monitor each such workplace and work operation to accurately determine the airborne concentrations of AN to which employees may be exposed. Such monitoring may be done on a representative basis, provided that the employer can demonstrate that the determinations are representative of employee exposures.

(c) Frequency. (i) If the monitoring required by this section reveals employee exposure to be below the action level, the employer may discontinue monitoring for that employee.

(ii) If the monitoring required by this section reveals employee exposure to be at or above the action level but below the permissible exposure limits, the employer shall repeat such monitoring for each such employee at least quarterly.

(iii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly measurements until at least two consecutive measurements, taken at least seven days

apart, are below the permissible exposure limits, and thereafter the employer shall monitor at least quarterly.

(d) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to AN, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to AN, additional monitoring which complies with this subsection shall be conducted.

(e) Employee notification. (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure exceeds the permissible exposure limits, the employer shall include in the written notice a statement that the permissible exposure limits were exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.

(f) Accuracy of measurement. The method of measurement of employee exposures shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of AN at or above the permissible exposure limits, and plus or minus 35 percent for concentrations of AN between the action level and the permissible exposure limits.

(g) Weekly survey of operations involving liquid AN. In addition to monitoring of employee exposures to AN as otherwise required by this subsection, the employer shall survey areas of operations involving liquid AN at least weekly to detect points where AN liquid or vapor are being released into the workplace. The survey shall employ an infrared gas analyzer calibrated for AN, a multipoint gas chromatographic monitor, or comparable system for detection of AN. A listing of levels detected and areas of AN release, as determined from the survey, shall be posted prominently in the workplace, and shall remain posted until the next survey is completed.

(6) Regulated areas. (a) The employer shall establish regulated areas where AN concentrations are in excess of the permissible exposure limits.

(b) Regulated areas shall be demarcated and segregated from the rest of the workplace, in any manner that minimizes the number of persons who will be exposed to AN.

(c) Access to regulated areas shall be limited to authorized persons or to persons otherwise authorized by the act or regulations issued pursuant thereto.

(d) The employer shall assure that in the regulated area, food or beverages are not present or consumed, smoking products are not present or used, and cosmetics are not applied, (except that these activities may be conducted in the lunchrooms, change rooms and showers required under subsections (13)(a)-(13)(c) of this section.

(7) Methods of compliance. (a) Engineering and work practice controls. (i) The employer shall institute engineering or work practice controls to reduce and maintain employee exposures to AN, to or below the permissible exposure limits, except to the extent that the employer establishes that such controls are not feasible.

(ii) Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limits, the employer shall nonetheless use them to reduce exposures to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (8) of this section.

(b) Compliance program. (i) The employer shall establish and implement a written program to reduce employee exposures to or below the permissible exposure limits solely by means of engineering and work practice controls, as required by subsection (7)(a) of this section.

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation or process resulting in employee exposure to AN above the permissible exposure limits;

(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 limits;

(D) A detailed schedule for the implementation of engineering or work practice controls; and

(E) Other relevant information.

(iii) Written plans for such a program shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, or any affected employee or representative.

(iv) The plans required by this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(8) Respiratory protection. (a) General. The employer shall assure that respirators are used where required pursuant to this section to reduce employee exposure to within the permissible exposure limits and in emergencies. Compliance with the permissible exposure limits may not be achieved by the use of respirators except:

(i) During the time period necessary to install or implement feasible engineering and work practice controls; or

(ii) In work operations such as maintenance and repair activities in which the employer establishes that engineering and work practice controls are not feasible; or

(iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the permissible exposure limits; or

(iv) In emergencies.

(b) Respirator selection. (i) Where respiratory protection is required under this section, the employer shall select and provide at no cost to the employee, the appropriate type of respirator from Table 1 and shall assure that the employee wears the respirator provided.

TABLE 1

RESPIRATORY PROTECTION FOR ACRYLONITRILE (AN)

Concentration of AN or Condition of Use	Respirator Type
(a) Less than or equal to 10 x permissible exposure limits.	(1) Any chemical cartridge respirator with organic vapor cartridge(s) and half-mask; or (2) Any supplied air respirator with half-mask.
(b) Less than or equal to 50 x permissible exposure limits.	(1) Any organic vapor gas mask; or (2) Any supplied air respirator with full facepiece; or (3) Any self-contained breathing apparatus with full facepiece.
(c) Less than or equal to 2,000 x permissible exposure limits.	(1) Supplied air respirator in positive pressure mode with full facepiece, helmet, hood, or suit.
(d) Less than or equal to 10,000 x permissible exposure limits.	(1) Supplied air respirator and auxiliary self-contained full facepiece in positive pressure mode; or (2) Open circuit self-contained breathing apparatus with full facepiece in positive pressure mode.
(e) Emergency entry into unknown concentration of firefighting.	(1) Any self-contained breathing apparatus with full facepiece in positive pressure mode.
(f) Escape.	(1) Any organic vapor gas mask; or (2) Any self-contained breathing apparatus with full facepiece.
(ii) The employer shall select respirators from those approved for use with AN by the National Institute for Occupational Safety and Health under the provisions of WAC 296-24-081.	
(c) Respirator program. (i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-081.	
(ii) Where air-purifying respirators (chemical cartridge or canister-type gas mask) are used, the air-purifying canister or cartridge(s) shall be replaced prior to the expiration of their service life or at the beginning of each shift, whichever occurs first. A label shall be attached to the cartridge or canister to indicate the date and time at which it is first installed on the respirator.	
(iii) The employer shall allow each employee who uses a filter respirator (cartridge or canister) to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of the filter elements necessary for this purpose.	
(iv) Employees who wear respirators shall be allowed to wash their faces and respirator facepieces to prevent potential skin irritation associated with respirator use.	

(9) Emergency situations. (a) Written plans. (i) A written plan for emergency situations shall be developed for each workplace where AN is present. Appropriate portions of the plan shall be implemented in the event of an emergency.

(ii) The plan shall specifically provide that employees engaged in correcting emergency conditions shall be equipped as required in subsection (8) of this section until the emergency is abated.

(b) Alerting employees. (i) Alarms. Where there is the possibility of employee exposure to AN in excess of the ceiling limit due to the occurrence of an emergency, a general alarm shall be installed and maintained to promptly alert employees of such occurrences.

(ii) Evacuation. Employees not engaged in correcting the emergency shall be restricted from the area and shall not be permitted to return until the emergency is abated.

(10) Protective clothing and equipment. (a) Provision and use. Where eye or skin contact with liquid AN or PAN may occur, the employer shall provide at no cost to the employee, and assure that employees wear, appropriate protective clothing or other equipment in accordance with WAC 296-24-07501 and 296-24-07801 to protect any area of the body which may come in contact with liquid AN or PAN.

(b) Cleaning and replacement. (i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection, as needed to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least weekly to each affected employee.

(ii) The employer shall assure that the employee removes all protective clothing and equipment at the completion of a work shift and that an employee whose protective clothing becomes wet with liquid AN or PAN removes that clothing promptly to avoid skin contact with the liquid AN or PAN. Protective clothing shall be removed only in change rooms as required by subsection (14)(a) of this section.

(iii) The employer shall assure that AN- or PAN-contaminated protective clothing and equipment is placed and stored in closable containers which prevent dispersion of the AN or PAN outside the container.

(iv) The employer shall assure that no employee removes AN- or PAN-contaminated protective equipment or clothing from the change room, except for those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(v) The employer shall inform any person who launders or cleans AN- or PAN-contaminated protective clothing or equipment of the potentially harmful effects of exposure to AN.

(vi) The employer shall assure that containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (16)(c)(ii) of this section, and that such labels remain affixed when such containers leave the employer's workplace.

(11) Housekeeping. (a) Surfaces. (i) All surfaces shall be maintained free of accumulations of liquid AN and of PAN.

(ii) Dry sweeping and the use of compressed air for the cleaning of floors and other surfaces where liquid AN and PAN are found is prohibited.

(iii) Where vacuuming methods are selected, either portable units or a permanent system may be used.

(A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that AN is not reintroduced into the workplace air; and

(B) Portable vacuum units used to collect AN may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (16)(c)(ii) of this section.

(iv) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.

(b) Liquids. Where AN is present in a liquid form, or as a resultant vapor, all containers or vessels containing AN shall be enclosed to the maximum extent feasible and tightly covered when not in use, with adequate provision made to avoid any resulting potential explosion hazard.

(12) Waste disposal. AN and PAN waste, scrap, debris, bags, containers or equipment, shall be disposed of in sealed bags or other closed containers which prevent dispersion of AN outside the container, and labeled as prescribed in subsection (16)(c)(ii) of this section.

(13) Hygiene facilities and practices. Where employees are exposed to airborne concentrations of AN above the permissible exposure limits, or where employees are required to wear protective clothing or equipment pursuant to subsection (11) of this section, or where otherwise found to be appropriate, the facilities required by WAC 296-24-12009 shall be provided by the employer for the use of those employees, and the employer shall assure that the employees use the facilities provided. In addition, the following facilities or requirements are mandated.

(a) Change rooms. The employer shall provide clean change rooms in accordance with WAC 296-24-12011.

(b) Showers. (i) The employer shall provide shower facilities in accordance with WAC 296-24-12009(3).

(ii) In addition, the employer shall also assure that employees exposed to liquid AN and PAN shower at the end of the work shift.

(c) Lunchrooms. (i) Whenever food or beverages are consumed in the workplace, the employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees exposed to AN above the permissible exposure limits.

(ii) In addition, the employer shall also assure that employees exposed to AN above the permissible exposure limits wash their hands and face prior to eating.

(14) Medical surveillance. (a) General. (i) The employer shall institute a program of medical surveillance for each employee who is or will be exposed to AN above the action level. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Initial examinations. At the time of initial assignment, or upon institution of the medical surveillance program, the employer shall provide each affected employee an opportunity for a medical examination, including at least the following elements:

(i) A work history and medical history with special attention to skin, respiratory, and gastrointestinal systems, and those non-specific symptoms, such as headache, nausea, vomiting, dizziness, weakness, or other central nervous system dysfunctions that may be associated with acute or chronic exposure to AN.

(ii) A physical examination giving particular attention to central nervous system, gastrointestinal system, respiratory system, skin and thyroid.

(iii) A 14" x 17" posteroanterior chest x-ray.

(iv) Further tests of the intestinal tract, including fecal occult blood and proctosigmoidoscopy, on all workers 40 years of age or older, and to any other affected employees for whom, in the opinion of the physician, such testing would be appropriate.

(c) Periodic examinations. (i) The employer shall provide examinations specified in this subsection at least annually for all employees specified in subsection (14)(a) of this section.

(ii) If an employee has not had the examinations prescribed in subsection (14)(b) of this section within six months of termination of employment, the employer shall make such examination available to the employee upon such termination.

(d) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to AN, the employer shall provide appropriate examination and emergency medical treatment.

(e) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's representative exposure level;

(iv) The employee's anticipated or estimated exposure level (for pre-placement examinations or in cases of exposure due to an emergency);

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

(vi) Information from previous medical examinations of the affected employee, which is not otherwise available to the examining physician.

(f) Physician's written opinion. (i) The employer shall obtain a written opinion from the examining physician which shall include:

(A) The results of the medical tests performed;

(B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of the employee's health from exposure to AN;

(C) Any recommended limitations upon the employee's exposure to AN or upon the use of protective clothing and equipment such as respirators; 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 employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to AN.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(15) Employee information and training. (a) Training program. (i) The employer shall institute a training program for all employees where there is occupational exposure to AN and shall assure their participation in the training program.

(ii) The training program shall be provided at the time of initial assignment, or upon institution of the training program, and at least annually thereafter, and the employer shall assure that each employee is informed of the following:

(A) The information contained in Appendices A, B and C*(1);

(B) The quantity, location, manner of use, release or storage of AN and the specific nature of operations which could result in exposure to AN, as well as any necessary protective steps;

(C) The purpose, proper use, and limitations of respirators;

(D) The purpose and a description of the medical surveillance program required by subsection (14) of this section;

(E) The emergency procedures developed, as required by subsection (9) of this section; and

(F) The engineering and work practice controls, their function and the employee's relationship thereto; and

(G) A review of this standard.

(b) Access to training materials. (i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

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

(16) Signs and labels. (a) General. (i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to, or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label, required by this subsection, which contradicts or detracts from such effects of the required sign or label.

(b) Signs. (i) The employer shall post signs to clearly indicate all workplaces where AN concentrations exceed the permissible exposure limits. The signs shall bear the following legend:

DANGER
ACRYLONITRILE (AN)
CANCER HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS REQUIRED

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(c) Labels. (i) The employer shall assure that precautionary labels are affixed to all containers of AN, and to containers of PAN and products fabricated from PAN, except for those materials for which objective data is provided as to the conditions specified in subsection (1)(b) of this section. The employer shall assure that the labels remain affixed when the AN or PAN are sold, distributed or otherwise leave the employer's workplace.

(ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER
CONTAINS ACRYLONITRILE (AN)
CANCER HAZARD

(17) Recordkeeping. (a) Objective data for exempted operations. (i) Where the processing, use, and handling of products fabricated from PAN are exempted pursuant to subsection (1)(b) of this section, the

employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(ii) This record shall include the following information:

(A) The relevant condition in subsection (1)(b) upon which exemption is based;

(B) The source of the objective data;

(C) The results of testing and analysis of the material being processed;

(D) A description of the operation exempted; and

(E) Other data relevant to the operations, materials, and processing covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure monitoring. (i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.

(ii) This record shall include:

(A) The dates, number, duration, and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;

(B) A description of the sampling and analytical methods used;

(C) Type of respiratory protective devices worn, if any; and

(D) Name, social security number and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least 40 years or the duration of employment plus 20 years, whichever is longer.

(c) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (14) of this section.

(ii) This record shall include:

(A) A copy of the physicians' written opinions;

(B) Any employee medical complaints related to exposure to AN;

(C) A copy of the information provided to the physician as required by subsection (14)(f) of this section; and

(D) A copy of the employee's work history.

(iii) The employer shall assure that this record be maintained for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(d) Availability. (i) The employer shall assure that all records required to be maintained by this section be made available upon request to the director for examination and copying.

(ii) ~~(The employer shall assure that employee exposure measurement records, as required by this section, be made available, upon request, for examination and copying to the affected employee, former employee, or designated representative.)~~ Records required by subdivisions (a) through (c) of this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Records required by subdivision (a) of this section shall be provided in the same manner as exposure monitoring records.

(iii) The employer shall assure that employee medical records required to be maintained by this section, be made available, upon request, for examination and copying, to the affected employee or former employee, or to a physician designated by the affected employee, former employee, or designated representative.

(e) 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 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 pursuant to this section, the employer shall transmit these records to the director.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(18) Observation of monitoring. (a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to AN conducted pursuant to subsection (5) of this section.

(b) Observation procedures. (i) Whenever observation of the monitoring of employee exposure to AN requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the

use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled:

- (A) To receive an explanation of the measurement procedures;
- (B) To observe all steps related to the measurement of airborne concentrations of AN performed at the place of exposure; and
- (C) To record the results obtained.

(19) Effective date. This standard will become effective 30 days after it is filed with the Code Reviser.

- ⁽¹⁾ Appendices printed in addition to this section, and information contained therein is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligations. Appendices are available from:

The Technical Services Section
Division of Industrial Safety and Health
P.O. Box 207
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AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-62-07345 1,2-DIBROMO-3-CHLOROPROPANE.
(1) Scope and Application. This section applies to all occupational exposures to 1,2-dibromo-3-chloropropane (DBCP), Chemical Abstracts Service Registry Number 96-12-8, except that this section does not apply to exposure to DBCP which results solely from the application and use of DBCP as a pesticide.

(2) Definitions applicable to this section:

(a) "Authorized person" - any person specifically authorized by the employer and whose duties require the person to be present in areas where DBCP is present; and any person entering this area as a designated representative of employees exercising an opportunity to observe employee exposure monitoring.

(b) "DBCP" - 1,2-dibromo-3-chloropropane.

(c) "Director" - the Director of Labor and Industries, or his authorized representative.

(3) Permissible Exposure Limits. (a) Inhalation. (i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration in excess of 1 part DBCP per billion part of air (ppb) as an eight-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration in excess of 50 parts DBCP per billion parts of air (ppb) as averaged over any 15 minutes during the working day.

(b) Dermal and eye exposure. The employer shall assure that no employee is exposed to eye or skin contact with DBCP.

(4) Notification of Use. Within ten days of the effective date of this section or within ten days following the introduction of DBCP into the workplace, every employer who has a workplace where DBCP is present shall report the following information to the director for each such workplace:

(a) The address and location of each workplace in which DBCP is present;

(b) A brief description of each process or operation which may result in employee exposure to DBCP;

(c) The number of employees engaged in each process or operation who may be exposed to DBCP and an estimate of the frequency and degree of exposure that occurs;

(d) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to DBCP.

(5) Exposure Monitoring. (a) General. Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to DBCP over an eight-hour period. (For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.)

(b) Initial. Each employer who has a place of employment in which DBCP is present shall monitor, within thirty days of the effective date of this section, each workplace and work operation to accurately determine the airborne concentrations of DBCP to which employees may be exposed.

(c) Frequency. (i) If the monitoring required by this section reveals employee exposures to be below the permissible exposure limits, the employer shall repeat these determinations at least quarterly.

(ii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly determinations until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limit, thereafter the employer shall monitor at least quarterly.

(d) Additional. Whenever there has been a production process, control or personnel change which may result in any new or additional exposure to DBCP, or whenever the employer has any other reason to suspect a change which may result in new or additional exposure to DBCP, additional monitoring which complies with subsection (5) shall be conducted.

(e) Employee notification. (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of results which represent the employee's exposure.

(ii) Whenever the results indicate that employee exposure exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.

(f) Accuracy of measurement. The method of measurement shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of DBCP at or above the permissible exposure limits.

(6) Methods of Compliance. The employer shall control employee exposures to airborne concentrations of DBCP to within the permissible exposure limit, and shall protect against employee exposure to eye or skin contact with DBCP by engineering controls, work practices and personal protective equipment.

(a) Engineering controls. The employer shall develop and implement, as soon as possible, feasible engineering controls to reduce the airborne concentrations of DBCP to within the permissible exposure limits.

(b) Work practices. The employer shall examine each work area in which DBCP is present and shall institute, as soon as possible, work practices to reduce employee exposure to DBCP. The work practices shall be described in writing and shall include, among other things, the following mandatory work practices:

(i) Limiting access to work areas where DBCP is present to authorized personnel only;

(ii) Prohibiting smoking and the consumption of food and beverages in work areas where DBCP is present; and

(iii) Establishing good maintenance and housekeeping practices including the prompt cleanup of spills, repair of leaks, and the practices required in subsection (9) of this section.

(c) Respiratory protection. Where engineering and work practice controls are not sufficient to reduce employee exposures to airborne concentrations of DBCP to within the permissible exposure limits, the employer shall provide at no cost to the employee, and assure that employees wear respirators in accordance with subsection (7) of this section.

(d) Engineering and work practice control plan. (i) Within ninety days of the effective date of this section, the employer shall develop a written plan describing proposed means to reduce employee exposures to DBCP to the lowest feasible level solely by means of engineering and work practice controls.

(ii) Written plans required under subsection (6)(d) 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 designated representative of employees.

(7) Respirators. (a) Required use. The employer shall assure that respirators are used where required under this section to reduce employee exposure to within the permissible exposure limits, and in emergencies.

(b) Respirator selection. (i) Where respirators are used to reduce employee exposures to within the permissible exposure limit and in emergencies, the employer shall select and provide, at no cost to the employee, the appropriate respirator from Table I and shall assure that the employee wears the respirator provided.

(ii) The employer shall select respirators from among those approved by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of WAC 296-24-081.

TABLE I
RESPIRATORY PROTECTION FOR DBCP
RESPIRATORY PROTECTION

Concentration not greater than:

100 ppb:

Any chemical cartridge respirator with pesticide cartridge(s).
Any supplied-air respirator.
Any self-contained cartridge breathing apparatus.

500 ppb:

A chemical cartridge respirator with full facepiece and pesticide cartridge(s).
A gas mask with full facepiece and pesticide canister.
Any supplied-air respirator with full facepiece, helmet or hood.
Any self-contained breathing apparatus with full facepiece.

5,000 ppb:

A Type C supplied-air respirator operated in pressure-demand or other positive pressure or continuous flow mode.

20,000 ppb:

A Type C supplied-air respirator with full facepiece operated in pressure-demand or other positive pressure mode, or with full facepiece, hood or helmet operated in continuous flow mode.

Greater than 20,000 ppb or entry and escape from unknown concentrations:

A combination respirator which includes a Type C supplied-air respirator with full facepiece operated in pressure-demand or other positive pressure or continuous flow mode and an auxiliary self-contained breathing apparatus operated in pressure-demand or positive pressure mode.

A self-contained breathing apparatus with full facepiece operated in pressure-demand or other positive pressure mode.

Firefighting:

A self-contained breathing apparatus with full facepiece operated in pressure-demand or other positive pressure mode.

(c) Respirator program. (i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-081.

(ii) Where air-purifying respirators (chemical cartridge or gas mask) are used, the air-purifying canister or cartridge(s) shall be replaced prior to the expiration of their service life or the beginning of each shift, whichever occurs first.

(iii) Employees who wear respirators shall be allowed to wash their face and respirator facepiece to prevent potential skin irritation associated with respirator use.

(8) Protective Clothing and Equipment. (a) Provision and use. Where eye or skin contact with liquid or solid DBCP may occur, employers shall provide at no cost to the employee, and assure that employees wear impermeable protective clothing and equipment in accordance with WAC 296-24-07501 and 296-24-07801 to protect the area of the body which may come in contact with DBCP.

(b) Cleaning and replacement. (i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least daily to each affected employee.

(ii) The employer shall assure that the employee removes all protective clothing and equipment at the completion of a workshift.

(iii) The employer shall assure that DBCP-contaminated protective work clothing and equipment is placed and stored in closed containers which prevent dispersion of DBCP outside the container.

(iv) The employer shall inform any person who launders or cleans DBCP-contaminated protective clothing or equipment of the potentially harmful effects of exposure to DBCP.

(v) The employer shall assure that the containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (13)(c) of this section.

(vi) The employer shall prohibit the removal of DBCP from protective clothing and equipment by blowing or shaking.

(9) Housekeeping. (a) Surfaces. (i) All surfaces shall be maintained free of accumulations of DBCP.

(ii) Dry sweeping and the use of air for the cleaning of floors and other surfaces where DBCP dust or liquids are found is prohibited.

(iii) Where vacuuming methods are selected, either portable units or a permanent system may be used.

(A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that DBCP is not reintroduced into the workplace air; and

(B) Portable vacuum units used to collect DBCP may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (13)(c) of this section.

(iv) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.

(b) Liquids. Where DBCP is present in a liquid form, or as a resultant vapor, all containers or vessels containing DBCP shall be enclosed to the maximum extent feasible and tightly covered when not in use.

(c) Waste disposal. DBCP waste, scrap, debris, bags, containers or equipment, shall be disposed in sealed bags or other closed containers which prevent dispersion of DBCP outside the container.

(10) Hygiene Facilities and Practices. Hygiene facilities shall be provided and practices implemented in accordance with the requirements of WAC 296-24-12009.

(11) Medical Surveillance. (a) General. The employer shall institute a program of medical surveillance for each employee who is or will be exposed, without regard to the use of respirators, to DBCP. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Frequency and content. Within 30 days of the effective date of this section or time of initial assignment, and whenever exposure to DBCP, the employer shall provide a medical examination including at least the following:

(i) A complete medical and occupational history with emphasis on reproductive history.

(ii) A complete physical examination with emphasis on the genitourinary tract, testicle size, and body habitus including the following tests:

- (A) Sperm count;
- (B) Complete urinalysis (U/A);
- (C) Complete blood count; and
- (D) Thyroid profile.

(iii) A serum specimen shall be obtained and the following determinations made:

- (A) Serum multiphasic analysis (SMA 12);
- (B) Serum testosterone;
- (C) Serum follicle stimulating hormone (FSH);
- (D) Serum luteinizing hormone (LH).

(c) Information provided to the physician. The employer shall provide the following information to the examining physician:

- (i) A copy of this standard and its appendices;
- (ii) A description of the affected employee's duties as they relate to the employee's exposure;
- (iii) The level of DBCP to which the employee is exposed; and
- (iv) A description of any personal protective equipment used or to be used.

(d) Physician's written opinion. (i) The employer shall obtain a written opinion from the examining physician which shall include:

- (A) The results of the medical tests performed;
- (B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of health from exposure to DBCP;
- (C) Any recommended limitations upon the employee's exposure to DBCP or upon the use of protective clothing and equipment such as respirators; and

(D) A statement that the employee was informed by the physician of the results of the medical examination, and any medical conditions which require further examination or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to DBCP.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(12) Employee Information and Training. (a) Training program. (i) Within thirty days of the effective date of this standard, the employer shall institute a training program for all employees who may be exposed to DBCP and shall assure their participation in such training program.

(ii) The employer shall assure that each employee is informed of the following:

- (A) The information contained in Appendices A, B and C*(1);
- (B) The quantity, location, manner of use, release or storage of DBCP and the specific nature of operations which could result in exposure to DBCP as well as any necessary protective steps;
- (C) The purpose, proper use, and limitations of respirators;
- (D) The purpose and description of the medical surveillance program required by subsection (11) of this section; and
- (E) A review of this standard.

(b) Access to training materials. (i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

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

(13) Signs and Labels. (a) General. (i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label required by this subsection which contradicts or detracts from the required sign or label.

(b) Signs. (i) The employer shall post signs to clearly indicate all work areas where DBCP may be present. These signs shall bear the legend:

DANGER

1,2-Dibromo-3-chloropropane

(Insert appropriate trade or common names)

CANCER HAZARD

AUTHORIZED PERSONNEL ONLY

(ii) Where airborne concentrations of DBCP exceed the permissible exposure limits, the signs shall bear the additional legend:

RESPIRATOR REQUIRED

(c) Labels. (i) The employer shall assure that precautionary labels are affixed to all containers of DBCP and of products containing DBCP, and that the labels remain affixed when the DBCP or products containing DBCP are sold, distributed, or otherwise leave the employer's workplace. Where DBCP or products containing DBCP are sold, distributed or otherwise leave the employer's workplace bearing appropriate labels required by EPA under the regulations in 40 CFR Part 162, the labels required by this subsection need not be affixed.

(ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER

1,2-Dibromo-3-chloropropane

CANCER HAZARD

(14) Recordkeeping. (a) Exposure monitoring. (i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.

(ii) This record shall include:

- (A) The dates, number, duration and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;
- (B) A description of the sampling and analytical methods used;
- (C) Type of respiratory worn, if any; and
- (D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for the effective period of this standard.

(b) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by subsection (11) of this section.

(ii) This record shall include:

- (A) A copy of the physician's written opinion.
- (B) Any employee medical complaints related to exposure to DBCP;
- (C) A copy of the information provided the physician as required by subsection (11)(c) of this section; and
- (D) A copy of the employee's work history.

(iii) The employer shall assure that this record be maintained for the effective period of this standard.

(c) Availability. (i) The employer shall assure that all records required to be maintained by this section be made available upon request to the director for examination and copying.

(ii) ~~The employer shall assure that employee exposure monitoring records required by this section be made available upon request, for examination and copying to the affected employee or former employee, and their designated representatives.~~

~~(iii) The employer shall assure that employee medical records required to be maintained by this section be made available, upon request, for examination and copying to the affected employee or former employee, or to a physician designated by the affected employee or former employee or designated representative.)~~ Employee exposure monitoring records and employee medical records required by this subsection shall be provided upon request to employees' designated representatives and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209, and WAC 296-62-05213 through 296-62-05217.

(d) Transfer of records. (i) If the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section for the prescribed period.

(ii) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall transmit these records by mail to the director.

(iii) At the expiration of the retention period for the records required to be maintained under this section, the employer shall transmit these records by mail to the director.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(15) Observation of Monitoring. (a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to DBCP conducted under subsection (5) of this section.

(b) Observation procedures. (i) Whenever observation of the measuring or monitoring of employee exposure to DBCP requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring or measurement, observers shall be entitled to:

- (A) Receive an explanation of the measurement procedures;
- (B) Observe all steps related to the measurement of airborne concentrations of DBCP performed at the place of exposure; and
- (C) Record the results obtained.

(16) Effective Date. This standard will become effective 30 days after it is filed with the Code Reviser.

*⁽¹⁾ Appendices printed in addition to this section, and information contained therein is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligations. Appendices are available from:

The Technical Services Section
Division of Industrial Safety and Health
P.O. Box 207
Olympia, WA 98504 (206) 753-6381

AMENDATORY SECTION (Amending Order 79-9, filed 7/31/79)

WAC 296-62-07347 INORGANIC ARSENIC. (1) Scope and Application. This section applies to all occupational exposures to inorganic arsenic except that this section does not apply to employee exposures in agriculture or resulting from pesticide application, the treatment of wood with preservatives or the utilization of arsenically preserved wood.

(2) Definitions. (a) "Action level" - a concentration of inorganic arsenic of 5 micrograms per cubic meter of air ($5 \mu\text{g}/\text{m}^3$) averaged over any eight-hour period.

(b) "Authorized person" - any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under subsection (5) of this section.

(c) "Director" - the Director of the Department of Labor and Industries, or his designated representative.

(d) "Inorganic arsenic" - copper aceto-arsenite and all inorganic compounds containing arsenic except arsine, measured as arsenic (As).

(3) Permissible Exposure Limit. The employer shall assure that no employee is exposed to inorganic arsenic at concentrations greater than 10 micrograms per cubic meter of air ($10 \mu\text{g}/\text{m}^3$), averaged over any eight-hour period.

(4) Notification of Use. (a) By October 1, 1978, or within sixty days after the introduction of inorganic arsenic into the workplace, every employer who is required to establish a regulated area in his workplaces shall report in writing to the Department of Labor and Industries for each such workplace:

(i) The address of each such workplace;

(ii) The approximate number of employees who will be working in regulated areas; and

(iii) A brief summary of the operations creating the exposure and the actions which the employer intends to take to reduce exposures.

(b) Whenever there has been a significant change in the information required by subsection (4)(a) of this section, the employer shall report the changes in writing within sixty days to the Department of Labor and Industries.

(5) Exposure Monitoring. (a) General. (i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to inorganic arsenic over an eight-hour period.

(ii) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(iii) The employer shall collect full shift (for at least seven continuous hours) personal samples including at least one sample for each shift for each job classification in each work area.

(b) Initial Monitoring. Each employer who has a workplace or work operation covered by this standard shall monitor each such workplace and work operation to accurately determine the airborne concentration of inorganic arsenic to which employees may be exposed.

(c) Frequency. (i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be repeated except as otherwise provided in subsection (5)(d) of this section.

(ii) If the initial monitoring, required by this section, or subsequent monitoring reveals employee exposure to be above the permissible exposure limit, the employer shall repeat monitoring at least quarterly.

(iii) If the initial monitoring, required by this section, or subsequent monitoring reveals employee exposure to be above the action level and below the permissible exposure limit the employer shall repeat monitoring at least every six months.

(iv) The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue monitoring for that employee until such time as any of the events in subsection (5)(d) of this section occur.

(d) Additional monitoring. Whenever there has been a production, process, control or personal change which may result in new or additional exposure to inorganic arsenic, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to inorganic arsenic, additional monitoring which complies with subsection (5) of this section shall be conducted.

(e) Employee notification. (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposures.

(ii) Whenever the results indicate that the representative employee exposure exceeds the permissible exposure limit, 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 to or below the permissible exposure limit.

(f) Accuracy of measurement. (i) The employer shall use a method of monitoring and measurement which has an accuracy (with a confidence level of 95 percent) of not less than plus or minus 25 percent for concentrations of inorganic arsenic greater than or equal to $10 \mu\text{g}/\text{m}^3$.

(ii) The employer shall use a method of monitoring and measurement which has an accuracy (with confidence level of 95 percent) of not less than plus or minus 35 percent for concentrations of inorganic arsenic greater than $5 \mu\text{g}/\text{m}^3$ but less than $10 \mu\text{g}/\text{m}^3$.

(6) Regulated Area. (a) Establishment. The employer shall establish regulated areas where worker exposures to inorganic arsenic, without regard to the use of respirators, are in excess of the permissible limit.

(b) Demarcation. Regulated areas shall be demarcated and segregated from the rest of the workplace in any manner that minimizes the number of persons who will be exposed to inorganic arsenic.

(c) Access. Access to regulated areas shall be limited to authorized persons or to persons otherwise authorized by the Act or regulations issued pursuant thereto to enter such areas.

(d) Provision of respirators. All persons entering a regulated area shall be supplied with a respirator, selected in accordance with subsection (8)(b) of this section.

(e) Prohibited activities. The employer shall assure that in regulated areas, food or beverages are not consumed, smoking products, chewing tobacco and gum are not used and cosmetics are not applied, except that these activities may be conducted in the lunchrooms, change rooms and showers required under subsection (12) of this section. Drinking water may be consumed in the regulated area.

(7) Methods of Compliance. (a) Controls. (i) The employer shall institute at the earliest possible time but not later than December 31, 1979, engineering and work practice controls to reduce exposures to or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible.

(ii) Where engineering and work practice controls are not sufficient to reduce exposures to or below the permissible exposure limit, they shall nonetheless be used to reduce exposures to the lowest levels achievable by these controls and shall be supplemented by the use of respirators in accordance with subsection (8) of this section and other necessary personal protective equipment. Employee rotation is not required as a control strategy before respiratory protection is instituted.

(b) Compliance program. (i) The employer shall establish and implement a written program to reduce exposures to or below the permissible exposure limit by means of engineering and work practice controls.

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which inorganic arsenic is emitted; e.g., machinery used, material processed, controls in place, crew size, operating procedures and maintenance practices;

(B) Engineering plans and studies used to determine methods selected for controlling exposure to inorganic arsenic;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Monitoring data;

(E) A detailed schedule for implementation of the engineering controls and work practices that cannot be implemented immediately and for the adaption and implementation of any additional engineering and work practices necessary to meet the permissible exposure limit;

(F) Whenever the employer will not achieve the permissible exposure limit with engineering controls and work practices by December 31, 1979, the employer shall include in the compliance plan an analysis of the effectiveness of the various controls, shall install engineering controls and institute work practices on the quickest schedule feasible, and shall include in the compliance plan and implement a program to minimize the discomfort and maximize the effectiveness of respirator use; and

(G) Other relevant information.

(iii) Written plans for such a program shall be submitted upon request to the Director, and shall be available at the worksite for examination and copying by the Director, any affected employee or authorized employee representatives.

(iv) The plans required by this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(8) Respiratory Protection. (a) General. The employer shall assure that respirators are used where required under this section to reduce employee exposures to below the permissible exposure limit and in emergencies. Respirators shall be used in the following circumstances:

(i) During the time period necessary to install or implement feasible engineering or work practice controls;

(ii) In work operations such as maintenance and repair activities in which the employer establishes that engineering and work practice controls are not feasible;

(iii) In work situations in which engineering controls and supplemental work practice controls are not yet sufficient to reduce exposures to or below the permissible exposure limit; or

(iv) In emergencies.

(b) Respirator selection. (i) Where respirators are required under this section the employer shall select, provide at no cost to the employee and assure the use of the appropriate respirator or combination of respirators from Table I for inorganic arsenic compounds without significant vapor pressure, or Table II for inorganic arsenic compounds which have significant vapor pressure.

(ii) Where employee exposures exceed the permissible exposure limit for inorganic arsenic and also exceed the relevant limit for particular gasses such as sulfur dioxide, any air purifying respirator supplied to the employee as permitted by this standard must have a combination high efficiency filter with an appropriate gas sorbent. (See footnote in Table I)

TABLE I

RESPIRATORY PROTECTION FOR INORGANIC ARSENIC PARTICULATE EXCEPT FOR THOSE WITH SIGNIFICANT VAPOR PRESSURE

Concentration of Inorganic Arsenic (as As) or Condition of Use.	Required Respirator
(i) Unknown or greater or lesser than 20,000 $\mu\text{g}/\text{m}^3$ (20 mg/m^3) or firefighting.	(A) Any full facepiece self-contained breathing apparatus operated in positive pressure mode.
(ii) Not greater than 20,000 $\mu\text{g}/\text{m}^3$ (20 mg/m^3)	(A) Supplied air respirator with full facepiece, hood, or helmet or suit and operated in positive pressure mode.
(iii) Not greater than 10,000 $\mu\text{g}/\text{m}^3$ (10 mg/m^3)	(A) Powered air-purifying respirators in all inlet face coverings with high-efficiency filters. (B) Half-mask supplied air respirators operated in positive pressure mode.
(iv) Not greater than 500 $\mu\text{g}/\text{m}^3$	(A) Full facepiece air-purifying respirator equipped with high-efficiency filter. (B) Any full facepiece supplied air respirator. (C) Any full facepiece self-contained breathing apparatus.
(v) Not greater than 100 $\mu\text{g}/\text{m}^3$	(A) Half-mask air-purifying respirator equipped with high-efficiency filter. (B) Any half-mask supplied air respirator.

¹High-efficiency filter-99.97 pct efficiency against 0.3 micrometer monodisperse diethyl-hexyl phthalate (DOP) particles.

TABLE II

RESPIRATORY PROTECTION FOR INORGANIC ARSENICALS (SUCH AS ARSENIC TRICHLORIDE² AND ARSENIC PHOSPHIDE) WITH SIGNIFICANT VAPOR PRESSURE

Concentration of Inorganic Arsenic (as As) or Condition of Use	Required Respirator
(i) Unknown or greater or lesser than 20,000 $\mu\text{g}/\text{m}^3$ (20 mg/m^3) or firefighting.	(A) Any full facepiece contained breathing apparatus operated in positive pressure mode.
(ii) Not greater than 20,000 $\mu\text{g}/\text{m}^3$ (20 mg/m^3)	(A) Supplied air respirator with full facepiece hood, or helmet or suit and operated in positive pressure mode.
(iii) Not greater than 10,000 $\mu\text{g}/\text{m}^3$ (10 mg/m^3)	(A) Half-mask ² supplied air respirator operated in positive pressure mode.

Concentration of Inorganic Arsenic (as As) or Condition of Use

Required Respirator

(iv) Not greater than 500 $\mu\text{g}/\text{m}^3$	(A) Front or back mounted gas mask equipped with high-efficiency filter ¹ and acid gas canister. (B) Any full facepiece supplied air respirator. (C) Any full facepiece self-contained breathing apparatus.
(v) Not greater than 100 $\mu\text{g}/\text{m}^3$	(A) Half-mask ² air-purifying respirator equipped with high-efficiency filter ¹ and acid gas cartridge. (B) Any half-mask supplied air respirator.

¹High efficiency filter-99.97 pct efficiency against 0.3 micrometer monodisperse diethyl-hexyl phthalate (DOP) particles.

²Half-mask respirators shall not be used for protection against arsenic trichloride, as it is rapidly absorbed through the skin.

(iii) The employer shall select respirators from among those approved for protection against dust, fume, and mist by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(c) Respirator usage. (i) The employer shall assure that the respirator issued to the employee exhibits minimum facepiece leakage and that the respirator is fitted properly.

(ii) The employer shall perform qualitative fit tests at the time of initial fitting and at least semi-annually thereafter for each employee wearing respirators, where quantitative fit tests are not required.

(iii) Employers with more than twenty employees wearing respirators shall perform a quantitative face fit test at the time of initial fitting and at least semi-annually thereafter for each employee wearing negative pressure respirators. The test shall be used to select facepieces that provide the required protection as prescribed in Table I or II.

(iv) If an employee has demonstrated difficulty in breathing during the fitting test or during use, he or she shall be examined by a physician trained in pulmonary medicine to determine whether the employee can wear a respirator while performing the required duty.

(d) Respirator program. (i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-08103, 296-24-08107, 296-24-08109 and 296-24-08111.

(ii) The employer shall permit each employee who uses a filter respirator to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of filter elements for this purpose.

(iii) Employees who wear respirators shall be permitted to leave work areas to wash their face and respirator facepiece to prevent skin irritation associated with respirator use.

(e) Commencement of respirator use. (i) The employer's obligation to provide respirators commences on August 1, 1978, for employees exposed over 500 $\mu\text{g}/\text{m}^3$ of inorganic arsenic, as soon as possible but not later than October 1, 1978, for employees exposed to over 50 $\mu\text{g}/\text{m}^3$ of inorganic arsenic, and as soon as possible but not later than December 1, 1978, for employees exposed between 10 and 50 $\mu\text{g}/\text{m}^3$ of inorganic arsenic.

(ii) Employees with exposures below 50 $\mu\text{g}/\text{m}^3$ of inorganic arsenic may choose not to wear respirators until December 31, 1979.

(iii) After December 1, 1978, any employee required to wear air purifying respirators may choose, and if so chosen the employer must provide, if it will give proper protection, a powered air purifying respirator and in addition if necessary a combination dust and acid gas respirator for times where exposures to gases are over the relevant exposure limits.

(9) RESERVED.

(10) Protective Work Clothing and Equipment. (a) Provision and use. Where the possibility of skin or eye irritation from inorganic arsenic exists, and for all workers working in regulated areas, the employer shall provide at no cost to the employee and assure that employees use appropriate and clean protective work clothing and equipment such as, but not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, and shoes or coverlets;

(iii) Face shields or vented goggles when necessary to prevent eye irritation, which comply with the requirements of WAC 296-24-07801(1) - (6).

(iv) Impervious clothing for employees subject to exposure to arsenic trichloride.

(b) Cleaning and replacement. (i) The employer shall provide the protective clothing required in subsection (10)(a) of this section in a freshly laundered and dry condition at least weekly, and daily if the employee works in areas where exposures are over $100 \mu\text{g}/\text{m}^3$ of inorganic arsenic or in areas where more frequent washing is needed to prevent skin irritation.

(ii) The employer shall clean, launder, or dispose of protective clothing required by subsection (10)(a) of this section.

(iii) The employer shall repair or replace the protective clothing and equipment as needed to maintain their effectiveness.

(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms prescribed in subsection (13)(a) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change-room which prevents dispersion of inorganic arsenic outside the container.

(vi) The employer shall inform in writing any person who cleans or launders clothing required by this section, of the potentially harmful affects including the carcinogenic effects of exposure to inorganic arsenic.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment in the workplace or which are to be removed from the workplace are labeled as follows:

CAUTION: Clothing contaminated with inorganic arsenic; do not remove dust by blowing or shaking. Dispose of inorganic arsenic contaminated wash water in accordance with applicable local, state, or Federal regulations.

(viii) The employer shall prohibit the removal of inorganic arsenic from protective clothing or equipment by blowing or shaking.

(11) Housekeeping. (a) Surfaces. All surfaces shall be maintained as free as practicable of accumulations of inorganic arsenic.

(b) Cleaning floors. Floors and other accessible surfaces contaminated with inorganic arsenic may not be cleaned by the use of compressed air, and shoveling and brushing may be used only where vacuuming or other relevant methods have been tried and found not to be effective.

(c) Vacuuming. Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner to minimize the reentry of inorganic arsenic into the workplace.

(d) Housekeeping plan. A written housekeeping and maintenance plan shall be kept which shall list appropriate frequencies for carrying out housekeeping operations, and for cleaning and maintaining dust collection equipment. The plan shall be available for inspection by the Director.

(e) Maintenance of equipment. Periodic cleaning of dust collection and ventilation equipment and checks of their effectiveness shall be carried out to maintain the effectiveness of the system and a notation kept of the last check of effectiveness and cleaning or maintenance.

(12) RESERVED.

(13) Hygiene Facilities and Practices. (a) Change rooms. The employer shall provide for employees working in regulated areas or subject to the possibility of skin or eye irritation from inorganic arsenic, clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment in accordance with WAC 296-24-12011.

(b) Showers. (i) The employer shall assure that employees working in regulated areas or subject to the possibility of skin or eye irritation from inorganic arsenic shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-24-12009(3).

(c) Lunchrooms. (i) The employer shall provide for employees working in regulated areas, lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees working in regulated areas.

(ii) The employer shall assure that employees working in the regulated area or subject to the possibility of skin or eye irritation from exposure to inorganic arsenic wash their hands and face prior to eating.

(d) Lavatories. The employer shall provide lavatory facilities which comply with WAC 296-24-12009(1) and (2).

(e) Vacuuming clothes. The employer shall provide facilities for employees working in areas where exposure, without regard to the use of respirators, exceeds $100 \mu\text{g}/\text{m}^3$ to vacuum their protective clothing

and clean or change shoes worn in such areas before entering change rooms, lunchrooms or shower rooms required by subsection (10) of this section and shall assure that such employees use such facilities.

(f) Avoidance of skin irritation. The employer shall assure that no employee is exposed to skin or eye contact with arsenic trichloride, or to skin or eye contact with liquid or particulate inorganic arsenic which is likely to cause skin or eye irritation.

(14) Medical Surveillance. (a) General. (i) Employees covered. The employer shall institute a medical surveillance program for the following employees:

(A) All employees who are or will be exposed above the action level, without regard to the use of respirators, at least thirty days per year; and

(B) All employees who have been exposed above the action level, without regard to respirator use, for thirty days or more per year for a total of ten years or more of combined employment with the employer or predecessor employers prior to or after the effective date of this standard. The determination of exposures prior to the effective date of this standard shall be based upon prior exposure records, comparison with the first measurements taken after the effective date of this standard, or comparison with records of exposures in areas with similar processes, extent of engineering controls utilized and materials used by that employer.

(ii) Examination by physician. The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee, without loss of pay and at a reasonable time and place.

(b) Initial examinations. By December 1, 1978, for employees initially covered by the medical provisions of this section, or thereafter at the time of initial assignment to an area where the employee is likely to be exposed over the action level at least thirty days per year, the employer shall provide each affected employee an opportunity for a medical examination, including at least the following elements:

(i) A work history and a medical history which shall include a smoking history and the presence and degree of respiratory symptoms such as breathlessness, cough, sputum production and wheezing.

(ii) A medical examination which shall include at least the following:

(A) A 14" by 17" posterior-anterior chest X-ray and International Labor Office UICC/Cincinnati (ILO U/C) rating;

(B) A nasal and skin examination;

(C) A sputum cytology examination; and

(D) Other examinations which the physician believes appropriate because of the employees exposure to inorganic arsenic or because of required respirator use.

(c) Periodic examinations. (i) The employer shall provide the examinations specified in subsections (14)(b)(i) and (14)(b)(ii)(A), (B) and (D) of this section at least annually for covered employees who are under forty-five years of age with fewer than ten years of exposure over the action level without regard to respirator use.

(ii) The employer shall provide the examinations specified in subsections (14)(b)(i) and (ii) of this section at least semi-annually for other covered employees.

(iii) Whenever a covered employee has not taken the examinations specified in subsection (14)(b)(i) and (ii) of this section within six months preceding the termination of employment, the employer shall provide such examinations to the employee upon termination of employment.

(d) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to inorganic arsenic the employer shall provide an appropriate examination and emergency medical treatment.

(e) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's representative 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.

(f) Physician's written opinion. (i) The employer shall obtain a written opinion from the examining physician which shall include:

(A) The results of the medical examination and tests performed;

(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 inorganic arsenic;

(C) Any recommended limitations upon the employee's exposure to inorganic arsenic or upon the use of protective clothing or equipment such as respirators; 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 explanation or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(15) Employee information and training. (a) Training program. (i) The employer shall institute a training program for all employees who are subject to exposure to inorganic arsenic above the action level without regard to respirator use, or for whom there is the possibility of skin or eye irritation from inorganic arsenic. The employer shall assure that those employees participate in the training program.

(ii) The training program shall be provided by October 1, 1978 for employees covered by this provision, at the time of initial assignment for those subsequently covered by this provision, and shall be repeated at least quarterly for employees who have optional use of respirators and at least annually for other covered employees thereafter, and the employer shall assure that each employee is informed of the following:

(A) The information contained in Appendix A;

(B) The quantity, location, manner of use, storage, sources of exposure, and the specific nature of operations which could result in exposure to inorganic arsenic as well as any necessary protective steps;

(C) The purpose, proper use, and limitation of respirators;

(D) The purpose and a description of medical surveillance program as required by subsection (14) of this section;

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

(F) A review of this standard.

(b) Access to training materials. (i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

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

(16) Signs and Labels. (a) General. (i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to, or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label required by this subsection which contradicts or detracts from the meaning of the required sign or label.

(b) Signs. (i) The employer shall post signs demarcating regulated areas bearing the legend:

DANGER
INORGANIC ARSENIC
CANCER HAZARD
AUTHORIZED PERSONNEL ONLY
NO SMOKING OR EATING
RESPIRATOR REQUIRED

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(c) Labels. The employer shall apply precautionary labels to all shipping and storage containers of inorganic arsenic, and to all products containing inorganic arsenic except when the inorganic arsenic in the product is bound in such a manner so as to make unlikely the possibility of airborne exposure to inorganic arsenic. (Possible examples of products not requiring labels are semiconductors, light emitting diodes and glass.) The label shall bear the following legend:

DANGER
CONTAINS INORGANIC ARSENIC
CANCER HAZARD
HARMFUL IF INHALED OR
SWALLOWED
USE ONLY WITH ADEQUATE
VENTILATION
OR RESPIRATORY PROTECTION

(17) Recordkeeping. (a) Exposure monitoring. (i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.

(ii) This record shall include:

(A) The date(s), number, duration location, and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The type of respiratory protective devices worn, if any;

(D) Name, social security number, and job classification of the employees monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) The environmental variables that could affect the measurement of the employee's exposure.

(iii) The employer shall maintain these monitoring records for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (14) of this section.

(ii) This record shall include:

(A) The name, social security number, and description of duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to inorganic arsenic.

(iii) The employer shall in addition keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (14) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information;

(C) The initial X-ray;

(D) The X-rays for the most recent five years;

(E) Any X-rays with a demonstrated abnormality and all subsequent X-rays;

(F) The initial cytologic examination slide and written description;

(G) The cytologic examination slide and written description for the most recent five years; and

(H) Any cytologic examination slides with demonstrated atypia, if such atypia persists for three years, and all subsequent slides and written descriptions.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least forty years, or for the duration of employment, plus twenty years, whichever is longer.

(c) Availability. (i) The employer shall make available upon request all records required to be maintained by subsection (17) of this section to the Director for examination and copying.

(ii) ~~(The employer shall make available upon request records of employee exposure monitoring required by subsection (17)(a) of this section for inspection and copying to affected employees, former employees and their designated representatives.)~~ Records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(iii) The employer shall make available upon request an employee's medical records and exposure records representative of that employee's exposure required to be maintained by subsection (17) of this section to the affected employee or former employee or to a physician designated by the affected employee or former employee.

(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 this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section 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.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(18) Observation of Monitoring. (a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to inorganic arsenic conducted pursuant to subsection (5) of this section.

(b) Observation procedures. (i) Whenever observation of the monitoring of employee exposure to inorganic arsenic requires entry into an area where the use of respirators, protective clothing, or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing, and such equipment, and shall require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to;

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of inorganic arsenic performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(19) Effective Date. This standard shall become effective thirty days after filing with the Code Reviser.

(20) Appendices. The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation.

(21) Startup Dates. (a) General. The startup dates of requirements of this standard shall be the effective date of this standard unless another startup date is provided for, either in other subsections of this section or in this subsection.

(b) Monitoring. Initial monitoring shall be commenced by August 1, 1978, and shall be completed by September 15, 1978.

(c) Regulated areas. Regulated areas required to be established as a result of initial monitoring shall be set up as soon as possible after the results of that monitoring is known and no later than October 1, 1978.

(d) Compliance program. The written program required by subsection (7)(b) as a result of initial monitoring shall be made available for inspection and copying as soon as possible and no later than December 1, 1978.

(e) Hygiene and lunchroom facilities. Construction plans for change-rooms, showers, lavatories, and lunchroom facilities shall be completed no later than December 1, 1978, and these facilities shall be constructed and in use no later than July 1, 1979. However, if as part of the compliance plan it is predicted by an independent engineering firm that engineering controls and work practices will reduce exposures below the permissible exposure limit by December 31, 1979, for affected employees, then such facilities need not be completed until one year after the engineering controls are completed or December 31, 1980, whichever is earlier, if such controls have not in fact succeeded in reducing exposure to below the permissible exposure limit.

(f) Summary of startup dates set forth elsewhere in this standard.

STARTUP DATES

August 1, 1978 - Respirator use over 500 $\mu\text{g}/\text{m}^3$.

AS SOON AS POSSIBLE BUT NO LATER THAN

September 15, 1978 - Completion of initial monitoring.

October 1, 1978 - Complete establishment of regulated areas. Respirator use for employees exposed above 50 $\mu\text{g}/\text{m}^3$. Completion of initial training. Notification of use.

December 1, 1978 - Respirator use over 10 $\mu\text{g}/\text{m}^3$. Completion of initial medical. Completion of compliance plan. Optional use of powered air-purifying respirators.

July 1, 1979 - Completion of lunch rooms and hygiene facilities.

December 31, 1979 - Completion of engineering controls.

All other requirements of the standard have as their startup date August 1, 1978.

AMENDATORY SECTION (Amending Order 80-16, filed 8/8/80)

WAC 296-62-07349 LEAD. (1) Scope and application.

(a) This section applies to all occupational exposure to lead, except as provided in subdivision (1)(b).

(b) This section does not apply to the construction industry or to agricultural operations covered by chapter 296-306 WAC.

(2) Definitions as applicable to this part.

(a) "Action level" - employee exposure, without regard to the use of respirators, to an airborne concentration of lead of thirty micrograms per cubic meter of air (30 $\mu\text{g}/\text{m}^3$) averaged over an eight-hour period.

(b) "Director" - the director of the department of labor and industries.

(c) "Lead" - metallic lead, all inorganic lead compounds, and organic lead soaps. Excluded from this definition are all other organic lead compounds.

(3) Permissible exposure limit (PEL).

(a) The employer shall assure that no employee is exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 $\mu\text{g}/\text{m}^3$) averaged over an eight-hour period.

(b) If an employee is exposed to lead for more than eight hours in any work day, the permissible exposure limit, as a time weighted average (TWA) for that day, shall be reduced according to the following formula:

$$\text{Maximum permissible limit (in } \mu\text{g}/\text{m}^3) = 400 \div \text{hours worked in the day.}$$

(c) When respirators are used to supplement engineering and work practice controls to comply with the PEL and all the requirements of subsection (6) have been met, employee exposure, for the purpose of determining whether the employer has complied with the PEL, may be considered to be at the level provided by the protection factor of the respirator for those periods the respirator is worn. Those periods may be averaged with exposure levels during periods when respirators are not worn to determine the employee's daily TWA exposure.

(4) Exposure monitoring.

(a) General.

(i) For the purposes of subsection (4), employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) With the exception of monitoring under subdivision (4)(c), the employer shall collect full shift (for at least seven continuous hours) personal samples including at least one sample for each shift for each job classification in each work area.

(iii) Full shift personal samples shall be representative of the monitored employee's regular, daily exposure to lead.

(b) Initial determination. Each employer who has a workplace or work operation covered by this standard shall determine if any employee may be exposed to lead at or above the action level.

(c) Basis of initial determination.

(i) The employer shall monitor employee exposures and shall base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:

(A) Any information, observations, or calculations which would indicate employee exposure to lead;

(B) Any previous measurements of airborne lead; and

(C) Any employee complaints of symptoms which may be attributable to exposure to lead.

(ii) Monitoring for the initial determination may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.

(iii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy the requirement to monitor under item (4)(c)(i) if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (4)(i) of this section.

(d) Positive initial determination and initial monitoring.

(i) Where a determination conducted under subdivision (4)(b) and (4)(c) of this section shows the possibility of any employee exposure at or above the action level, the employer shall conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.

(ii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy this requirement if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (4)(i) of this section.

(e) Negative initial determination. Where a determination, conducted under subdivisions (4)(b) and (4)(c) of this section is made that no employee is exposed to airborne concentrations of lead at or above the action level, the employer shall make a written record of such determination. The record shall include at least the information specified in subdivision (4)(c) of this section and shall also include the date of determination, location within the worksite, and the name and social security number of each employee monitored.

(f) Frequency.

(i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be repeated except as otherwise provided in subdivision (4)(g) of this section.

(ii) If the initial determination or subsequent monitoring reveals employee exposure to be at or above the action level but below the permissible exposure limit the employer shall repeat monitoring in accordance with this subsection at least every six months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subdivision (4)(g) of this section.

(iii) If the initial monitoring reveals that employee exposure is above the permissible exposure limit the employer shall repeat monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in item (4)(f)(ii), except as otherwise provided in subdivision (4)(g) of this section.

(g) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to lead, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to lead, additional monitoring in accordance with this subsection shall be conducted.

(h) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure, without regard to respirators, exceeds the permissible exposure limit, 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 or to be taken to reduce exposure to or below the permissible exposure limit.

(i) Accuracy of measurement. The employer shall use a method of monitoring and analysis which has an accuracy (to a confidence level of ninety-five percent) of not less than plus or minus twenty percent for airborne concentrations of lead equal to or greater than 30 $\mu\text{g}/\text{m}^3$.

(5) Method of compliance.

(a) Engineering and work practice controls. The employer shall implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I. Failure to achieve exposure levels without regard to respirators is sufficient to establish a violation of this provision.

TABLE I
IMPLEMENTATION SCHEDULE

Industry ¹	Compliance Dates ²		
	200 $\mu\text{g}/\text{m}^3$	100 $\mu\text{g}/\text{m}^3$	50 $\mu\text{g}/\text{m}^3$
Primary lead production	(3)	3	10
Secondary lead production	(3)	3	5
Lead-acid battery manufacturing	(3)	2	5
Nonferrous foundries	(3)	1	5
Lead pigment manufacturing	(3)	3	5
All other industries	(3)	Not Applicable	1

¹ Includes ancillary activities located on the same worksite.
² Expressed as the number of years from the effective date by which compliance with the given airborne exposure level, as an eight-hour TWA, must be achieved.
³ On effective date. This continues an obligation from WAC 296-62-07515 Table 1 which had been in effect since 1973.

(b) Respiratory protection. Where engineering and work practice controls do not reduce employee exposure to or below the 50 $\mu\text{g}/\text{m}^3$

permissible exposure limit, the employer shall supplement these controls with respirators in accordance with subsection (6).

(c) Compliance program.

(i) Each employer shall establish and implement a written compliance program to reduce exposures to or below the permissible exposure limit, and interim levels if applicable, solely by means of engineering and work practice controls in accordance with the implementation schedule in subdivision (5)(a).

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which lead is emitted; e.g., machinery used, material processed, controls in place, crew size, employee job responsibilities, operating procedures and maintenance practices;

(B) A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to lead;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Air monitoring data which documents the source of lead emissions;

(E) A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.;

(F) A work practice program which includes items required under subsections (7), (8) and (9) of this regulation;

(G) An administrative control schedule required by subdivision (5)(f), if applicable; and

(H) Other relevant information.

(iii) Written programs shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, any affected employee or authorized employee representatives.

(iv) Written programs shall be revised and updated at least every six months to reflect the current status of the program.

(d) Bypass of interim level. Where an employer's compliance plan provides for a reduction of employee exposures to or below the PEL solely by means of engineering and work practice controls in accordance with the implementation schedule in Table I, and the employer has determined that compliance with the 100 $\mu\text{g}/\text{m}^3$ interim level would divert resources to the extent that it clearly precludes compliance, otherwise attainable, with the PEL by the required time, the employer may proceed with the plan to comply with the PEL in lieu of compliance with the interim level if:

(i) The compliance plan clearly documents the basis of the determination;

(ii) The employer takes all feasible steps to provide maximum protection for employees until the PEL is met; and

(iii) The employer notifies the director in writing within ten working days of the completion or revision of the compliance plan reflecting the determination.

(e) Mechanical ventilation.

(i) When ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every three months. Measurements of the system's effectiveness in controlling exposure shall be made within five days of any change in production, process, or control which might result in a change in employee exposure to lead.

(ii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the employer shall assure that (A) the system has a high efficiency filter with reliable back-up filter; and (B) controls to monitor the concentration of lead in the return air and to bypass the recirculation system automatically if it fails are installed, operating, and maintained.

(f) Administrative controls. If administrative controls are used as a means of reducing employees TWA exposure to lead, the employer shall establish and implement a job rotation schedule which includes:

(i) Name or identification number of each affected employee;

(ii) Duration and exposure levels at each job or work station where each affected employee is located; and

(iii) Any other information which may be useful in assessing the reliability of administrative controls to reduce exposure to lead.

(6) Respiratory protection.

(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. Respirators shall be used in the following circumstances:

(i) During the time period necessary to install or implement engineering or work practice controls, except that after the dates for compliance with the interim levels in Table I, no employer shall require an employee to wear a negative pressure respirator longer than 4.4 hours per day;

(ii) In work situations in which engineering and work practice controls are not sufficient to reduce exposures to or below the permissible exposure limit; and

(iii) Whenever an employee requests a respirator.

(b) Respirator selection.

(i) Where respirators are required under this section the employer shall select the appropriate respirator or combination of respirators from Table II.

TABLE II

RESPIRATORY PROTECTION FOR LEAD AEROSOLS

Airborne Concentration of Lead or Condition of Use	Required Respirator ¹
Not in excess of 0.5 mg/m ³ (10X PEL).	Half-mask, air-purifying respirator equipped with high efficiency filters. ^{2,3}
Not in excess of 2.5 mg/m ³ (50X PEL).	Full facepiece, air-purifying respirator with high efficiency filters. ³
Not in excess of 50 mg/m ³ (1000X PEL).	(1) Any powered, air-purifying respirator with high efficiency filters ³ ; or (2) Half-mask supplied air respirator operated in positive-pressure mode. ²
Not in excess of 100 mg/m ³ (2000X PEL).	Supplied-air respirators with full facepiece, hood, helmet, or suit, operated in positive pressure mode.
Greater than 100 mg/m ³ , unknown concentration or fire fighting.	Full facepiece, self-contained breathing apparatus operated in positive-pressure mode.

¹ Respirators specified for high concentrations can be used at lower concentrations of lead.

² Full facepiece is required if the lead aerosols cause eye or skin irritation at the use concentrations.

³ A high efficiency particulate filter means 99.97 percent efficient against 0.3 micron size particles.

(ii) The employer shall provide a powered, air-purifying respirator in lieu of the respirator specified, in Table II whenever:

(A) An employee chooses to use this type of respirator; and

(B) This respirator will provide adequate protection to the employee.

(iii) The employer shall select respirators from among those approved for protection against lead dust, fume, and mist by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(c) Respirator usage.

(i) The employer shall assure that the respirator issued to the employee exhibits minimum facepiece leakage and that the respirator is fitted properly.

(ii) Employers shall perform quantitative face fit tests at the time of initial fitting and at least semiannually thereafter for each employee wearing negative pressure respirators. The test shall be used to select facepieces that provide the required protection as prescribed in Table II.

(iii) If an employee exhibits difficulty in breathing during the fitting test or during use, the employer shall make available to the employee an examination in accordance with subitem (10)(c)(i)(C) of this section to determine whether the employee can wear a respirator while performing the required duty.

(d) Respirator program.

(i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-08103, 296-24-08107, 296-24-08109 and 296-24-08111.

(ii) The employer shall permit each employee who uses a filter respirator to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of filter elements for this purpose.

(iii) Employees who wear respirators shall be permitted to leave work areas to wash their face and respirator facepiece whenever necessary to prevent skin irritation associated with respirator use.

(7) Protective work clothing and equipment.

(a) Provision and use. If an employee is exposed to lead above the PEL, without regard to the use of respirators or where the possibility of skin or eye irritation exists, the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, hats, and shoes or disposable shoe coverlets; and

(iii) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC 296-24-078.

(b) Cleaning and replacement.

(i) The employer shall provide the protective clothing required in subdivision (7)(a) of this section in a clean and dry condition at least weekly, and daily to employees whose exposure levels without regard to a respirator are over 200 µg/m³ of lead as an eight-hour TWA.

(ii) The employer shall provide for the cleaning, laundering, or disposal of protective clothing and equipment required by subdivision (7)(a) of this section.

(iii) The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms provided for that purpose as prescribed in subdivision (9)(b) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change-room which prevents dispersion of lead outside the container.

(vi) The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment required by subdivision (7)(b)(v) are labeled as follows:

CAUTION: CLOTHING CONTAMINATED WITH LEAD. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

(viii) The employer shall prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

(8) Housekeeping.

(a) Surfaces. All surfaces shall be maintained as free as practicable of accumulations of lead.

(b) Cleaning floors.

(i) Floors and other surfaces where lead accumulates may not be cleaned by the use of compressed air.

(ii) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other equally effective methods have been tried and found not to be effective.

(c) Vacuuming. Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner which minimizes the reentry of lead into the workplace.

(9) Hygiene facilities and practices.

(a) The employer shall assure that in areas where employees are exposed to lead above the PEL, without regard to the use of respirators, food or beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in change rooms, lunchrooms, and showers required under subdivision (9)(b) through (9)(d) of this section.

(b) Change rooms.

(i) The employer shall provide clean change rooms for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that change rooms are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.

(c) Showers.

(i) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators, shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-24-12009.

(iii) The employer shall assure that employees who are required to shower pursuant to item (9)(c)(i) do not leave the workplace wearing any clothing or equipment worn during the work shift.

(d) Lunchrooms.

(i) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that lunchroom facilities have a temperature controlled, positive pressure, filtered air supply, and are readily accessible to employees.

(iii) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL without regard to the use of a respirator wash their hands and face prior to eating, drinking, smoking or applying cosmetics.

(iv) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface lead dust has been removed by vacuuming, downdraft booth, or other cleaning method.

(e) Lavatories. The employer shall provide an adequate number of lavatory facilities which comply with WAC 296-24-12009(1) and (2).

(10) Medical surveillance.

(a) General.

(i) The employer shall institute a medical surveillance program for all employees who are or may be exposed above the action level for more than thirty days per year.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician.

(iii) The employer shall provide the required medical surveillance including multiple physician review under item (10)(c)(iii) without cost to employees and at a reasonable time and place.

(b) Biological monitoring.

(i) Blood lead and ZPP level sampling and analysis. The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels to each employee covered under item (10)(a)(i) of this section on the following schedule:

(A) At least every six months to each employee covered under item (10)(a)(i) of this section;

(B) At least every two months for each employee whose last blood sampling and analysis indicated a blood lead level at or above 40 $\mu\text{g}/100\text{ g}$ of whole blood. This frequency shall continue until two consecutive blood samples and analyses indicate a blood lead level below 40 $\mu\text{g}/100\text{ g}$ of whole blood; and

(C) At least monthly during the removal period of each employee removed from exposure to lead due to an elevated blood lead level.

(ii) Follow-up blood sampling tests. Whenever the results of a blood lead level test indicate that an employee's blood lead level exceeds the numerical criterion for medical removal under item (11)(a)(i), the employer shall provide a second (follow-up) blood sampling test within two weeks after the employer receives the results of the first blood sampling test.

(iii) Accuracy of blood lead level sampling and analysis. Blood lead level sampling and analysis provided pursuant to this section shall have an accuracy (to a confidence level of ninety-five percent) within plus or minus fifteen percent or 6 $\mu\text{g}/100\text{ ml}$, whichever is greater, and shall be conducted by a laboratory licensed by the Center for Disease Control (CDC), United States Department of Health, Education and Welfare or which has received a satisfactory grade in blood lead proficiency testing from CDC in the prior twelve months.

(iv) Employee notification. Within five working days after the receipt of biological monitoring results, the employer shall notify in writing each employee whose blood lead level exceeds 40 $\mu\text{g}/100\text{ g}$: (A) of that employee's blood lead level and (B) that the standard requires temporary medical removal with Medical Removal Protection benefits when an employee's blood lead level exceeds the numerical criterion for medical removal under item (11)(a)(i) of this section.

(c) Medical examinations and consultations.

(i) Frequency. The employer shall make available medical examinations and consultations to each employee covered under item (10)(a)(i) of this section on the following schedule:

(A) At least annually for each employee for whom a blood sampling test conducted at any time during the preceding twelve months indicated a blood lead level at or above 40 $\mu\text{g}/100\text{ g}$;

(B) Prior to assignment for each employee being assigned for the first time to an area in which airborne concentrations of lead are at or above the action level;

(C) As soon as possible, upon notification by an employee either that the employee has developed signs or symptoms commonly associated with lead intoxication, that the employee desires medical advice concerning the effects of current or past exposure to lead on the employee's ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during use; and

(D) As medically appropriate for each employee either removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited pursuant to a final medical determination.

(ii) Content. Medical examinations made available pursuant to subitems (10)(c)(i)(A) through (B) of this section shall include the following elements:

(A) A detailed work history and a medical history, with particular attention to past lead exposure (occupational and nonoccupational), personal habits (smoking, hygiene), and past gastrointestinal, hematologic, renal, cardiovascular, reproductive and neurological problems;

(B) A thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Pulmonary status should be evaluated if respiratory protection will be used;

(C) A blood pressure measurement;

(D) A blood sample and analysis which determines:

(aa) Blood lead level;

(bb) Hemoglobin and hematocrit determinations, red cell indices, and examination of peripheral smear morphology;

(cc) Zinc protoporphyrin;

(dd) Blood urea nitrogen; and

(ee) Serum creatinine;

(E) A routine urinalysis with microscopic examination; and

(F) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

The content of medical examinations made available pursuant to subitems (10)(c)(i)(C) through (D) of this section shall be determined by an examining physician and, if requested by an employee, shall include pregnancy testing or laboratory evaluation of male fertility.

(iii) Multiple physician review mechanism.

(A) If the employer selects the initial physician who conducts any medical examination or consultation provided to an employee under this section, the employer may designate a second physician:

(aa) To review any findings, determinations or recommendations of the initial physician; and

(bb) To conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(B) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the foregoing notification, or receipt of the initial physician's written opinion, whichever is later:

(aa) The employee informing the employer that he or she intends to seek a second medical opinion, and

(bb) The employee initiating steps to make an appointment with a second physician.

(C) If the findings, determinations or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(D) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician:

(aa) To review any findings, determinations or recommendations of the prior physicians; and

(bb) To conduct such examinations, consultations, laboratory tests and discussions with the prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(E) The employer shall act consistent with the findings, determinations and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

- (iv) Information provided to examining and consulting physicians.
- (A) The employer shall provide an initial physician conducting a medical examination or consultation under this section with the following information:
- (aa) A copy of this regulation for lead including all appendices;
- (bb) A description of the affected employee's duties as they relate to the employee's exposure;
- (cc) The employee's exposure level or anticipated exposure level to lead and to any other toxic substance (if applicable);
- (dd) A description of any personal protective equipment used or to be used;
- (ee) Prior blood lead determinations; and
- (ff) All prior written medical opinions concerning the employee in the employer's possession or control.
- (B) The employer shall provide the foregoing information to a second or third physician conducting a medical examination or consultation under this section upon request either by the second or third physician, or by the employee.
- (v) Written medical opinions.
- (A) The employer shall obtain and furnish the employee with a copy of a written medical opinion from each examining or consulting physician which contains the following information:
- (aa) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at increased risk of material impairment of the employee's health from exposure to lead;
- (bb) Any recommended special protective measures to be provided to the employee, or limitations to be placed upon the employee's exposure to lead;
- (cc) Any recommended limitation upon the employee's use of respirators, including a determination of whether the employee can wear a powered air purifying respirator if a physician determines that the employee cannot wear a negative pressure respirator; and
- (dd) The results of the blood lead determinations.
- (B) The employer shall instruct each examining and consulting physician to:
- (aa) Not reveal either in the written opinion, or in any other means of communication with the employer, findings, including laboratory results, or diagnoses unrelated to an employee's occupational exposure to lead; and
- (bb) Advise the employee of any medical condition, occupational or nonoccupational, which dictates further medical examination or treatment.
- (vi) Alternate physician determination mechanisms. The employer and an employee or authorized employee representative may agree upon the use of any expeditious alternate physician determination mechanism in lieu of the multiple physician review mechanism provided by this subsection so long as the alternate mechanism otherwise satisfies the requirements contained in this subsection.
- (d) Chelation.
- (i) The employer shall assure that any person whom he retains, employs, supervises or controls does not engage in prophylactic chelation of any employee at any time.
- (ii) If therapeutic or diagnostic chelation is to be performed by any person in item (10)(d)(i), the employer shall assure that it be done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee is notified in writing prior to its occurrence.
- (11) Medical removal protection.
- (a) Temporary medical removal and return of an employee.
- (i) Temporary removal due to elevated blood lead levels.
- (A) First year of the standard. During the first year following the effective date of the standard, the employer shall remove an employee from work having a daily eight hour TWA exposure to lead at or above $100 \mu\text{g}/\text{m}^3$ on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above $80 \mu\text{g}/100 \text{ g}$ of whole blood;
- (B) Second year of the standard. During the second year following the effective date of the standard, the employer shall remove an employee from work having a daily eight hour TWA exposure to lead at or above $50 \mu\text{g}/\text{m}^3$ on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above $70 \mu\text{g}/100 \text{ g}$ of whole blood;
- (C) Third year of the standard, and thereafter. Beginning with the third year following the effective date of the standard, the employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a periodic and a follow-up

blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above $60 \mu\text{g}/100 \text{ g}$ of whole blood; and

(D) Fifth year of the standard, and thereafter. Beginning with the fifth year following the effective date of the standard, the employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that the average of the last three blood sampling tests conducted pursuant to this section (or the average of all blood sampling tests conducted over the previous six months, whichever is longer) indicates that the employee's blood lead level is at or above $50 \mu\text{g}/100 \text{ g}$ of whole blood; provided, however, that an employee need not be removed if the last blood sampling test indicates a blood lead level at or below $40 \mu\text{g}/100 \text{ g}$ of whole blood.

(ii) Temporary removal due to a final medical determination.

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a final medical determination results in a medical finding, determination, or opinion that the employee has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the phrase "final medical determination" shall mean the outcome of the multiple physician review mechanism or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section.

(C) Where a final medical determination results in any recommended special protective measures for an employee, or limitations on an employee's exposure to lead, the employer shall implement and act consistent with the recommendation.

(iii) Return of the employee to former job status.

(A) The employer shall return an employee to his or her former job status:

(aa) For an employee removed due to a blood lead level at or above $80 \mu\text{g}/100 \text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below $60 \mu\text{g}/100 \text{ g}$ of whole blood;

(bb) For an employee removed due to a blood lead level at or above $70 \mu\text{g}/100 \text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below $50 \mu\text{g}/100 \text{ g}$ of whole blood;

(cc) For an employee removed due to a blood lead level at or above $60 \mu\text{g}/100 \text{ g}$, or due to an average blood lead level at or above $50 \mu\text{g}/100 \text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below $40 \mu\text{g}/100 \text{ g}$ of whole blood;

(dd) For an employee removed due to a final medical determination, when a subsequent final medical determination results in a medical finding, determination, or opinion that the employee no longer has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the requirement that an employer return an employee to his or her former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(iv) Removal of other employee special protective measure or limitations. The employer shall remove any limitations placed on an employee or end any special protective measures provided to an employee pursuant to a final medical determination when a subsequent final medical determination indicates that the limitations or special protective measures are no longer necessary.

(v) Employer options pending a final medical determination. Where the multiple physician review mechanism, or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section, has not yet resulted in a final medical determination with respect to an employee, the employer shall act as follows:

(A) Removal. The employer may remove the employee from exposure to lead, provide special protective measures to the employee, or place limitations upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status.

(B) Return. The employer may return the employee to his or her former job status, end any special protective measures provided to the employee, and remove any limitations placed upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status, with two exceptions. If:

(aa) The initial removal, special protection, or limitation of the employee resulted from a final medical determination which differed from the findings, determinations, or recommendations of the initial physician; or

(bb) The employee has been on removal status for the preceding eighteen months due to an elevated blood lead level, then the employer shall await a final medical determination.

(b) Medical removal protection benefits.

(i) Provision of medical removal protection benefits. The employer shall provide to an employee up to eighteen months of medical removal protection benefits on each occasion that an employee is removed from exposure to lead or otherwise limited pursuant to this section.

(ii) Definition of medical removal protection benefits. For the purposes of this section, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the earnings, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to lead or otherwise limited.

(iii) Follow-up medical surveillance during the period of employee removal or limitation. During the period of time that an employee is removed from normal exposure to lead or otherwise limited, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iv) Workers' compensation claims. If a removed employee files a claim for workers' compensation payments for a lead-related disability, then the employer shall continue to provide medical removal protection benefits pending disposition of the claim. To the extent that an award is made to the employee for earnings lost during the period of removal, the employer's medical removal protection obligation shall be reduced by such amount. The employer shall receive no credit for workers' compensation payments received by the employee for treatment related expenses.

(v) Other credits. The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(vi) Employees whose blood lead levels do not adequately decline within eighteen months of removal. The employer shall take the following measures with respect to any employee removed from exposure to lead due to an elevated blood lead level whose blood lead level has not declined within the past eighteen months of removal so that the employee has been returned to his or her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section to obtain a final medical determination with respect to the employee;

(B) The employer shall assure that the final medical determination obtained indicates whether or not the employee may be returned to his or her former job status, and if not, what steps should be taken to protect the employee's health;

(C) Where the final medical determination has not yet been obtained, or once obtained indicates that the employee may not yet be returned to his or her former job status, the employer shall continue to provide medical removal protection benefits to the employee until either the employee is returned to former job status, or a final medical determination is made that the employee is incapable of ever safely returning to his or her former job status.

(D) Where the employer acts pursuant to a final medical determination which permits the return of the employee to his or her former job status despite what would otherwise be an unacceptable blood lead level, later questions concerning removing the employee again shall be decided by a final medical determination. The employer need not automatically remove such an employee pursuant to the blood lead level removal criteria provided by this section.

(vii) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to lead or otherwise places limitations on an employee due to the effects of lead exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to that required by item (11)(b)(i) of this section.

(12) Employee information and training.

(a) Training program.

(i) Each employer who has a workplace in which there is a potential exposure to airborne lead at any level shall inform employees of the content of Appendices A and B of this regulation.

(ii) The employer shall institute a training program for and assure the participation of all employees who are subject to exposure to lead at or above the action level or for whom the possibility of skin or eye irritation exists.

(iii) The employer shall provide initial training by one hundred eighty days from the effective date for those employees covered by item (12)(a)(ii) on the standard's effective date and prior to the time of initial job assignment for those employees subsequently covered by this subsection.

(iv) The training program shall be repeated at least annually for each employee.

(v) The employer shall assure that each employee is informed of the following:

(A) The content of this standard and its appendices;

(B) The specific nature of the operations which could result in exposure to lead above the action level;

(C) The purpose, proper selection, fitting, use, and limitations of respirators;

(D) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females);

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

(F) The contents of any compliance plan in effect; and

(G) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician.

(b) Access to information and training materials.

(i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

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

(iii) In addition to the information required by item (12)(a)(v), the employer shall include as part of the training program, and shall distribute to employees, any materials pertaining to the Occupational Safety and Health Act, the regulations issued pursuant to the act, and this lead standard, which are made available to the employer by the director.

(13) Signs.

(a) General.

(i) The employer may use signs required by other statutes, regulations or ordinances in addition to, or in combination with, signs required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign required by this subsection which contradicts or detracts from the meaning of the required sign.

(b) Signs.

(i) The employer shall post the following warning signs in each work area where the PEL is exceeded:

**WARNING
LEAD WORK AREA
POISON
NO SMOKING OR EATING**

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(14) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required in subsection (4) of this section.

(ii) This record shall include:

(A) The date(s), number, duration, location and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The type of respiratory protective devices worn, if any;

(D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) the environmental variables that could affect the measurement of employee exposure.

(iii) The employer shall maintain these monitoring records for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (10) of this section.

(ii) This record shall include:

(A) The name, social security number, and description of the duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to lead.

(iii) the employer shall keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (10) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information; and

(C) A copy of the results of biological monitoring.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least forty years, or for the duration of employment plus twenty years, whichever is longer.

(c) Medical removals.

(i) The employer shall establish and maintain an accurate record for each employee removed from current exposure to lead pursuant to subsection (11) of this section.

(ii) Each record shall include:

(A) The name and social security number of the employee;

(B) The date on each occasion that the employee was removed from current exposure to lead as well as the corresponding date on which the employee was returned to his or her former job status;

(C) A brief explanation of how each removal was or is being accomplished; and

(D) A statement with respect to each removal indicating whether or not the reason for the removal was an elevated blood lead level.

(iii) The employer shall maintain each medical removal record for at least the duration of an employee's employment.

(d) Availability.

(i) The employer shall make available upon request all records required to be maintained by subsection (14) of this section to the director for examination and copying.

(ii) ~~((Upon request, the employer shall make environmental monitoring, biological monitoring, and medical removal records available to affected employees, former employees or their authorized employee representatives for inspection and copying.))~~ Environmental monitoring, medical removal, and medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Medical removal records shall be provided in the same manner as environmental monitoring records.

(iii) Upon request, 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.

(e) 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 (14) of this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section 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 requested within the period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(15) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to lead conducted pursuant to subsection (4) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to lead requires entry into an area where the use of respirators, protective clothing or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing and such equipment, and shall require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of lead performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(16) Effective date. This standard shall become effective thirty days after filing with the code reviser.

(17) Appendices. The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation. Appendices are available from:

The Technical Services Section
Division of Industrial Safety and Health
P.O. Box 207
Olympia, WA 98504 (206)753-6381

(18) Startup dates. All obligations of this standard commence on the effective date except as follows:

(a) The initial determination under subdivision (4)(b) shall be made as soon as possible but no later than thirty days from the effective date.

(b) Initial monitoring under subdivision (4)(d) shall be completed as soon as possible but no later than ninety days from the effective date.

(c) Initial biological monitoring and medical examinations under subsection (10) shall be completed as soon as possible but no later than one hundred eighty days from the effective date. Priority for biological monitoring and medical examinations shall be given to employees whom the employer believes to be at greatest risk from continued exposure.

(d) Initial training and education shall be completed as soon as possible but no later than one hundred eighty days from the effective date.

(e) Hygiene and lunchroom facilities under subsection (9) shall be in operation as soon as possible but no later than one year from the effective year.

(f) Respiratory protection required by subsection (6) shall be provided as soon as possible but no later than the following schedule:

(i) Employees whose eight-hour TWA exposure exceeds $200 \mu\text{g}/\text{m}^3$ - on the effective date.

(ii) Employees whose eight-hour TWA exposure exceeds the PEL but is less than $200 \mu\text{g}/\text{m}^3$ - one hundred fifty days from the effective date.

(iii) Powered, air-purifying respirators provided under (6)(b)(ii) - two hundred ten days from the effective date.

(iv) Quantitative fit testing required under item (6)(c)(ii) - one year from effective date. Qualitative fit testing is required in the interim.

(g) Written compliance plans required by subdivision (5)(c) shall be completed and available for inspection and copying as soon as possible but no later than the following schedule:

(i) Employers for whom compliance with the PEL or interim level is required within one year from the effective date - six months from the effective date.

(ii) Employers in secondary smelting and refining, lead storage battery manufacturing, lead pigment manufacturing and nonferrous foundry industries - one year from the effective date.

(iii) Employers in primary smelting and refining industry - one year from the effective date from the interim level; five years from the effective date for PEL.

(iv) Plans for construction of hygiene facilities, if required - six months from the effective date.

(h) The permissible exposure limit in subsection (3) shall become effective one hundred fifty days from the effective date.

AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-62-07517 ASBESTOS. (1) Definitions. For the purpose of this section, (a) "Asbestos" means chrysotile, amosite, crocidolite, tremolite, anthophyllite, and actinolite.

(b) "Asbestos fibers" means asbestos fibers longer than 5 micrometers.

(2) Permissible exposure to airborne concentrations of asbestos fibers. (a) The 8-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed shall not exceed two fibers, longer than 5 micrometers, per cubic centimeter of air, as determined by the method prescribed in (5) of this section.

(b) Ceiling concentration. No employee shall be exposed at any time to airborne concentrations of asbestos fibers in excess of 10 fibers, longer than 5 micrometers, per cubic centimeter of air, as determined by the method prescribed in (5) of this section.

(3) Methods of compliance. (a) Engineering methods. (i) Engineering controls. Engineering controls, such as, but not limited to, isolation, enclosure, exhaust ventilation, and dust collection, shall be used to meet the exposure limits prescribed in (2) of this section.

(ii) Local exhaust ventilation. Local exhaust ventilation and dust collection systems shall be designed, constructed, installed, and maintained in accordance with the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1971, which is incorporated by reference herein.

(iii) Particular tools. All hand-operated and power-operated tools which may produce or release asbestos fibers in excess of the exposure limits prescribed in (2) of this section, such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust ventilation systems in accordance with (3)(a)(ii) of this section.

(b) Work practices. (i) Wet methods. Insofar as practicable, asbestos shall be handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers in excess of the exposure limits prescribed in (2) of this section, unless the usefulness of the product would be diminished thereby.

(ii) Particular products and operations. No asbestos cement, mortar, coating, grout, plaster, or similar material containing asbestos shall be removed from bags, cartons, or other containers in which they are shipped, without being either wetted, or enclosed, or ventilated so as to prevent effectively the release of airborne asbestos fibers in excess of the limits prescribed in (2) of this section.

(iii) Spraying, demolition, or removal. Employees engaged in the spraying of asbestos, the removal, or demolition of pipes, structures, or equipment covered or insulated with asbestos, and in the removal or demolition of asbestos insulation or coverings shall be provided with respiratory equipment in accordance with (4)(b)(iii) of this section and with special clothing in accordance with (4)(c) of this section.

(4) Personal protective equipment. (a) Compliance with the exposure limits prescribed by (2) of this section may not be achieved by the use of respirators or shift rotation of employees except:

(i) During the time period necessary to install the engineering controls and to institute the work practices required by (3) of this section.

(ii) In work situations in which the methods prescribed in (3) of this section are either technically not feasible or feasible to an extent insufficient to reduce the airborne concentrations of asbestos fibers below the limits prescribed by (2) of this section; or

(iii) In emergencies.

(iv) Where both respirators and personnel rotation are allowed by (4)(a)(i), (ii), or (iii) of this section, and both are practicable, personnel rotation shall be preferred and used.

(b) Where a respirator is permitted by (4)(a)(i), (ii), or (iii) of this section, it shall comply with the applicable provisions of chapter 296-24 WAC.

(i) Air purifying respirators. A reusable or single use air purifying respirator, or a respirator described in (4)(b)(ii) or (iii) of this section shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in (2) of this section, when the ceiling or the 8-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed no more than 10 times those limits.

(ii) Powered air purifying respirators. A full facepiece powered air purifying respirator, or a powered air purifying respirator, or a respirator described in (4)(b)(iii) of this section, shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in (2) of this section, when the ceiling or the 8-hour time-weighted average concentrations of asbestos fibers are

reasonably expected to exceed 10 times, but not 100 times, those limits.

(iii) Type "C" supplied-air respirators, continuous flow or pressure-demand class. A type "C" continuous flow or pressure-demand, supplied-air respirator shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in (2) of this section, when the ceiling or the 8-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed 100 times those limits.

(iv) Establishment of a respirator program. (A) The employer shall establish a respirator program in accordance with the requirements of chapter 296-24 WAC.

(B) No employee shall be assigned to tasks requiring the use of respirators if, based upon his most recent examination, an examining physician determines that the employee will be unable to function normally wearing a respirator, or that the safety or health of the employee or other employees will be impaired by his use of a respirator. Such employee shall be rotated to another job or given the opportunity to transfer to a different position whose duties he is able to perform with the same employer, in the same geographical area and with the same seniority, status, and rate of pay he had just prior to such transfer, if such a different position is available.

(c) Special clothing. The employer shall provide, and require the use of, special clothing, such as coveralls or similar whole body clothing, head coverings, gloves, and foot coverings for any employee exposed to airborne concentrations of asbestos fibers, which exceed the ceiling level prescribed in (2)(b) of this section.

(d) Change rooms: (i) At any fixed place of employment exposed to airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in (2) of this section, the employer shall provide change rooms for employees working regularly at the place.

(ii) Clothes lockers. The employer shall provide two separate lockers or containers for each employee, so separated or isolated as to prevent contamination of the employee's street clothes from his work clothes.

(iii) Laundering: (A) Laundering of asbestos contaminated clothing shall be done so as to prevent the release of airborne asbestos fibers in excess of the exposure limits prescribed in (2) of this section.

(B) Any employer who gives asbestos-contaminated clothing to another person for laundering shall inform such person of the requirement in (4)(d) of this section to effectively prevent the release of airborne asbestos fibers in excess of the exposure limits prescribed in (2) of this section.

(C) Contaminated clothing shall be transported in sealed impermeable bags, or other closed, impermeable containers, and labeled in accordance with (7)(b) of this section.

(5) Method of measurement. All determinations of airborne concentrations of asbestos fibers shall be made by the membrane filter method at 400-450 X (magnification) (4 millimeter objective) with phase contrast illumination.

(6) Monitoring. (a) Initial determinations. Every employer shall cause every place of employment where asbestos fibers are released to be monitored in such a way as to determine whether every employee's exposure to asbestos fibers is below the limits prescribed in (2) of this section. If the limits are exceeded, the employer shall immediately undertake a compliance program in accordance with (3) of this section.

(b) Personal monitoring. (i) Samples shall be collected from within the breathing zone of the employees, on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the 8-hour time-weighted average airborne concentrations and of the ceiling concentrations of asbestos fibers.

(ii) Sampling frequency and patterns. After the initial determinations required by (6)(a) of this section, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of employees. In no case shall the sampling be done at intervals greater than 6 months for employees whose exposure to asbestos may reasonably be foreseen to exceed the limits prescribed by (2) of this section.

(c) Environmental monitoring. (i) Samples shall be collected from areas of a work environment which are representative of the airborne concentrations of asbestos fibers which may reach the breathing zone of employees. Samples shall be collected on a membrane filter of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the 8-hour time-weighted average airborne concentrations and of the ceiling concentrations of asbestos fibers.

(ii) Sampling frequency and patterns. After the initial determinations required by (6)(a) of this section, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the employees. In no case shall sampling be at intervals greater than 6 months for employees whose exposures to asbestos may reasonably be foreseen to exceed the exposure limits prescribed in (2) of this section.

(d) Employee observation of monitoring. Affected employees, or their representatives, shall be given a reasonable opportunity to observe any monitoring required by this paragraph and shall have access to the records thereof.

(7) Caution signs and labels. (a) Caution signs. (i) Posting. Caution signs shall be provided and displayed at each location where airborne concentrations of asbestos fibers are reasonably expected to be released or where airborne concentrations of asbestos fibers may be in excess of the exposure limits prescribed in (2) of this section. Signs shall be posted at such a distance from such a location so that an employee may read the signs and take necessary protective steps before entering the area marked by the signs. Signs shall be posted at all approaches to areas containing airborne asbestos fibers.

(ii) Sign specifications. The warning signs required by (7)(a)(i) of this section shall conform to the requirements of 20" X 14" vertical format signs specified in WAC 296-24-14007(4) and to this subsection. The signs shall display the following legend in the lower panel, with letter sizes and styles of a visibility at least equal to that specified in this subdivision.

Legend	Notation
Asbestos _____	1" Sans Serif, Gothic or Block.
Dust Hazard _____	3/4" Sans Serif, Gothic or Block.
Avoid Breathing Dust _____	1/4" Gothic.
Wear Assigned Protective Equipment _____	1/4" Gothic.
Do Not Remain In Area Unless Your Work Requires It _____	1/4" Gothic.
Breathing Asbestos Dust May Be Hazardous To Your Health _____	14 point Gothic.

Spacing between lines shall be at least equal to the height of the upper of any two lines.

(b) Caution labels. (i) Labeling. Caution labels shall be affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, or to their containers, except that no label is required where asbestos fibers have been modified by a bonding agent, coating, binder, or other material so that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of asbestos fibers will be released.

(ii) Label specifications. The caution labels required by (7)(b)(i) of this section shall be printed in letters of sufficient size and contrast as to be readily visible and legible. The label shall state:

CAUTION

Contains Asbestos Fibers

Avoid Creating Dust

Breathing Asbestos Dust May Cause

Serious Bodily Harm

(8) Housekeeping. (a) Cleaning. All external surfaces in any place of employment shall be maintained free of accumulations of asbestos fibers.

(b) Waste disposal. Asbestos waste, scrap, debris, bags, containers, equipment, and asbestos-contaminated clothing, consigned for disposal, shall be collected and disposed of in sealed impermeable bags, or other closed, impermeable containers.

(c) Deterioration. Friable asbestos or friable asbestos containing material which has become damaged or deteriorated shall be contained, treated, or replaced.

(9) Recordkeeping. (a) Exposure records. Every employer shall maintain records of any personal or environmental monitoring required by (6) of this section. Records shall be maintained for a period of at least 20 years and shall be made available upon request to the Director of the Department of Labor and Industries.

(b) ~~(Employee access. Every employee and former employee shall have reasonable access to any record required to be maintained by (9)(a) of this section, which indicates the employee's own exposure to asbestos fibers.)~~ Access. Employee exposure records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC

296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(c) Employee notification. Any employee found to have been exposed at any time to airborne concentrations of asbestos fibers in excess of the limits prescribed in (2) of this section shall be notified in writing of the exposure as soon as practicable but not later than 5 days of the finding. The employee shall also be timely notified of the corrective action being taken.

(10) Medical examinations. (a) General. The employer shall provide or make available at his cost, medical examinations relative to exposure to asbestos required by this section.

(b) Preplacement. The employer shall provide or make available to each of his employees, within 30 calendar days following his first employment in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination, which shall include, as a minimum, a chest roentgenogram (posterior-anterior 14 x 17 inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV_{1.0}).

(c) Annual examinations. Every employer shall provide or make available on an annual basis, comprehensive medical examinations to each of his employees engaged in occupations exposed to airborne concentrations of asbestos fibers. Such annual examination shall include, as a minimum, a chest roentgenogram (posterior-anterior 14 x 17 inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV_{1.0}).

(d) Termination of employment. The employer shall provide, or make available, within 30 calendar days before or after the termination of employment of any employee engaged in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination which shall include, as a minimum, a chest roentgenogram (posterior-anterior 14 x 17 inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV_{1.0}).

(e) Recent examinations. No medical examination is required of any employee, if adequate records show that the employee has been examined in accordance with this subsection within the past 1-year period.

(f) Medical records. (i) Maintenance. Employers of employees examined pursuant to this subsection shall cause to be maintained complete and accurate records of all such medical examinations. Records shall be retained by employers for at least 20 years.

(ii) Access. ~~((The contents of the records of the medical examinations required by this paragraph shall be made available, for inspection and copying, to the director of the Department of Labor and Industries, the Assistant Secretary of Labor for Occupational Safety and Health, the director of NIOSH, to authorized physicians and medical consultants of either of them, and, upon the request of an employee or former employee, to his physician. Any physician who conducts a medical examination required by this subsection shall furnish to the employer of the examined employee all the information specifically required by this subsection and any other medical information related to occupational exposure to asbestos fibers.))~~ Records of the medical examinations required by this subsection shall be provided upon request to employees, designated representative and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. These records shall also be provided upon request to the Director of the Department of Labor and Industries. Any physician who conducts a medical examination required by this subsection shall furnish to the employer of the examined employee all the information specifically required by this subsection, and any other medical information related to occupational exposure to asbestos fibers.

AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-62-09011 OCCUPATIONAL NOISE EXPOSURE.

(1) Workers shall be protected against the effects of exposure to noise which exceeds the permissible noise exposure shown in Table 7 of this section.

(2) Permissible exposure limits. These permissible exposure limits refer to sound pressure levels that represent conditions under which it is believed that nearly all workers may be repeatedly exposed without adverse effect on their ability to hear and understand normal speech. The medical profession has defined hearing impairment as an average hearing threshold level in excess of 25 decibels (ANSI S3.6-1969) at

500, 1000, and 2000 Hz, and the limits which are given have been established to prevent a hearing loss in excess of this value. These values shall be used as a standard in the control of noise exposure.

TABLE 7
Permissible Noise Exposures

Duration per day Hours	Sound Level dBA
16	85
8	90
6	92
4	95
3	97
2	100
1-1/2	102
1	105
3/4	107
1/2	110
1/4	115*

*Ceiling Value: No exposure in excess of 115 dBA.

(3) Continuous or intermittent. The sound level shall be measured with a sound level meter, conforming as a minimum to the requirements of the American National Standards Institute ANSI A1.4 1971, Type 2, and set to an A-weighted slow meter response or with an audiodosimeter of equivalent accuracy and precision. The unit of measurement shall be decibels Re 20 micropascals A-weighted. Duration of exposure shall not exceed that shown in Table 7.

These values apply to total time of exposure per working day regardless of whether this is one continuous exposure or a number of short-term exposures but does not apply to impact or impulsive type of noises.

(4) Intermittent exposure. When the daily noise exposure is composed of two or more periods of noise exposure of different levels, their combined effect shall be considered, rather than the individual effect of each. If the sum of the following fractions:

$$\frac{C_1}{T_1} + \frac{C_2}{T_2} + \dots + \frac{C_n}{T_n}$$

exceeds unity, then, the mixed exposure shall be considered to exceed the permissible exposure limits, C₁ indicates the total time of exposure at a specified noise level, and T₁ indicates the total time of exposure permitted at that level. Noise exposures shall be established according to the criteria of Table 7.

(5) Impulsive or impact noise. Impulsive or impact noise shall be those variations in noise levels which involve maxima at intervals greater than one second. Where the intervals are less than (1) second, it shall be considered continuous. All impact and impulsive noise measurements should be made on the C-weighting network of a sound level meter in conjunction with an impact noise analyzer or oscilloscope. Exposure to impulsive or impact noise should not exceed 140 decibels peak sound pressure level (ceiling value).

(6) Methods of compliance. (a) When employees are subjected to sound levels exceeding those listed in Table 7, feasible administrative or engineering controls shall be utilized. To achieve compliance with these standards, the employer shall determine and implement feasible administrative or engineering controls. When administrative or engineering controls are not feasible to achieve full compliance, they shall nonetheless be used to reduce exposures to the lowest levels achievable by these controls.

(b) Upon request, the employer shall prepare and submit a written compliance plan to the director. This plan must include a description of the manner in which compliance will be achieved with respect to cited violations of WAC 296-62-09011(6)(a) and shall include proposed abatement methods, anticipated completion dates, and provision for progress reports to the department.

(c) Personal hearing protective equipment shall be provided at no cost to the employee and shall be used whenever the sound levels prescribed in subsections (3), (4), or (5) of this section are exceeded.

(i) The employer shall assure that personal protective equipment is worn by each affected employee.

(ii) Insert-type protectors, other than self-fitted malleable plugs, shall be individually fitted by a trained person.

(iii) Employees shall be instructed in the care and use of personal protective equipment.

(7) In all cases where the sound levels exceed the values shown in Table 7 of this section, it is recommended that workmen whose duties may subject them to these potentially harmful noise levels be provided

with an audiometric examination at the time of employment and at reasonable intervals thereafter not exceeding an 18-month period.

(8) Workmen employed in areas where the sound level is above the level deemed to be safe should cooperate in an audiometric testing program. Workmen shall be informed of the test results by an authorized person.

AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-62-14531 EXPOSURE TO COTTON DUST IN COTTON GINS. (1) Scope and Application. This section applies to the control of employee exposure to cotton dust in cotton gins.

(2) Definitions. For the purposes of this section:

(a) "Blow down" - the cleaning of equipment and surface 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.

(c) "Director" - The Director of the Department of Labor and Industries, or his designated representative.

(3) Work Practices. Each employer shall 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 written work practices program:

(a) General. (i) All surfaces shall be maintained as free as practicable of accumulations of cotton dust.

(ii) The employer shall inspect, clean, maintain and repair, all engineering control equipment, production equipment and ventilation systems including power sources, ducts, and filtration units of the equipment, and at a minimum, tape or cover leaks in valves, flashing, elbows, and bands on air lines.

(iii) 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 most effectively reduces exposure to the lowest level feasible.

(b) Specific. (i) Floors and other accessible surfaces contaminated with cotton dust may not be cleaned by the use of compressed air.

(ii) Cleaning of clothing with compressed air is prohibited.

(iii) Floor sweeping shall be performed by a vacuum or with methods designed to minimize dispersal of dust.

(iv) Compressed air "blow-down" cleaning shall be prohibited, except where alternative means are not 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.

(c) Work practice plan. A written work place plan shall be kept which shall list appropriate schedules for carrying out housekeeping operations, and for cleaning and maintaining dust collection equipment. The plan shall be made available for inspection by the Director.

(4) 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.

(b) Use of respirators. Respirators shall be used in the following circumstances:

(i) By workers identified by medical surveillance under subitem (5)(f)(i)(D) of this subsection; or

(ii) During operations such as maintenance and repair activities in which work practice controls are not feasible; or

(iii) In operations specified under subitem (3)(b)(iv) of this subsection.

(c) Availability upon request. Respirators shall be made available upon request, to any employee exposed to cotton dust.

(d) Respirator selection. (i) Where respirators are required under this section, the employer shall select, provide and assure the use of any respirator tested and approved for protection against dust by the National Institute Of Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(ii) Where respirators are required by this subsection, the employer shall provide either any NIOSH approved respirator or at the option of

each affected worker, a NIOSH approved powered air purifying respirator with a high efficiency filter.

(e) 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.

(f) 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, and 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.

(5) Medical Surveillance. (a) General. (i) Each employer who has an operating gin 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. For each ginning season, at the time of initial assignment, the employer shall provide each employee who is or may be exposed to cotton dust, with an opportunity for medical surveillance that shall include:

(i) A medical history;

(ii) The standardized questionnaire in Appendix B; and

(iii) A pulmonary function measurement, including a determination of forced vital capacity (FVC) and forced expiratory volume in 1 second (FEV₁), and the percentage that the measured values of FEV and FVC differ from the predicted values, using the standard tables in Appendix C. The predicted FEV₁ and FVC for blacks shall be multiplied by 0.85 to adjust for racial differences.

(iv) Based upon the questionnaire results, each employee shall be graded according to Schilling's byssinosis classification system.

(c) Mid-season retest. The determinations required under subsection (5)(b) of this section shall be made again for each employee after at least 14 days of employment and before the termination of employment for the season. The determinations shall be made following at least 24 hours or one working day after previous exposure to cotton dust. The pulmonary function tests shall be repeated during the shift, no sooner than four and no more than 10 hours after the beginning of the work shift; and, in any event, no more than one hour after cessation of exposure.

(d) Periodic examinations. (i) The employer shall provide the medical surveillance under this subsection (5) annually.

(ii) 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.

(iii) An employee whose FEV₁ is less than 60 percent of the predicted value shall be referred to a physician for a detailed pulmonary examination.

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

(iv) Information from previous medical examinations of the affected employee which is not readily available to the examining physician.

(f) Physician's written opinion. (i) The employer shall obtain and furnish the employee with a copy of the written opinion from the examining physician containing the following:

(A) The results of the medical examination and tests, including any determinations made under subitem (5)(d)(ii) of this section.

(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;

(D) The physician's recommendations for the employee's use of a respirator where dust effects could be suppressed by respirator use;

(E) 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 diagnosis unrelated to occupational exposure.

(g) Spanish speaking employees. An employer whose workforce consists of a significant percentage of Spanish speaking workers who cannot communicate effectively in English, shall provide bilingual administration of the medical surveillance requirements, including use of the Spanish questionnaire provided in Appendix B.

(h) Nonduplication of medical surveillance. (i) During any one ginning season, an employer is not required to provide medical surveillance as described in subsection (5) of this section for any employee who can demonstrate that both the background medical surveillance and the mid-season retest required by subsection (5) of this section were administered during that ginning season while in the employment of another gin employer.

(ii) If an employee can demonstrate that the background medical surveillance has been administered but not the mid-season retest, the employer shall provide the mid-season medical retest of subdivision (5)(c) of this section, and comply with provisions of subdivision (5)(d)-(5)(f) of this section. Where the employer is administering only the mid-season retest, the employer shall provide the mid-season retest after at least 14 days of employment in his gin and before termination of employment for the season.

(iii) For purposes of this section, where the employer does not administer any medical surveillance, the employer shall be satisfied that an employee has undergone the medical surveillance required under subdivisions (5)(a) to (5)(c) of this section upon receipt of written notification from the employer who administered the test, or upon receipt by the physician supervising the program, of a copy of the results of medical surveillance.

(6) Employee Education and Training. (a) Training program. (i) Each employer who operates an active gin shall institute a training program for all his employees, prior to initial assignment, and shall assure that each employee is informed of the following:

(A) The specific nature of the operations which could result in exposure to cotton dust;

(B) The measures, including work practices, required by subsection (3) of this section, necessary to protect the employee from excess exposures;

(C) The purpose, proper use and limitations of respirators required by subsection (4) of this section;

(D) The purpose for and a description of the medical surveillance program required by subsection (5) 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.

(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) An employer whose workforce consists of a significant percentage of Spanish speaking employees who cannot communicate effectively in English shall provide bilingual administration of the provisions of this section.

(iv) In addition to the information required by subdivision (6)(a), the employer shall include as part of his training program and distribute to employees any materials pertaining to the Washington Industrial Safety and Health Act, the regulations issued pursuant to that Act, and to this cotton dust standard which are made available by the Director.

(7) Signs. (a) The employer shall post the following warning sign in each work area where there is potential exposure to cotton dust:

WARNING:

COTTON DUST WORK AREA
MAY CAUSE ACUTE OR DELAYED
LUNG INJURY (BYSSINOSIS).

(b) An employer whose workforce consists of a significant percentage of Spanish-speaking employees who cannot communicate effectively in English shall provide bilingual versions of the sign required by subdivision (7)(a) of this section.

(8) Recordkeeping. (a) Medical surveillance. (i) The employer shall establish and maintain an accurate medical record for each employee

subject to medical surveillance required by subsection (5) of this section.

(ii) The record shall include:

(A) The name, social security number and description of the duties of the employee;

(B) A copy of the medical surveillance 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) The type of protective devices worn, and length of time worn;

(F) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and its appendices for all employees: provided that he references the standard in the medical surveillance records of each employee.

(iii) The employer shall maintain this record for at least 10 years.

(b) Availability. (i) The employer shall make available upon request all records required to be maintained by subsection (8) of this section to the Director for examination and copying.

(ii) ~~((The employer shall make available an employee's medical records required by this section, for examination and copying, to the affected employee or former employee or to a physician or other individual designated by such affected employee or former employee.))~~ Employee medical records shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(c) 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 (8) 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.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(9) Effective Date. This ~~((emergency rule))~~ standard shall become effective ((immediately upon filing)) 30 days after it is filed with the Code Reviser.

(10) Appendices. Appendices to this section are found in the Federal Register, Vol. 43, No. 122, dated 6-23-78, and the corrections in Vol. 43, No. 153, dated 8-8-78; the contents of these appendices are mandatory. Appendices are available from:

The Technical Services Section
Division of Industrial Safety and Health
P.O. Box 207
Olympia, WA 98504 (206) 753-6381

AMENDATORY SECTION (Amending Order 77-14, filed 7/25/77)

WAC 296-62-20023 RECORDKEEPING. (1) Exposure Measurements. The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to coke oven emissions required in WAC 296-62-20007.

(a) This record shall include:

(i) Name, social security number, and job classification of the employees monitored;

(ii) The date(s), number, duration and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(iii) The type of respiratory protective devices worn, if any;

(iv) A description of the sampling and analytical methods used and evidence of their accuracy; and

(v) The environment variables that could affect the measurement of employee exposure.

(b) The employer shall maintain this record for at least 40 years or for the duration of employment plus 20 years, whichever is longer.

(2) Medical Surveillance. The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by WAC 296-62-20017.

(a) The record shall include:

(i) The name, social security number, and description of duties of the employee;

(ii) A copy of the physician's written opinion;

(iii) The signed statement of any refusal to take a medical examination under WAC 296-62-20017; and

(iv) Any employee medical complaints related to exposure to coke oven emissions.

(b) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(i) A copy of the medical examination results including medical and work history required under WAC 296-62-20017;

(ii) A description of the laboratory procedures used and a copy of any standards or guidelines used to interpret the test results;

(iii) The initial x-ray;

(iv) The x-rays for the most recent 5 years;

(v) Any x-ray with a demonstrated abnormality and all subsequent x-rays;

(vi) The initial cytologic examination slide and written description;

(vii) The cytologic examination slide and written description for the most recent 10 years; and

(viii) Any cytologic examination slides with demonstrated atypia, if such atypia persists for 3 years, and all subsequent slides and written descriptions.

(c) The employer shall maintain medical records required under subsection (2) of this section for at least 40 years, or for the duration of employment plus 20 years, whichever is longer.

(3) Availability. (a) The employer shall make available upon request all records required to be maintained by this section to the director for examination and copying.

(b) ~~((The employer shall make available upon request records of employee exposure measurements required by subsection (1) of this section for inspection and copying to affected employees, former employees, and their designated representatives.))~~ Employee exposure measurement records and employee medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(c) The employer shall make available upon request employee medical records required to be maintained by subsection (2) of this section to a physician designated by the affected employee or former employee.

(4) Transfer of Records. (a) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section.

(b) 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 by registered mail to the director.

(c) At the expiration of the retention period for the records required to be maintained under subsections (1) and (2) of this section, the employer shall transmit these records by registered mail to the director or shall continue to retain such records.

(d) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

NEW SECTION

WAC 296-78-500 FORWARD. (1) General requirements. The chapter 296-78 WAC shall apply to and include safety requirements for all installations where the primary manufacturing of wood building products takes place. The installations may be a permanent fixed establishment or a portable operation. These operations shall include but are not limited to log and lumber handling, sawing, trimming and planing, plywood or veneer manufacturing, canting operations, waste or residual handling, operation of dry kilns, finishing, shipping, storage, yard and yard equipment, and for power tools and affiliated equipment used in connection with such operation. WAC 296-78-450 shall apply to shake and shingle manufacturing. The provisions of WAC 296-78-005 through 296-78-430 are also applicable in shake and shingle manufacturing except in instances of conflict with the requirements of WAC 296-78-450. (Rev. 1-28-76).

(2) This standard shall augment the Washington State General Safety and Health Standards, General Occupational Health Standards, Electrical Workers Safety Rules, and any other standards which are applicable to all industries governed by chapter 80, Laws of 1973, Washington Industrial Safety and Health Act. In the event of any conflict between any portion of this chapter and any portion of any of

the general application standards, the provisions of this chapter 296-78 WAC, shall apply.

(3) In exceptional cases where compliance with specific provisions of this chapter can only be accomplished to the serious detriment and disadvantage of an operation, variance from the requirement may be permitted by the director of the Department of Labor and Industries after receipt of Application for Variance which meets the requirements of WAC 296-24-010, General Safety and Health Standards.

(4) No safety program will run itself. To be successful, the whole-hearted interest of the employees' group (labor unions) and management must not only be behind the program, but the fact must also be readily apparent to all.

NEW SECTION

WAC 296-78-505 DEFINITIONS APPLICABLE TO THIS CHAPTER. (1) "A-frame" means a structure made of two independent columns fastened together at the top and separated at the bottom for stability.

(2) "Annealing" heating then cooling to soften and render less brittle.

(3) "Binder" a hinged lever assembly used to connect the ends of a wrapper to tighten the wrapper around the load of logs or materials.

(4) "Boom" logs or timbers fastened together end to end and used to contain floating logs. The term includes enclosed logs.

(5) "Brow log" a log placed parallel to a roadway at a landing or dump to protect vehicles while loading or unloading.

(6) "Bunk" a cross support for a load.

(7) "Cant" a log slabbed on one or more sides.

(8) "Carriage" (log carriage) a framework mounted on wheels which runs on tracts or in grooves in a direction parallel to the face of the saw, and which contains apparatus to hold a log securely and advance it toward the saw.

(9) "Carrier" an industrial truck so designed and constructed that it straddles the load to be transported with mechanisms to pick up the load and support it during transportation.

(10) "Chipper" a machine which cuts material into chips.

(11) "Chock", "bunk block", and "cheese block" a wedge that prevents logs or loads from moving.

(12) "Cold deck" a pile of logs stored for future removal.

(13) "Crotch lines" two short lines attached to a hoisting line by a ring or shackle, the lower ends being attached to loading hooks.

(14) "Dog" (carriage dog) a steel tooth or assembly of steel teeth, one or more of which are attached to each carriage knee to hold log firmly in place on carriage.

(15) "Drag saw" a power-driven, reciprocating cross-cut saw mounted on suitable frame and used for bucking logs.

(16) "Head block" that part of a carriage which holds the log and upon which it rests. It generally consists of base, knee, taper set, and mechanism.

(17) "Head rig" a combination of head saw and log carriage used for the initial breakdown of logs into timbers, cants, and boards.

(18) "Hog" a machine for cutting or grinding slabs and other coarse residue from the mill.

(19) "Husk" a head saw framework on a circular mill.

(20) "Industrial truck" a mobile, power-driven vehicle used to carry, push or pull material. It is designed for "in-plant" or "on-site" use rather than highway use.

(21) "Kiln tender" the operator of a kiln.

(22) "Lift truck" an industrial truck used for lateral transportation and equipped with a power-operated lifting device, usually in the form of forks, for piling or unpling lumber units or packages.

(23) "Live rolls" cylinders of wood or metal mounted on horizontal axes and rotated by power, which are used to convey slabs, lumber, and other wood products.

(24) "Loading boom" any structure projecting from a pivot point and intended to be used for lifting and guiding loads for the purpose of loading or unloading.

(25) "Log" a portion of a tree, usually a minimum of twelve feet in length, capable of being further processed into a variety of wood products.

(26) "Log deck" a platform in the sawmill on which the logs remain until needed for sawing.

(27) "Log haul" a conveyor for transferring logs to mill.

(28) "Lumber dimensions" the nominal size of surfaced lumber, unless otherwise stated.

(29) "Lumber hauling truck" an industrial truck, other than a lift truck or a carrier, used for the transport of lumber.

(30) "Package" a unit of lumber.

(31) "Peavy" a stout wooden handle fitted with a spike and hook and used for rolling logs.

(32) "Peeler block" a portion of a tree usually bucked in two foot intervals plus trim, to be peeled in a lathe or sliced in a slicer into veneer for further processing into plywood.

(33) "Pike pole" a long pole whose end is shod with a sharp pointed spike.

(34) "Pitman rod" connecting rod.

(35) "Resaw" band, circular, or sash gang saws used to break down slabs, cants, or flitches into lumber.

(36) "Running line" any moving rope as distinguished from a stationary rope such as a guylines.

(37) "Safety factor" a calculated reduction factor which may be applied to laboratory test values to obtain safe working stresses for wooden beams and other mechanical members; ratio of breaking load to safe load.

(38) "Saw guide" a device for steadying a circular or bandsaw.

(39) "Setwork" a mechanism on a sawmill carriage which enables an operator to move the log into position for another cut.

(40) "Sorting gaps" the areas on a log pond enclosed by boom sticks into which logs are sorted.

(41) "Spreader wheel" a metal wheel that separates the board from the log in back of circular saws to prevent binding.

(42) "Splitter" a knife-type, nonrotating spreader.

(43) "Sticker" a strip of wood or other material used to separate layers of lumber.

(44) "Stiff boom" the anchored, stationary boom sticks which are tied together and on which boom persons work.

(45) "Swifter" is a tying of boom sticks together to prevent them from spreading while being towed.

(46) "Telltale" a device used to serve as a warning for overhead objects.

(47) "Top saw" the upper of two circular saws on a head rig, both being on the same husk.

(48) "Tramway" a way for trams, usually consisting of parallel tracks laid on wooden beams.

(49) "Trestle" a braced framework of timbers, piles or steelwork for carrying a road or railroad over a depression.

(50) "Wrapper" a chain, strap or wire rope assembly used to contain a load of logs or materials.

NEW SECTION

WAC 296-78-510 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 Industrial Safety and Health or by statute.

NEW SECTION

WAC 296-78-515 MANAGEMENT'S RESPONSIBILITY. (1) It shall be the responsibility of management to establish and supervise:

(a) A safe and healthful working environment.

(b) An accident prevention program as required by these standards.

(c) Training programs to improve the skill and competency of all employees in the field of occupational safety and health. Such training shall include the on-the-job instructions on the safe use of powered materials handling equipment, machine tool operations, use of toxic materials and operation of utility systems prior to assignments to jobs involving such exposures.

(2) Management shall not assign mechanics, millwrights, or other persons to work on equipment by themselves when there is a probability that the person could fall from elevated work locations or equipment or that a person could be pinned down by heavy parts or equipment so that they could not call for or obtain assistance if the need arises.

NOTE: This subsection does not apply to operators of motor vehicles, watchmen or certain other jobs which, by their nature, are singular employee assignments. However, a definite procedure for checking the welfare of all employees during their working hours shall be instituted and all employees so advised.

(3) After the emergency actions following accidents that cause serious injuries that have immediate symptoms, a preliminary investigation of the cause of the accident shall be conducted. The investigation

shall be conducted by a person designated by the employer, the immediate supervisor of the injured employee, witnesses, employee representative if available and any other person with the special expertise required to evaluate the facts relating to the cause of the accident. The findings of the investigation shall be documented by the employer for reference at any following formal investigation.

(4) Reporting of fatality or multiple hospitalization accidents.

(a) Within twenty-four hours after the occurrence of an employment accident which results in an immediate or probable fatality(s) or which results in the hospitalization of two or more employees, the employer of any employee so injured or killed shall report the accident, either orally or in writing, to the nearest office of the department. The reporting may be by telephone or telegraph. The reporting shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries. The director may require such additional reports, in writing or otherwise, as he deems necessary, concerning the accident.

(b) Equipment involved in an accident resulting in an immediate or probable fatality, shall not be moved, until a representative of the Division of Industrial Safety and Health investigates the accident and releases such equipment, except where removal is essential to prevent further accident. Where necessary to remove the victim, such equipment may be moved only to the extent of making possible such removal.

(c) Upon arrival of Division of Industrial Safety and Health investigator, employer shall assign to assist the investigator, the immediate supervisor and all employees who were witnesses to the accident, or whoever the investigator deems necessary to complete his investigation.

(5) A system for maintaining records of occupational injuries and illnesses as prescribed by chapter 296-27 WAC.

NOTE: Recordable cases include:

- (1) Every occupational death.
- (2) Every industrial illness.
- (3) Every occupational injury that involves one of the following:
 - (a) Unconsciousness.
 - (b) Inability to perform all phases of regular job.
 - (c) Inability to work full time on regular job.
 - (d) Temporary assignment to another job.
 - (e) Medical treatment beyond first-aid.

All employers with eleven or more employees shall record occupational injury and illness information on forms OSHA 101 - Supplementary Record Occupational Injuries and Illnesses and OSHA 200 - Log and Summary. Forms other than OSHA 101 may be substituted for the Supplementary Record of Occupational Injuries and Illnesses if they contain the same items.

NEW SECTION

WAC 296-78-520 EMPLOYEE'S RESPONSIBILITY. (1) Employees shall coordinate and cooperate with all other employees in an attempt to eliminate accidents.

(2) Employees shall study and observe all safe practices governing their work.

(3) Employees should offer safety suggestions, wherein such suggestions may contribute to a safer work environment.

(4) Employees shall apply the principles of accident prevention in their daily work and shall use proper safety devices and protective equipment as required by their employment or employer.

(5) Employees shall properly care for all personal protective equipment.

(6) Employees shall make a prompt report to their immediate supervisor, of each industrial injury or occupational illness, regardless of the degree of severity.

(7) Employees shall not wear torn or loose clothing while working around machinery.

NEW SECTION

WAC 296-78-525 ACCIDENT PREVENTION PROGRAMS. Each employer shall develop a formal accident-prevention program, tailored to the needs of the particular plant or operation and to the type of hazards involved. The division may be contacted for assistance in developing appropriate programs.

(1) The following are the minimal program elements for all employers:

(a) A safety orientation program describing the employer's safety program and including:

(i) How and when to report injuries, including instruction as to the location of first-aid facilities.

(ii) How to report unsafe conditions and practices.

(iii) The use and care of required personal protective equipment.

(iv) The proper actions to take in event of emergencies including the routes of exiting from areas during emergencies.

(v) Identification of the hazardous gases, chemicals or materials involved along with the instructions on the safe use and emergency action following accidental exposure.

(vi) A description of the employers total safety program.

(vii) An on-the-job review of the practices necessary to perform the initial job assignments in a safe manner.

(b) A designated safety and health committee consisting of management and employee representatives with the employee representatives being elected or appointed by fellow employees.

(2) Each accident-prevention program shall be outlined in written format.

NEW SECTION

WAC 296-78-530 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-selected 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 meetings.

(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 conditions involved was properly identified and corrected.

(c) An evaluation of the accident or illness prevention program with the discussion of recommendation 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, however, if conditions require, weekly or semimonthly meetings shall be held to discuss safety problems as they arise.

(b) All items under subsection (5) of this section shall be covered.

NEW SECTION

WAC 296-78-535 SAFETY BULLETIN BOARD. There shall be installed and maintained in every fixed establishment, a safety bulletin board sufficient in size to display and post safety bulletins, newsletters, posters, accident statistics and other safety educational material. It is recommended that safety bulletin boards be painted green and white.

NEW SECTION

WAC 296-78-540 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 purpose 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 (such as occurs in construction, logging, etc.). In emergencies, foremen will be permitted to work up to thirty 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 if 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 groups. Foremen, supervisors or persons in direct charge of a group or groups of employees will be permitted to work up to thirty days without having the required certificate, providing an employee in the crew or another foreman in the immediate 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 certificate, 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;
- (iii) First-aid kits shall be available and maintained as required by WAC 296-24-065.

(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 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) 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.

(5) 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 tracks, 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.

NEW SECTION

WAC 296-78-545 FIRST-AID KIT. (1) All employers who employ men and women covered by the Industrial Safety and Health Act shall furnish first-aid kits as required by the Division of Industrial Safety and Health, Department of Labor and Industries, (RCW 51.36.030).

(2) First-aid supplies shall be readily accessible when required.

(3) In the absence of readily accessible first-aid supplies such as first-aid kits, first-aid stations, first-aid rooms or their equivalent, all crew trucks, power shovels, cranes, locomotives, loaders, dozers, logging trucks, speeders, freight trucks and similar equipment shall be equipped with not less than a ten package first-aid kit.

(4) All crew vehicles used for transporting workers shall be equipped with not less than a ten package first-aid kit. When more than five employees are being transported on any one trip, the kit shall be increased in size to comply with a 16, 24, or 36-package kit depending upon the number of personnel normally being transported.

(5) At least one first-aid kit shall be available on construction jobs, line crews, and other transient or short duration jobs. The size and quantity of first-aid kits, required to be located at any site, shall be determined by the number of personnel normally dependent upon each kit as outlined in the following table:

NUMBER OF PERSONNEL NORMALLY ASSIGNED TO WORKSITE	MINIMUM FIRST AID SUPPLIES REQUIRED AT WORKSITE
1 - 50 persons	First Aid Kit
1 - 5	10 package kit
6 - 15	16 package kit
16 - 30	24 package kit
31 - 50	36 package kit
51 - 200 persons	First Aid Station
51 - 75	One 36 and one 10 package kit
76 - 100	One 36 and one 16 package kit
101 - 150	One 36 and one 24 package kit
151 - 200	Two 36 package kits
Over 200 Persons	First Aid Room
	Refer to WAC 296-24-070

(6) Employers shall establish a procedure to assure that first-aid kits and required contents are maintained in a serviceable condition.

(7) First-aid kits shall contain at least the following items:

10 Package Kit

- 1 Pkg. Adhesive bandages, 1" (16 per pkg.)
- 1 Pkg. Bandage Compress, 4" (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 1 Pkg. Triangular bandage, 40" (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 5 Pkgs. of consulting physician's choice**

16 Package Kit

- 1 Pkg. Absorbent gauze, 24" x 72" (1 per pkg.)
- 1 Pkg. Adhesive bandages, 1" (16 per pkg.)
- 2 Pkgs. Bandage compresses, 4" (1 per pkg.)
- 1 Pkg. Eye dressing (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 2 Pkgs. Triangular bandages, 40" (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 7 Pkgs. of consulting physician's choice**

24 Package Kit

- 2 Pkgs. Absorbent gauze, 24" x 72" (1 per pkg.)
- 2 Pkgs. Adhesive bandages, 1" (16 per pkg.)
- 2 Pkgs. Bandage compresses, 4" (1 per pkg.)
- 1 Pkg. Eye dressing (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 6 Pkgs. Triangular bandages (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 9 Pkgs. of consulting physician's choice**

36 Package Kit

- 4 Pkgs. Absorbent gauze, 24" x 72" (1 per pkg.)
- 2 Pkgs. Adhesive bandages, 1" (16 per pkg.)
- 5 Pkgs. Bandage compresses, 4" (1 per pkg.)
- 2 Pkgs. Eye dressing (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 8 Pkgs. Triangular bandages, 40" (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 13 Pkgs. of consulting physician's choice**

*Scissors shall be capable of cutting 2 layers of 15 oz. cotton cloth or its equivalent.

**First-aid kits shall be maintained at the ten, sixteen, twenty-four or thirty-six package level. In the event the consulting physician chooses not to recommend items, the Department of Labor and Industries shall be contacted for recommended items to complete the kit.

(8) Where the eyes or body of any person may be exposed to injurious chemicals and/or materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided, within the work area, for immediate emergency use.

(9) When practical, a poster shall be fastened and maintained either on or in the cover of each first-aid kit and at or near all phones plainly stating, the phone numbers of available doctors, hospitals, and ambulance services within the district of the worksite.

(10) When required by the department, in addition to the first-aid kit which must be kept on the equipment or at the place of work, there shall be available within the closest practicable distance from the operations (not to exceed one-half mile) the following items:

- 1 set of arm and leg splints.
- 2 all wool blankets or blankets equal in strength and fire resistant (properly protected and marked).
- 1 stretcher.

NEW SECTION

WAC 296-78-550 FIRST-AID STATION. (1) First-aid stations shall be located as close as practicable to the highest concentration of personnel.

(2) First-aid stations shall be well marked and available to personnel during all working hours.

(3) One person holding a valid first-aid certificate shall be responsible for the proper use and maintenance of the first-aid station.

(4) First-aid stations shall be equipped with a minimum of two first-aid kits, the size of which shall be dependent upon the number of personnel normally employed at the worksite. One first-aid kit may be a permanent wall-mounted kit, but in all cases the station shall be equipped with at least one portable first-aid kit.

(5) When required by the department, the station shall be equipped with two wool blankets and a stretcher in addition to first-aid kits.

(6) A roster, denoting the telephone numbers and addresses of doctors, hospitals and ambulance services available to the worksite, shall be posted at each first-aid station.

NEW SECTION

WAC 296-78-555 FIRST-AID ROOM. (1) Every fixed establishment employing more than two hundred persons shall have a first-aid room plainly designated as such, located as close as possible to the heaviest concentrated work area.

(2) The first-aid room shall be well lighted and ventilated, kept clean and orderly, provided with hot and cold running water, and maintained in a fully-equipped condition.

(3) The first-aid room shall be manned and maintained by:

- (a) A licensed physician; or
- (b) A licensed or registered nurse; or
- (c) An employee who:

(i) Holds a valid advanced first-aid certificate as recognized by the department,

(ii) works in the vicinity of the first-aid room, and

(iii) does not perform other work of the nature that is likely to affect adversely her/his ability to administer first-aid.

(4) First-aid rooms shall be equipped with items recommended by the consulting physician or plant medical officer and, as a minimum, should contain an adequate supply of the following:

- Antiseptic soap
- 3/4" or 1" adhesive compresses
- Adhesive knuckle bands
- 2" Bandage compresses
- 4" Bandage compresses
- 3" x 3" gauze pads
- Assorted sizes of large gauze pads
- 2" roller bandages
- 3" roller bandages
- 4" roller bandages
- Assorted adhesive tape rolls
- Eye dressings
- Ammonia inhalants
- Burn ointment
- Triangular bandages
- Scissors, forceps, razor and blades, medicine droppers
- Safety pins
- Drinking cups
- Rubbing alcohol
- Absorbent cotton
- Arm and leg splints
- Antidotes for specific industrial poisons
- Pressure points chart
- Stretcher
- Wool blankets and clean linen
- Hot water bottles
- Quick colds or ice bag
- Emergency first-aid kit
- A method of sterilizing instruments

(5) A poster shall be maintained on, or in the cover of, each first-aid cabinet and near each first-aid room phone. Such poster will state phone numbers of available doctors, hospitals, and ambulance services within the employer's district.

NEW SECTION

WAC 296-78-560 SAFE PLACE STANDARDS. (1) Each employer shall furnish to each of his employees a place of employment free from recognized hazards that are causing or likely to cause serious injury or death to his employees.

(2) Every employer shall furnish and use safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are reasonably adequate to render such employment and place of employment safe. Every employer shall do every other thing reasonably necessary to protect the life and safety of employees.

(3) No employer shall require any employee to go or be in any employment or place of employment which is not safe.

(4) No employer shall fail or neglect:

(a) To provide and use safety devices and safeguards.

(b) To adopt and use methods and processes reasonably adequate to render the employment and place of employment safe.

(c) To do every other thing reasonably necessary to protect the life and safety of employees.

(5) No employer, owner, or lessee of any real property shall construct or cause to be constructed any place of employment that is not safe.

(6) No person shall do any of the following:

(a) Remove, displace, damage, destroy or carry off any safety device, safeguard, notice, or warning, furnished for use in any employment or place of employment.

(b) Interfere in any way with the use thereof by any other person.

(c) Interfere with the use of any method or process adopted for the protection of any employee, including himself, in such employment, or place of employment.

(d) Fail or neglect to do every other thing reasonably necessary to protect the life and safety of employees.

(e) Intoxicating beverages and narcotics shall not be permitted or used in or around work sites. Workers under the influence of alcohol or narcotics shall not be permitted on the work site. This rule does not apply to persons taking prescription drugs and/or narcotics as directed by a physician providing such use shall not endanger the worker or others.

NEW SECTION

WAC 296-78-565 LOG DUMPS AND PONDS—HEAD-MILLS.

NEW SECTION

WAC 296-78-56501 LOG DUMPS AND PONDS. (1) Log dumps, booms, ponds or storage areas, if used at night, shall be illuminated in accordance with the requirements of WAC 296-62-093, General Occupational Health Standards.

(2) A log dump shall be constructed at each log pond or decking ground. Log trucks shall not be unloaded by use of peavies or by hand.

(a) The roadbed shall be of hard packed gravel, heavy planking or equivalent material and shall be maintained at all times. Roadbeds at log dumps shall be of width and evenness to insure safe operation of equipment.

(b) A mechanical unloading device shall be provided and used for unloading logs. Log unloading areas shall be arranged and maintained to provide a safe working area.

(c) Signs prohibiting unauthorized foot or vehicle traffic in log unloading and storage areas shall be posted.

(d) At no time shall one person be permitted to work alone on a log dump, a booming or rafting grounds, or a log pond.

(3) Water log dumps. Ungrounded electrically powered hoists using handheld remote control in grounded locations, such as log dumps or mill log lifts, shall be actuated by circuits operating at less than 50 volts to ground.

(4)(a) A brow log, skid timbers or the equivalent shall be installed on all log dumps.

(b) Where logs are unloaded onto skids, sufficient space shall be provided between the top of the skids and the ground to accommodate the body of a person.

(c) All truck dumps shall be built with not more than six inches variation of level from side to side.

(5)(a) All truck log dumps shall be equipped with a positive safeguard to prevent logs from leaving the load on the side opposite the brow log. Jill pokes shall not be used on truck log dumps.

(b) Unloading lines shall be attached and tightened or other positive safeguard in place before binder chains are released at any log dump.

(c) Stakes and chocks which trip shall be constructed in such manner that the tripping mechanism that releases the stake or chocks is activated at the opposite side of the load being tripped.

(d) Binders shall be released only from the side on which the unloader operates, except when released by remote control devices or except when person making release is protected by racks or stanchions or other equivalent means.

(e) Loads on which a binder is fouled by the unloading machine shall have an extra binder or metal band of equal strength placed around the load, or the load shall be otherwise secured so that the fouled binder can be safely removed.

(f) Unloading lines, crotch lines, or equally effective means shall be arranged and used in a manner to minimize the possibility of any log swinging or rolling back.

(6)(a) In unloading operations, the operator of unloading machine shall have an unobstructed view of the vehicle and the logs being unloaded.

(b) Unloading lines shall be arranged so that it is not necessary for the employees to attach them from the pond or dump site of the load except when entire loads are lifted from the log-transporting vehicle.

(7) All log dumps shall be kept reasonably free of bark and other debris.

(8) Employees shall remain in the clear until all moving equipment has come to a complete stop.

(9) Artificial log ponds subject to unhealthy stagnation shall be drained, cleansed, and water changed at least once every six months.

(10) All employees whose regular work requires walking on logs shall wear spiked or calked shoes, except when working in snow.

(11) Employees working on, over or along water, where the danger of drowning exists, shall be provided with and shall wear approved personal flotation devices.

(a) Employees are not considered exposed to the danger of drowning:

(i) When working behind standard height and strength guardrails;

(ii) When working inside operating cabs or stations which eliminate the possibility of accidentally falling into the water;

(iii) When wearing approved safety belts with lifeline attached so as to preclude the possibility of falling into the water.

(b) Prior to and after each use, personal floating devices shall be inspected for defects which would reduce their designed effectiveness. Defective personal flotation devices shall not be used.

(c) To meet the approved criteria required by subsection (11) of this subsection, a personal flotation device shall be approved by the United States Coast Guard as a Type I PFD, Type II PFD, Type III PFD, or Type V PFD, or their equivalent, pursuant to 46 CFR 160 (Coast Guard Lifesaving Equipment Specifications) and 33 CFR 175.23 (Coast Guard table of devices equivalent to personal flotation devices). Ski belt or inflatable type personal flotation devices are specifically prohibited.

(12)(a) Wooden pike poles shall be of continuous, straight grained No. 1 material. Defective poles, blunt or dull pikes shall not be used.

(b) Aluminum or other metal poles shall not be used where hazard of coming in contact with live electric wires exists.

(13)(a) Walkways and floats shall be provided and security anchored to provide safe passage for workers.

(b) Permanent cable swifters shall be so arranged that it will not be necessary to roll boom sticks in order to attach or detach them.

(c) Inspection of cable or dogging lines shall be made as necessary to determine when repair or removal from service is necessary.

(14)(a) Decks of floats or other walkways shall be kept above the waterline at all times and shall be capable of supporting four times the load to be imposed.

(b) Floating donkeys or other power-driven machinery used on booms shall be placed on a raft or float with enough buoyancy to keep the deck above water.

(15)(a) All regular boom sticks and foot logs shall be reasonably straight, have all protruding knots and bark removed, and shall be capable of supporting above the waterline at either end, any necessary weight of workers and equipment.

(b) Stiff booms shall be two float logs wide secured by boom chains or other connecting devices, and of a width adequate for the working needs. Walking surfaces shall be free of loose material and maintained in good repair.

(c) Boom sticks shall be fastened together with crossties or couplings.

NEW SECTION

WAC 296-78-56503 (1) Every log haul used as a walkway shall have at least one walkway with standard railing to enable workers to stand clear of the logs in the chute. Cleats shall be installed to provide safe footing on sloping walkways.

(2) Workers shall not stand under or dangerously near to logs that are being hoisted vertically to the log deck.

(3)(a) Log haul gears and bull chain drive mechanism shall be adequately guarded for the protection of employees.

(b) Log haul bull chains or cable shall be designed, installed, and maintained to provide a 4 to 1 safety factor for the intended load.

(c) Troughs for the return strand of log haul chains shall be provided over passageways.

(d) Overhead protection shall be provided for employees working below logs being moved to the log deck.

(4) Log haul controls shall be arranged to operate from a position where the operator will at all times be in the clear of logs, machinery lines and rigging. Such controls shall operate mechanism only when moved toward the log slip or deck.

(5) Where possible an automatic stop shall be installed on all log hauls. A positive stop shall be installed on all log hauls to prevent logs from traveling too far ahead in the mill.

(6)(a) Slip persons shall handle pike poles in such manner as to be in the clear in case of a slip back.

(b) All sorting gaps shall have a stiff boom on each side.

(c) The banks of the log pond in the vicinity of the log haul shall be reinforced to prevent caving in.

NEW SECTION

WAC 296-78-56505 **BOATS AND MECHANICAL DEVICES ON WATERS.** (1) Prior to starting the boat motor, any spilled fuel shall be removed and vapors shall be exhausted from any area in which they may accumulate.

(2) The bilge area shall be kept clean and oil, grease, fuel, or highly combustible materials shall not be allowed to accumulate.

(3) Adequate ventilation equipment shall be provided and used for the bilge area to prevent the accumulation of toxic or explosive gases or vapors.

(4) Adequate ventilation equipment shall be provided and used for the cabin area on enclosed cabin-type boats to prevent an accumulation of harmful gases or vapors.

(5) Deck and cabin lighting shall be provided and used where necessary to provide safe levels of illumination aboard boats. Boats operated during the period from sunset to sunrise, or in conditions of restricted visibility, shall display navigation lights as required by the United States Coast Guard. Searchlights or floodlights shall be provided to facilitate safe navigation and to illuminate working or boarding areas adjacent to the craft.

(6) On craft used by workers wearing calked shoes, all areas where the operator or workers must stand or walk shall be made of or be covered with wood or other suitable matting or nonslip material and such covering shall be maintained in good condition.

(7) Each boat shall be provided with a fire extinguisher and life ring with at least fifty feet of one-fourth inch line attached. On log broncs, boom-scooters, or other small boomboats where all occupants are required to wear life saving devices and a life ring would present a tripping hazard, the life ring may be omitted.

(8)(a) Along docks, walkways, or other fixed installations on or adjacent to open water more than five feet deep, approved life rings with at least ninety feet of one-fourth inch line attached, shall be provided. The life rings shall be spaced at intervals not to exceed two hundred feet and shall be kept in easily visible and readily accessible locations.

(b) When employees are assigned work at other casual locations where exposure to drowning exists, at least one approved life ring with at least ninety feet of line attached, shall be provided in the immediate vicinity of the work assigned.

(c) When work is assigned over water where the vertical drop from the accidental fall would exceed fifty feet, special arrangements shall be made with and approved by the Department of Labor and Industries prior to such assignment.

(d) Lines attached to life rings on fixed locations shall be at least ninety feet in length, at least one-fourth inch in diameter, and have a minimum breaking strength of five hundred pounds. Similar lines attached to life rings on boats shall be at least fifty feet in length.

(e) Life rings must be United States Coast Guard approved thirty-inch size.

(f) Life rings and attached lines shall be maintained to retain at least seventy-five percent of their designed buoyancy and strength.

(g) Log broncs, boom-scooters, and boomboats shall not be loaded with personnel or equipment so as to adversely affect their stability or seaworthiness.

(h) Boats shall not be operated at an excessive speed or handled recklessly.

(i) Boat fuel shall be transported and stored in approved containers (Underwriters' Laboratories, Inc.).

NEW SECTION

WAC 296-78-56507 **LOG DECKS.** (1) Dry deck storage. (a) Dry deck storage areas shall be kept orderly and shall be maintained in a condition which is conducive to safe operation of mobile equipment.

(b) Logs shall be stored in stabilized piles, and roadways and traffic lanes shall be maintained at a width adequate for safe travel of log handling equipment.

(c) Logs shall be arranged to minimize the chance of accidentally rolling from the deck.

(2)(a) Employees shall not spool cable on winch or drums with their hands.

(b) Log wells shall be provided with safeguard to prevent logs from rolling back into well off log deck.

(3) Jump skids on log decks shall be installed in grooves in a manner that they cannot work out onto the carriage way.

(4)(a) Log decks shall be provided with effective means to prevent logs from accidentally rolling down the deck onto the carriage or its runway.

(b) Swing saws. Swing saws on log decks shall be equipped with a barricade and stops for protection of employees who may be on the opposite side of the log haul chute.

(c) Drag saws. Where reciprocating log cutoff saws (drag saws) are provided, they shall not project into walkway or aisle.

(d) Circular cutoff saws. Circular log bucking or cutoff saws shall be so located and guarded as to allow safe entrance to and exit from the building.

(e) Entrance doorway. Where the cutoff saw partially blocks the entrance from the log haul runway the entrance shall be guarded.

(5) A barricade or other positive stop shall be erected between the sawyer's stand and the log deck to protect the sawyer from rolling logs. Such barricade or stop shall be of sufficient strength to stop any log.

(6) Chains from overhead canting gear or other equipment shall not be allowed to hang over the log deck in such manner as to endanger workers.

(7) Canting gear control levers shall be so arranged that they move away from the carriage to operate.

(8) Moving parts or equipment on or about log decks shall be guarded.

(9) Peavies, canthooks and other hand tools shall be kept in good repair at all times.

(10) Workers shall not go below logs on decks that are likely to roll or be rolled. Means of access shall be provided to the head rig which does not subject employees to the hazard of moving logs or equipment.

NEW SECTION

WAC 296-78-56509 **MECHANICAL BARKERS.** (1) Rotary barkers. Rotary barking devices shall be so guarded as to protect employees from flying chips, bark, or other extraneous material.

(2) Elevating ramp. If an elevating ramp or gate is used, it shall be provided with a safety chain, hook, or other means of suspension while employees are underneath.

(3) Area around barkers. The hazardous area around ring barkers and their conveyors shall be fenced off or posted as a prohibited area for unauthorized persons.

(4) Enclosing hydraulic barkers. Hydraulic barkers shall be enclosed with strong baffles at the inlet and outlet. The operator shall be protected by adequate safety glass or equivalent.

(5) Holddown rolls. Holddown rolls shall be installed at the infeed and outfeed sections of mechanical ring barkers to control the movement of logs.

(6) If such holddown rolls have a tendency to throw logs or chunks, horseshoe or equivalent type guards shall be installed to contain the logs or chunks.

NEW SECTION

WAC 296-78-56511 HEADRIGS AND FEED WORKS. (1) A clear walkway shall be provided along the upper side of the log deck and around the head rig unless an overhead walkway is provided.

(2) The sawyer shall be primarily responsible for the safety of the carriage crew and off-bearers. He shall exercise due care in the operation of the carriage and log turning devices.

(3) Feedworks and log turning control levers shall be so arranged that they may be securely locked when not in use and shall be guarded against accidental contact.

(4)(a) A positive means shall be provided to prevent unintended movement of the carriage. This shall involve a control locking device, a carriage tie-down, or both.

(b) An emergency control or equally effective means shall be provided so that the sawyer may stop the head rig section of the mill without leaving the operator station.

(5) An effective method of disengaging the head rig saws from the power unit shall be installed on all head rigs where the power unit is not directly controlled by the sawyer. The saws shall be disengaged from the source of power while repairs or changes are made.

(6) A wire screen of not less than twelve gauge wire, one-half inch mesh, mounted in a frame in compliance with the requirements of WAC 296-24-20531 of the General Safety and Health Standard, shall be installed between the sawyer's stand and the saws in all circular mills. In band mills an approved safety glass shield may be used in place of the screen.

(7) Safety glasses, safety shields or other suitable eye protection shall be provided for and use by head rig off-bearers.

NEW SECTION

WAC 296-78-56513 LOG CARRIAGES. (1) Carriages upon which employees are required to work shall be solidly decked over.

(2) Dogs. Dogging devices shall be adequate to secure logs, cants, or boards, during sawing operations.

(3) The feed control lever of friction or belt driven carriage feed works shall be arranged to operate away from the saws or carriage track.

(4) A quick action valve, controlled from the sawyer's stand, shall be located in the steam line to any steam operated feed works. The valve shall be tested daily.

(5) Valves in steam feeds shall be closed and locked in a neutral position before the sawyer leaves his station. Leaking steam valves or piping shall not be used on carriage drives.

(6)(a) Where employees ride the headrig carriage, clearance of the rear edge of the carriage shall be either not more than two inches or shall be not less than thirty inches from the side wall of the building. The side wall shall be boarded over smoothly to height of not less than six feet six inches from the setter's platform and for at least the length of the carriage travel. Where the clearance is thirty inches or more the floor between the back side of the setter's platform and the wall shall be raised to the level of the platform. The clearance between the floor edge and the platform shall not be more than two inches.

(b) Barriers and warning signs. A barrier shall be provided to prevent employees from entering the space necessary for travel of the carriage, with headblocks fully retracted, for the full length and extreme ends of carriage runways. Warning signs shall be posted at possible entry points to this area.

(7) Safe access to the head rig shall be provided.

(8) No roof truss or roof timber or other obstruction shall be located within six feet six inches of the upper surface of the setter's platform on any carriage.

(9) Doors which lead onto a passageway at the end or side of the carriage runway shall be provided with a handrail opposite such doorway. Handrail shall not be less than eighteen inches from the carriage run. A warning sign shall be posted on the entrance side of such doorways.

(10) A stop or bumper capable of stopping the loaded carriage at operating speed shall be installed at each end of the carriage run.

(11) Rail sweeps shall be installed in front of the front wheels in the direction of travel. Such sweeps shall extend to within one-fourth inch of the rail.

(12) Where power operated log turners are used, carriage knees shall be provided with goosenecks or other means of protecting the carriage crew from climbing logs.

(13) Employees shall use a stick or wire brush to clear head blocks of debris.

(14) All weakened or broken carriage boards which will not support the load to be imposed with a safety factor of 4, shall be immediately replaced.

NEW SECTION

WAC 296-78-570 BAND SAWS—SAWS. (1) Band head rigs shall be given a thorough daily inspection and any deficiency reported and corrected.

(2) Any band saw found to have developed a crack greater than one-tenth the width of the saw shall be removed from service until the width of the saw is reduced to eliminate the crack, the cracked section is removed, or the development of the crack is arrested by welding.

(3) Band saws shall not be continued in use of the head rig for which they have been designed after they have been reduced forty percent in width.

(4) Leather gloves, or equivalent hand protection, shall be worn by employees while changing band saws.

(5) All head band saw wheels shall have a minimum rim thickness of five-eighths inch, except for a distance of not to exceed one inch from the front edge of the wheel.

(6) Provisions shall be made for alerting and warning employees before starting band head saws, and measures shall be taken to insure that all persons are in the clear.

(7) No band saw shall be run at a peripheral speed in excess of that recommended by the manufacturer. The manufacturer's recommended maximum speed shall be stamped in plainly legible figures on some portion of the assembly.

(8) A band wheel that has developed a crack in the rim shall be immediately removed from service. If a crack has developed in a spoke the wheel shall be removed from service until repaired.

(9) All band wheels shall be completely encased or guarded on both sides. The exposed part of the saw blade on the uptravel between the two wheels shall be encased, and no portion of the blade exposed, except such part of the cutting edge as is essential for sawing the material at hand.

(10) All band wheel guards shall be constructed of not less than ten U.S. gauge metal, or not less than two inch wood material or equivalent, attached to the frames. Ventilating ports shall not exceed 2 x 4 inches in size. Openings necessary for lubrication or repair of the saw shall have doors or gates of equivalent strength to the remainder of the guard.

(11) Every band mill shall be equipped with a saw catcher, rest or guard of substantial construction.

(12) All band saws other than head mills shall be enclosed or guarded except the working side of the blade between the guide and the table. The guard for the portion of the saw between the sliding guide and the upper saw wheel guard shall be adjusted with the guide.

(13) Each gang ripper of band or straight saw type shall have the cutting edges of the saw guarded by a hood or screen secured to the framework of the machine.

NEW SECTION

WAC 296-78-575 CIRCULAR SAWS. (1) Single circular head saws. Circular head saws shall not be operated at speeds in excess of those specified by the manufacturer. Maximum speed shall be etched on the saw.

(2) On all circular saw mills the horizontal distance from the side of the saw to the nearest post of the husk or frame shall be at least one inch greater than the clear vertical distance between the collars of the top and bottom saws.

(3) Circular head saws shall be equipped with safety guides that can be readily adjusted without use of wrench or other hand tools. Brackets or edging supports shall be installed between the saw and the side of the husk.

(4) The upper saw of a double circular mill shall be provided with a hood or guard. A screen or other suitable device shall be placed so as to protect the sawyer from flying particles.

(5) All circular sawmills where live rolls are not used behind the head saw shall be equipped with an effective spreader or splitter. In any mill where the head saw is used for edging lumber, the splitter shall be solid and stationary and shall extend above the head blocks.

(6) Drag saws or circular cut-off saws shall be so arranged that they will not project into any passageway. When existing installations do not leave clear passage, saws shall be fenced off in order to make it

impossible for anyone to walk into them. Means to securely hold material being sawed shall be provided wherever such material creates a hazard.

(7) All employees shall be in the clear before starting operation of drag or swing cut-off saws.

(8) Twin circular head saws. Twin circular head saw rigs such as scrag saws, shall meet the specifications for single circular head saws in subsection (1) of this section, where applicable.

NEW SECTION

WAC 296-78-580 EDGERS. (1) Edgers shall be guarded by a metal housing of ten gauge sheet metal, ten gauge by one-half inch mesh wire, screen, or by a baffle of not less than two inch wood material.

(2) Openings in end frames shall be enclosed with sheet metal, wire screen or wood and may be hinged or arranged to permit oiling and removal of saws.

(3) The top of the edger shall be guarded to prevent contact by employees or debris being thrown and all chains and gears fully enclosed as required by WAC 296-78-030 of this chapter.

(4) Vertical arbor edgers installed ahead of the main saw shall be so located and guarded that an employee cannot contact any part of the edger saws from his normal operating position.

(5) Edgers shall not be located in the main roll case behind the head saw.

(6) All edgers shall be equipped with pressure feed rolls. The controls shall be installed and located so that from the normal work station the operator can quickly stop the infeed drive without releasing the hold down tension of the pressure rolls.

(7) All edgers shall be provided with a method of preventing or guarding against kickbacks. Finger units or dogs installed at the edger, or hinged steel plates suspended across the feed table may be used for this purpose. A kickback barricade, in line with the edger, if fenced off may be used.

(8) Pressure and feed rolls on edgers shall be guarded against accidental contact by means of roll covers, bars or strips. The pressure rolls shall not be lifted while stock is being run, or while any person is in line with the feed side of the saws.

(9) Edger men shall not raise feed rolls and reach between saws while edger is in operation.

(10) Edger men shall not put hands on cants being run through the edger.

(11) Live rolls in back of edger shall operate at a speed not less than the speed of the edger feed rolls.

(12) Tables in back of edgers shall be kept clear of cants, edgings and unnecessary debris.

NEW SECTION

WAC 296-78-585 EQUALIZER SAWS. (1) Equalizer saws for bolts, staves, heading, etc., shall have the saws encased, except that portion immediately adjacent to the feeding device.

(2) Feeding devices on all such equipment shall be provided with guards to prevent contact with the feeding device by employees.

NEW SECTION

WAC 296-78-590 GANG SAWS AND RE-SAWS. (1) Gang saws and re-saws shall be fully guarded or housed in accordance with conditions. Cranks, pitman rods, and other moving parts shall be guarded.

(2) Feed rolls shall be enclosed by a cover over the top, front, and open ends except where guarded by location. Drive mechanism to feed rolls shall be enclosed.

(3) Feed rolls shall be enclosed and if the operator stands within thirty inches of the feed rolls, they shall be so guarded as to prevent operator coming into contact with them.

(4) Circular resaws or rip saws, except power feed rip saws with a roller or wheel back of the saw, shall be provided with splitters or spreaders.

(5) A hood of metal or wood of sufficient strength to give protection against splinters or flying teeth shall be provided over all circular rip saws.

(6) That portion of the saw extending below the table shall be so guarded as to prevent contact.

(7) Circular rip saws shall be equipped with a standard anti-kick-back device.

(8) Carriage cradles of whole-log sash gang saws, Swedish gangs shall be of height to prevent logs from kicking out while being loaded.

(9) Band resaws. Band resaws shall meet the specifications for band head saws as required in subsection (7) of WAC 296-78-570.

(10) Circular gang resaws.

(a) Banks of circular gang resaws shall be guarded by a hood to contain teeth or debris which can be thrown by the saws.

(b) Circular gang resaws shall be provided with safety fingers or other anti-kickback devices.

(c) Circular gang resaws shall not be operated at speeds exceeding those recommended by the manufacturer.

(d) Feed belts and drive pulleys shall be guarded in accordance with the requirements of WAC 296-24-205 through 296-24-20533 of the General Safety and Health Standard.

(e) Each circular gang resaw, except self-feed saws with a live roll or wheel at back of saw, shall be provided with spreaders.

NEW SECTION

WAC 296-78-595 JUMP SAWS. (1) Jump saws shall have guards below the top of the table or roll case. A guard shall be placed over the roll casing to prevent persons from walking into or over the saw.

(2) Jump saws, underhung swing saws, or bed trimmers shall be so arranged that the saws are fully enclosed when not in actual use.

(3) A positive stop shall be installed to prevent the saw from passing the front edge of the roll case or table. The throat in the table or roll case shall be only wide enough to permit unobstructed operation of the saw.

(4) Guards constructed of not less than two inch wood material or of heavy wire mesh mounted in a steel frame shall be placed in front of jump saw trimmers. Stops shall be installed to prevent timber from being thrown off the roll case.

(5) Foot treadle operated saws shall be provided with safeguards to prevent accidental contact.

NEW SECTION

WAC 296-78-600 TRIMMER AND SLASHER SAWS. (1) Trimmer of slasher saws shall be guarded in front by a flat or round steel framework with a rigid metal screen or light iron bars attached thereto, or by wood baffles of not less than two inch wood material securely bolted to the frame.

Maximum speed. Trimmer saws shall not be run at peripheral speeds in excess of those recommended by the manufacturer.

(2) Front guards for a series of saws shall be set as close to the top of the feed table as is practical when considering the type of machine in use and the material being cut. The end saws of a series shall be guarded or fenced off.

(3) The rear of a series of saws shall have a stationary or swinging guard of not less than two inch wood material or equivalent the full width of the saws and as much wider as is necessary to protect persons at the rear of the trimmer.

(4) Safety stops. Automatic trimmer saws shall be provided with safety stops or hangers to prevent saws from dropping on table.

(5) Feed chains shall be stopped while employees are on the feed table.

(6) Spotters for trimmers or slashers shall be provided with goggles or other eye protection when conditions so warrant.

NEW SECTION

WAC 296-78-605 SWING SAWS. (1) Overhead swing cut-off saws shall be guarded by a hood which shall cover the upper half of the cutting edge at least to the depth of the teeth.

(2) The driving belts on overhead swing cut-off saws, where exposed to contact, shall be provided with guards as required by WAC 296-78-030.

(3) Saws shall be completely enclosed when in idle position.

(4) Power operated swing saws shall have controls so arranged that the operators will not stand directly in front of saw when making cut.

(5) All swing saws shall be equipped with a counter balance which shall be permanently fastened to the frame of the saw and so arranged or adjusted that it will return the saw beyond the rear edge of the table or roll case without a rebounding motion. Wire rope, chain or nonmetallic rope running to a weight over a sheave shall not be used for attaching counter balance.

(6) No swing cut-off or trim saw shall be located directly in line with stock coming from an edger.

(7) Swing limit stops shall be provided and so adjusted that at no time shall the forward swing of the saw extend the cutting edge of the saw beyond a line perpendicular with the edge of the saw table, roll case, guard or barrier.

(8) Saws that are fed into the cut by means of air, steam, hydraulic cylinders, or other power device or arrangement shall be designed so they can be locked or rendered inoperative.

(9) Foot treadle operated saws shall be provided with safeguards to prevent accidental contact.

(10) Swing saws on log decks shall be equipped with a positive stop for the protection of persons who may be on the opposite side of the log haul chute.

(11) Operators of hand operated swing saws shall not stand directly in front of saw while making cut.

(12) Tables or roll casings for swing saws shall be provided with stops or lineup rail to prevent material being pushed off on opposite side.

NEW SECTION

WAC 296-78-610 CIRCULAR SAWS, SPEEDS, REPAIRS.

(1) Circular saws shall not be operated at speeds in excess of that specified by the manufacturer. Speeds shall be etched on all new saws. When saws are repaired, remanufactured or retensioned in any way to change their operating speeds, such change of speed shall be etched on the saw. These etched speeds shall not be exceeded.

(2) Circular saws shall be inspected for cracks each time that the teeth are filed or set.

(3) A circular saw shall be discontinued from use until properly repaired when found to have developed a crack equal to the length indicated in the following table:

<u>Length of Crack</u>	<u>Diameter</u>
1/2 - inch	Up to 12"
1 - inch	Over 12" to 24"
1-1/2 - inch	Over 24" to 36"
2 - inch	Over 36" to 48"
2-1/2 - inch	Over 48" to 60"
3 - inch	Over 60"

(4) Welding or slotting of cracked saws shall be done by a sawsmith under a procedure recommended by the saw manufacturer. Holes shall not be drilled in saws as a means of arresting cracks. After saws are repaired they shall be retensioned. Unless a sawsmith is employed, saws shall be returned to the manufacturer for welding or tensioning.

NEW SECTION

WAC 296-78-615 SAW FILING AND GRINDING ROOMS AND EQUIPMENT. (1) Approaches to filing rooms shall be kept free from material and equipment at all times.

(2) Enclosed grinding and filing rooms shall be ventilated as specified in the General Occupational Health Standard, WAC 296-62-110 through 296-62-11019.

(3) Each filing and grinding room shall be provided with two exits so arranged as to permit easy escape in case of fire.

(4) Floor shall be cleaned regularly and shall be kept free from oil, grease and other materials that might cause employees to slip or fall.

(5) Flooring around machines shall be kept in good repair at all times.

(6) Saw grinding machine belts shall be provided with guards where these belts pass through the frame of the machine.

(7) All grinding wheels on such machines shall be provided with a metal retaining hood which shall also cover the arbor ends if they are exposed to contact.

(8) Filing room employees shall be provided with goggles, face shields, or other necessary protective equipment and are required to wear the same.

(9) Guarding and mounting of abrasive wheels shall be in accordance with WAC 296-24-18003 through 296-24-18007 of the General Safety and Health Standards.

NEW SECTION

WAC 296-78-620 MISCELLANEOUS WOODWORKING MACHINES—PLANERS, STICKERS, MOLDERS, MATCHERS.

(1) Each planing, molding, sticking and matching machine shall have all cutting heads, and saws if used, covered by a solid metal guard.

(2) Planers, stickers, molding, sticking and matching machines shall be provided with exhaust fans, hoods and dust conveyors to remove the harmful dusts, etc., from the vicinity of the operator. Such hoods may be arranged to serve as guards for cutting heads.

(3) Planers and other machinery or equipment shall not be oiled while in motion, unless provided with guards or other devices to permit oiling without any possibility of contact with moving parts of machinery.

(4) Feed rolls shall be guarded by means of roll covers, bars or strips, attached to the roll frame in such manner as to remain in adjustment for any thickness of lumber.

(5)(a) Levers or controls shall be so arranged or guarded as to prevent accidental operation of machines.

(b) Foot treadle operated machines shall have a treadle guard fastened over the treadle.

(c) Locks, blocks, or other device shall be provided for positive immobilization of machine controls while repairs or adjustments are being made.

(6) Side head hoods shall be of sufficient height to safeguard the head set screw.

(7) Side heads shall not be adjusted while machine is in operation, except when extension adjusting devices are provided.

(8) Side belt and pulley guards shall be kept in place at all times the machine is in motion.

(9) All universal joints shall be enclosed.

NEW SECTION

WAC 296-78-625 PLANERS (STAVE AND HEADINGS). (1)

Each planer (stave and heading) shall have all cutting heads, and saws if used, covered by a solid metal guard.

(2) Stave and heading planers shall be provided with exhaust fans, hoods and dust conveyors to remove the harmful dusts, etc., from the vicinity of the operator. Such hoods may be arranged to serve as guards for cutting heads.

(3) Sectional feed rolls should be provided. Where solid feed rolls are used, a sectional finger device (or other means equally effective) shall be provided to prevent kickbacks.

NEW SECTION

WAC 296-78-630 STAVE CROZIERS. (1) Stave croziers shall

have the heads guarded completely by the exhaust hood or other device, except that portion which actually inbeds itself in the stock.

(2) Each stave crozier shall have all feed chains and sprockets completely enclosed.

NEW SECTION

WAC 296-78-635 JOINTERS. (1) Each hand feed jointer or

buzz planer with horizontal head shall be provided with an automatic guard over the cutting head both in front of and in back of the guide.

(2) Each jointer or buzz planer with horizontal head shall be equipped with a cylindrical cutting head, the throat of which shall not exceed three-eighths inch in depth or one-half inch in width.

(3) Each jointer or buzz planer with vertical head shall be guarded by an exhaust hood or other approved device which shall completely enclose the revolving head except for a slot sufficiently wide to permit the application of material.

(4) Push sticks shall be provided and used for feeding stock through hand operated jointers or buzz planers.

NEW SECTION

WAC 296-78-640 JOINTERS (STAVE AND HEADING). (1)

Stave and heading jointers and matchers shall have the heads guarded completely by the exhaust hood or other device, except that portion where the stock is applied.

(2) Foot power stave jointing machines shall have the knife effectively guarded to prevent the operator's fingers from coming in contact with it.

NEW SECTION

WAC 296-78-645 WOOD SHAPERS. (1) The cutting head of

each wood shaper, hand feed panel raiser, or other similar machine not automatically fed, shall be guarded with a cage or pulley guard or other device so designed as to keep the operator's hands away from the

cutting edge. In no case shall a warning device of leather or other material attached to the spindle be acceptable. Cylindrical heads shall be used wherever the nature of the work permits. The diameter of circular shaper guards shall be not less than the greatest diameter of the cutter.

(2) All double spindle shapers shall be provided with a spindle starting and stopping device for each spindle or provision shall be made that only one spindle operate at any one time.

NEW SECTION

WAC 296-78-650 BORING AND MORTISING MACHINES. Boring and mortising machines shall be provided with safety bit chucks without projecting set screws. Automatic machines shall be provided with point of operation guards. When necessary to prevent material from revolving with the bit, clamps or stops shall be provided and used to hold material firmly against the guides.

NEW SECTION

WAC 296-78-655 TENONING MACHINES. (1) Each tenoning machine shall have all cutting heads, saws if used, and all exposed moving parts guarded. In the case of cutting heads and saws, the guard shall be of solid metal.

(2) If sheet metal is used, it shall be not less than ten U.S. gauge in thickness. If cast metal is used it shall be not less than three-sixteenths inch thick, or if aluminum is used, it shall be not less than five-eighths inch thick. The hood of the exhaust system may form part or all of the guard. When so used, the hood shall be constructed of metal of a thickness not less than that specified herein.

(3) Feed chains and sprockets of all double end tenoning machines shall be completely enclosed, except that portion of chain used for conveying stock. At rear ends of frames over which the feed conveyors run, sprockets and chains shall be guarded at the sides by plates projecting beyond the periphery of sprockets and ends of lugs.

(4) The rear end of the frame over which the feed conveyors run shall be so extended that the material as it leaves the machine will be guided to a point within easy reach of the person removing stock at the rear of the tenoner.

(5) Single end tenoners, hand fed, shall have a piece of sheet metal placed so that the operator's hands cannot slip off the lever handle into the tool in passing. Such guard shall be fastened to the lever.

NEW SECTION

WAC 296-78-660 LATHE (PAIL AND BARREL). (1) Each profile, swing-head and back-knife lathe shall have all cutting heads covered by a solid metal guard.

(2) If sheet metal is used, it shall be not less than ten U.S. gauge in thickness. If cast metal is used, it shall be not less than three-sixteenths inch thick, or if aluminum is used, it shall be not less than five-eighths inch thick. The hood of the exhaust system may form part or all of the guard. When so used, the hood shall be constructed of metal of a thickness not less than that specified above.

(3) Pail and barrel lathes shall be guarded in accordance with the specifications for Profile and Back-knife lathes insofar as they are applicable.

NEW SECTION

WAC 296-78-665 SANDING MACHINES. (1) Each belt sanding machine shall have both pulleys enclosed in such a manner as to guard the points where the belt runs onto the pulleys. The edges of the unused run of belt shall be enclosed or otherwise guarded from contact by employees.

(2) Each drum sanding machine shall be provided with a guard so arranged as to completely enclose the revolving drum except such portion required for the application of the material to be finished. Guards with hinges to facilitate the insertion of sandpaper may be installed. The exhaust hood may form part or all of this guard. When so used, the hood shall conform to the specifications as given under exhaust systems in WAC 296-78-030.

(3) All standard stationary sanding machines shall be provided with exhaust systems in conformity with the section of this code dealing with exhaust systems.

(4) All portable sanding machines shall be provided with means of removing excessive dust, or employees using equipment shall be provided with such necessary respiratory protective equipment as will conform to the requirements of the General Occupational Health Standards, chapter 296-62 WAC.

NEW SECTION

WAC 296-78-670 GLUE MACHINES. (1) Personal protective equipment as required by the General Safety and Health Standard, WAC 296-24-075 through 296-24-092, and the General Occupational Health Standard, WAC 296-62-11021, and proper washing facilities with noncaustic soap and sterilizers, shall be provided for all employees handling glue. Rubber gloves and other personal equipment must be sterilized when transferred from one person to another.

(2) Glue spreaders shall be enclosed on the in-running side, leaving only sufficient space to insert the stock.

(3) All glue spreaders shall be equipped with a panic bar or equivalent type device that can be reached from either the infeed or outfeed side of the spreader to shut-off the power in an emergency situation. Such device shall be installed on existing glue spreaders no later than April 1, 1982, and be standard equipment on any glue spreader purchased after January 1, 1982.

(4) All glue mixing and handling rooms where located above work areas shall have water tight floors.

(5) All glue rooms shall be provided with ventilation in accordance with WAC 296-62-110 through 296-62-11013, of the General Occupational Health Standard.

NEW SECTION

WAC 296-78-675 LATH MILLS. (1) Lath mills shall be so arranged that stock pickers shall be protected from slabs and blocks from slasher and trimmers.

(2) Bolters and lath machines shall be provided with a wall or shield of not less than two inch wood material or equivalent, constructed in front of the machines, to protect stock pickers and passing employees from kickbacks.

(3) Lath bolters and lath mills shall have all feed rolls, belts, gears and moving parts provided with approved guards. Feed chains shall be guarded to as low a point as the maximum height of the stock will permit.

(4)(a) Lath bolters and lath mill saws shall be provided with a sheet metal guard not less than one-eighth inch thick, or a cast iron guard not less than three-sixteenths inch thick, or equivalent. These hoods may be hinged so that they can be turned back to permit changing of the saws.

(b) A metal plate baffle, finger device or other device, shall be installed to prevent kickbacks.

(5)(a) The feed rolls on bolters or lath mills shall not be raised while any employee is in line with the saws.

(b) The stock shall be pushed through the saws with another piece of stock or push stick.

(6)(a) The lath trimmer shall be provided with guards on the ends, the top and the rear so designed as to contain debris and prevent employee contact with the saw. The belt drive shall be provided with guards as required by WAC 296-78-710.

(b) The entire top half of all trimmer saws shall be provided with guards. The guards shall be so adjusted as to prevent employees from accidentally contacting saws.

NEW SECTION

WAC 296-78-680 VENEER AND PLYWOOD PLANTS—PEELING AND BARKING. (1) Where peeling or barking pits are located directly under the log cranes, logs shall not be moved over workers.

(2) Single spiked hooks without a bell shall not be used for handling logs. Hooks shall be equipped with hand holds and shall be maintained in condition to safely perform the job application.

(3) Mechanical barking devices shall be so guarded as to protect employees from flying chips, bark or other matter.

(4) Logs shall not be removed from barker until barking head has ceased to revolve, unless barker is so designed and arranged that barking head will not create or constitute a hazard to employees.

NEW SECTION

WAC 296-78-685 VENEER LATHE. (1) The elevating ramp (gate) shall be provided with a safety chain and hook or other positive means of suspension while employees are working underneath same.

(2) The area under the tippel from lathe to stock trays shall be provided with railings or other suitable means of preventing employees from entering this area, if access is not prevented by the construction of the machine and employees can enter this area.

(3) Catwalks shall be provided along stock trays so that employees will not have to climb on the sides of trays to straighten stock.

(4) Any section of stock trays shall be locked out or shall have an operator stationed at starting controls while stock is being removed or adjusted.

(5) Guards which will cover the cutting edge of veneer lathe and clipper blades shall be provided and used while such blades are being transported about premises.

NEW SECTION

WAC 296-78-690 VENEER SLICER AND CUTTER. Each veneer slicer and each rotary veneer cutter shall have all revolving and other moving knives provided with guards.

NEW SECTION

WAC 296-78-695 VENEER CLIPPER. (1) Each veneer clipper shall have either automatic feed or shall be provided with a guard which will make it impossible to place any portion of the hand under the knife while feeding stock. Where practicable, such guard shall be of the vertical finger type.

(2) The rear of each manually operated clipper shall be guarded either by a screen or vertical finger guard which shall make it impossible for any portion of the hand to be placed under the knife while removing clipped stock.

NEW SECTION

WAC 296-78-700 VENEER WRINGER (SWEDE). The entry side of each veneer wringer other than glue spreader shall be enclosed, leaving only sufficient space to insert stock. A guard shall be provided to prevent the veneer from overriding the top roll and kicking back.

NEW SECTION

WAC 296-78-705 THE SHAKE AND SHINGLE INDUSTRY. The following terms and standards shall apply only in the manufacturing of shakes and shingles and these requirements shall take precedence over other sawmill and woodworking standards.

NEW SECTION

WAC 296-78-70501 DEFINITIONS—TERMS, GENERAL.

- (1) "Block(s)" – those sections of a log cut in various lengths.
- (2) "Block(s)" and "bolt(s)" may be considered to be synonymous.
- (3) "Clipper saw" – a circular saw used to trim manufactured shingles.
- (4) "Groover" – a cylinder-type knife (knives) similar to a planer knife (knives), used to cut grooves into the face surface of shakes or shingles.
- (5) "Hip" and "ridge saw" – a circular saw used to cut various angles on the side edge of shakes or shingles.
- (6) "Johnson bar" – a shaft used to control the feed of the carriage.
- (7) "Knee bolter circular saw" – a stationary circular saw used to trim and debark blocks (the blocks are manually maneuvered onto a carriage and fed into a saw).
- (8) "Log haul" – a power conveyor used to move logs to mill.
- (9) "Packers" – employees who pack the manufactured shakes or shingles into bundles.
- (10) "Panagraph power splitter" – a hydraulically operated wedge, manually positioned into place, used to split blocks.
- (11) "Power saw splitter" – a stationary circular saw used to split (saw) blocks, (the blocks are manually maneuvered onto a carriage and fed into the saw).
- (12) "Set works" – a component of the shingle machine, located on the machine frame, used to control the thickness of each shingle being manufactured.
- (13) "Shake machine" – a band saw used to cut shake blanks into manufactured shakes.
- (14) "Shake splitter" – a stationary hydraulically operated wedge, manually controlled, used to split shake blocks into shake blanks or boards.
- (15) "Shim saw" – a circular saw used to re-cut manufactured shingles into narrow widths.
- (16) "Shingle machine" – a machine used to manufacture shingles; composed of a feed, set works, and carriage system, all functioning in relation to a circular saw.

(17) "Shingle saw" – a circular saw used to cut shingles from blocks.

(18) "Spault" – the first and last section(s) of a block as it is cut into shingles.

(19) "Spault catcher" – a device located on the shingle machine next to the solid feed rolls, used to hold the last section of each block being cut (called a spault), in place.

(20) "Track or swing cutoff saw" – a circular saw used to cut blocks from a log.

NEW SECTION

WAC 296-78-70503 SHAKE AND SHINGLE MACHINERY—GENERAL. (1) Track or swing cutoff circular saw.

(a) A power operated track or swing cutoff circular saw shall have controls so arranged that operators are not positioned directly in front of the saw while making a cut.

(b) All track or swing cutoff circular saws shall be completely encased or guarded when the saw is in the retract position, except for that portion of the guard that must be left open for the operation of the saw.

(c) Track or swing cutoff circular saw guards shall be constructed of sheet metal not less than one-eighth inch thick, or a wood guard of not less than nominal two inch thick wood material, or equivalent.

Hinged or removable doors or gates will be permitted where necessary to permit adjusting and oiling.

(d) The driving belt(s) on the track or swing cutoff circular saw shall be guarded in accordance with the General Safety and Health Standard, WAC 296-24-205 through 296-24-20533.

(e) A safety catch shall be provided to prevent the track cutoff saw from leaving the track.

(2) Overhead deck splitter – panagraph.

(a) Panagraph splitters shall have a shroud incorporated on the upper pressure plate to eliminate the possibility of the splitter moving from the operating area. This shroud shall be constructed of solid design with a minimum width of three inches and a minimum thickness of three-eighths inch.

(b) Mechanically operated overhead splitters shall have handles moving opposite the stroke of the piston.

(c) When the leading edge of the panagraph splitter is completely extended, the maximum clearance from the deck to the splitting edge shall be two inches.

(3) Power splitter saw. Power splitters shall have spreaders behind the saw to prevent materials from squeezing the saw or being thrown back on the operator. The top of the saw shall be completely covered.

(4) Knee bolter circular saw.

(a) A safety catch shall be provided to prevent the bolter carriage from leaving the track.

(b) Bolter saws shall be provided with a canopy guard of sheet metal not less than one-eighth inch thick, or cast iron guard not less than three-sixteenths inch thick or a wood guard of not less than nominal four inch thick wood material or equivalent.

The bolter canopy guard shall completely enclose the rear portion of the saw. It shall be so arranged and adjusted as to cover the front of the saw; not to exceed twenty inches from the top of the carriage to the bottom of the guard on sixteen inch and eighteen inch block and twenty-six inches on twenty-four inch blocks, of the material being cut.

(c) Bolter saws shall be provided with wipers of belting or other suitable material. These wipers shall be installed on both sides of the saw in such a manner as to deflect knots, chips, slivers, etc., that are carried by the saw.

(d) A positive device shall be provided and used to manually lock and hold the feed table in the neutral position when not in use.

(e) That portion of all bolter saws which is below and behind the saw table shall be guarded by the exhaust hood or other device. Hinged or removable doors or gates will be permitted where necessary to permit adjusting and oiling.

NEW SECTION

WAC 296-78-70505 SHAKE MACHINERY. (1) Shake splitters.

(a) A positive de-energizing device shall be provided within ready reach of each shake splitter operator.

(b) Each shake splitter shall be provided with an adjustable stroke limiter to eliminate the splitting blade from striking the table.

(c) All splitters shall have a maximum clearance of four inches, from the splitting edge to the table surface, when the splitter is in the extended position.

(d) All splitter tables shall have a friction surface to reduce kick out of the material being split.

(e) Shake splitters shall not be operated at a speed that would cause chunks to be thrown in such a manner as to create a hazard.

(f) The use of foot pedal (treadle) mechanisms shall be provided with protection to prevent unintended operation from falling or moving objects or by accidental stepping onto the pedal.

(i) The pedal shall have a nonslip surface.

(ii) The pedal return spring shall be of the compression type, operating on a rod or guided within a hole or tube, or designed to prevent interleafing of spring coils in event of breakage.

(iii) If pedal counterweights are provided, the path of the travel of the weight shall be enclosed.

(2) Shake saw guards.

(a) Every shake band saw shall be equipped with a saw guard on both sides of the blade down to the top side of the guide.

(b) The outside saw guard shall extend a minimum of three and one-half inches below the bottom edge of the saw guide.

(c) The maximum opening between the saw guide and table rolls shall be fifteen inches.

(3) Shake saw band wheel guards.

(a) The band wheels on all shake band saws shall be completely encased or guarded on both sides. The guards shall be constructed of not less than No. 14 U.S. gauge metal or material equal in strength.

(b) The metal doors, on such guards, shall have a wood liner of a minimum thickness of one-half inch.

(4) Shake saw band wheel speeds and maintenance.

(a) No band wheel shall be run at a peripheral speed in excess of that recommended by the manufacturer.

(b) Each band wheel shall be carefully inspected at least once a month by management.

Any band wheel in which a crack is found in the rim or in a spoke shall be immediately discontinued from service until properly repaired.

(c) Each band saw frame shall be provided with a tension indicator.

NEW SECTION

WAC 296-78-70507 UPRIGHT SHINGLE MACHINE. (1) Upright shingle saw guard.

(a) Every shingle machine carriage shall be equipped with a hand guard which:

(i) Projects at least one inch beyond the cutting edge of the saw.

(ii) Shall be located not more than one-half inch from the side of the saw blade.

(b) Shingle saw guards shall have a rim guard so designed and installed as to prevent chips and knots from flying from the saws. Such guards shall cover the edge of the saw to at least the depth of the teeth, except such part of the cutting edge as is essential for sawing the material.

(c) Saw arbors and couplings shall be guarded to prevent contact.

(d) Every part of a clipper saw blade, except that part which is exposed to trim shingles, shall be enclosed by a guard, so designed and installed to prevent contact with the clipper saw. An additional guard shall be installed not more than four inches above the clipper board and not more than one-half inch from the vertical plane of the saw.

(e) The underside of clipper saw boards shall be equipped with a finger guard to effectively protect the operator's fingers. The guard shall be a minimum of five inches long and one and one-quarter inches deep.

(2) Upright carriage guards.

(a) Automatic revolving cam set works and rocker arms, on machine frame, shall be guarded where exposed to contact.

(b) The spault catchers shall be not less than three-sixteenths inch thick and kept sharp at all times. Missing teeth shall be replaced.

(3) Carriage feed works.

(a) The pinion gear, bull wheel and Johnson bar, operating the saw carriage, shall be guarded where exposed to contact.

(b) Each shingle machine clutch treadle shall be arranged so that it is necessary to manually operate the treadle to start the machine. Devices which start the machine when the jaw treadle is released shall not be installed or used. The carriage shall have a brake to hold it in a neutral position.

(c) Carriage speed shall not exceed thirty-four strokes per minute.

NEW SECTION

WAC 296-78-70509 RELATED SHAKE AND SHINGLE SAWING MACHINERY. (1) Flat or taper saw. A wood or metal guard or its equivalent shall be secured to the sliding table at the side nearest the sawyer to protect him from contact with the cutting edge of the saw when a block is not in the cut.

(2) Hip and ridge saws. The hip and ridge saws shall be guarded with a hood-like device. This guard shall cover that portion of the saw not needed to cut the material, located above the cutting table.

(a) The remaining portion of the saw, located below the table, shall be guarded to prevent contact by employees.

(b) The hip and ridge guarding standard is applicable to both shake and shingle hip and ridge saws.

(3) Shim stock saws. The top ends and sides of the shim stock saws shall be guarded. All shim stock saw power transmission mechanism shall be guarded.

(4) Shake or shingle groover. The top ends and sides of the groover, to include the press rolls, shall be guarded to contain material or debris which can be thrown and to prevent contact. All groover machine power transmission mechanism shall be guarded in compliance with WAC 296-78-030.

(5) Circular saws, speeds and repairs.

(a) Maximum allowable speeds.

(i) No circular saw shall be run at a speed in excess of that recommended by the manufacturer.

(ii) Such speed shall be etched or otherwise permanently marked on the blade, and that speed shall not be exceeded.

(b) Repairs and reconditions.

(i) Shingle saws when reduced in size to less than forty inches in diameter shall be discontinued from service as shingle saws on upright or vertical machines.

(ii) Shingle saws may be reconditioned for use as clipper saws provided the surface is reground and the proper balance attained.

(iii) Shingle saws may be used to no less than thirty-six inches on flat or taper saw machines.

NEW SECTION

WAC 296-78-70511 SAFETY RULES. (1) General.

(a) Workers shall not leave shingle machines unattended while the carriage is in motion.

(b) Shingle blocks shall not be piled more than one tier high on tables or roll cases. Chunks may be placed horizontally one tier high on top of shingle blocks. Shingle blocks shall be piled in a stable manner, not more than seventy-two inches high, within the immediate working area of the shingle sawyer or the area shall be barricaded.

(c) Provisions shall be made to prevent blocks from falling into the packing area.

(d) On each machine operated by electric motors, positive means shall be provided for rendering such controls or devices inoperative while repairs or adjustments are being made to the machines they control.

(e) Workers shall not stand on top of blocks while in the process of splitting other blocks into bolts.

(2) Jointers (shingle). Shingle jointers shall have the front, or cutting face of the knives, housed except for a narrow slot through which the shingles may be fed against the knives.

NEW SECTION

WAC 296-78-710 CONSTRUCTION AND ISOLATED EQUIPMENT.

NEW SECTION

WAC 296-78-71001 GENERAL. (1) Construction when not specifically covered in these standards shall be governed by such other standards adopted by the Department of Labor and Industries as may apply.

(2) All buildings, docks, tramways, walkways, log dumps and other structures shall be so designed, constructed, and maintained as to provide a safety factor of four. This means that all members shall be capable of supporting four times the maximum load to be imposed. This provision refers to buildings, docks and so forth designed and constructed subsequent to the effective date of these standards and also refers in all cases where either complete or major changes or repairs are made to such buildings, docks, tramways, walkways, log dumps and other structures.

(3) Basements on ground floors under mills shall be evenly surfaced, free from unnecessary obstructions and debris, and provided with lighting facilities in compliance with the requirements of the General Occupational Health Standards, WAC 296-62-09003.

(4) All engines, motors, transmission machinery or operating equipment installed in mill basements or ground floors shall be equipped with standard safeguards for the protection of workers.

(5) Hazard marking. Physical hazard marking shall be as specified in WAC 296-24-135 through 296-24-13503 of the General Safety and Health Standards.

(6) Flooring of buildings, ramps and walkways not subject to supporting motive equipment shall be of not less than two-inch wood planking or material of equivalent structural strength.

(7) Flooring of buildings, ramps, docks, trestles and other structure required to support motive equipment shall be of not less than full two and one-half inch wood planing or material of equivalent structural strength. However, where flooring is covered by steel floor plates, two inch wood planking or material of equivalent structural strength may be used.

(8) Walkways, docks, and platforms.

(a) Walkways, docks and platforms shall be constructed and maintained in accordance with the requirements of the General Safety and Health Standards, WAC 296-24-735 through 296-24-75011.

(b) Maintenance. Walkways shall be evenly floored and kept in good repair.

(c) Where elevated platforms are used they shall be equipped with stairways or ladders in accordance with the General Safety and Health Standards, WAC 296-24-765 through 296-24-81013.

NEW SECTION

WAC 296-78-71003 FLOOR OPENINGS. (1) All floor openings either temporary or permanent, shall be protected as required by the General Safety and Health Standards, WAC 296-24-750 through 296-24-75011.

(2) The area under floor openings shall, where practical, be fenced off. When this is not practical, the areas shall be plainly marked with yellow lines and telltails shall be installed to hang within five and one-half feet of the ground or floor level.

(3) Where floor openings are used to drop materials from one level to another, audible warning systems shall be installed and used to indicate to employees on the lower level that material is to be dropped.

NEW SECTION

WAC 296-78-71005 FLOORS, DOCKS, PLATFORMS AND RUNWAYS. (1) Faces of docks except on loading and unloading sides of rail and truck loading platforms, and runways used for the operation of lift trucks and other vehicles shall have a guard or shear timber eight by eight inches set over three inch blocks and securely fastened to the floor by bolts of not less than five-eighths inch diameter.

(2) The flooring of buildings, docks and passageways shall be kept in good repair at all times. When a hazardous condition develops that cannot be immediately repaired, the area shall be fenced off and not used until adequate repairs are made.

(3) All working areas shall be kept free from unnecessary obstruction and debris.

(4) Floors around machines and other places where workers are required to stand shall be provided with effective means to prevent slipping.

NEW SECTION

WAC 296-78-71007 FOOTWALKS AND PASSAGeways.

(1) All footwalks and passageways subject to slipping hazards due to peculiarities of conditions or processes of the operation shall be provided with nonslip surfaces.

(2) Walkways in accordance with WAC 296-78-71001(8) shall be provided over roll casings, transfer tables, conveyors or other moving parts except where stepping over such equipment is not in connection with usual and necessary traffic.

(3) Walkways alongside of sorting tables shall be of sufficient width to provide safe working area. Such walkways shall be evenly floored and kept in good repair at all times. They shall be kept free from obstructions and debris.

(4) When employees are required to clear plug-ups in veneer trays or lumber sorting trays, adequate walkways with standard guardrails

shall be provided for access to the trays whenever possible. When walkways are not provided, safety belts or harnesses with lanyards, tied off to substantial anchorages, shall be provided and used at all times.

(5) Walkways and stairways with standard hand rails shall be provided wherever space will permit, for oilers and other employees whose duties require them to go consistently to elevated and hazardous locations.

(a) Where such passageways are over walkways or work areas, standard toeboards shall be provided.

(b) Protection as required by the General Safety and Health Standard, WAC 296-24-205 through 296-24-20533 shall be provided against contact with transmission machinery or moving conveyors.

NEW SECTION

WAC 296-78-71009 STAIRWAYS AND LADDERS. (1) Stairways shall be used in preference over ladders wherever possible. Stairways or ladders, whichever is used, shall be constructed and maintained in accordance with the provisions of the General Safety and Health Standard, WAC 296-24-75009 through 296-24-81013.

(2) Doors shall not open directly on a flight of stairs.

(3) Permanent ladders shall be fastened securely at both top and bottom.

(4) Portable ladders shall not be used upon footing other than suitable type.

(5) Hooks or other means of securing portable ladders when in use, shall be provided.

(6) Portable ladders shall not be used for oiling machinery which is in motion.

NEW SECTION

WAC 296-78-71011 EGRESS AND EXIT. (1) In all enclosed buildings, means of egress shall be provided in accordance with the provisions of the General Safety and Health Standard, WAC 296-24-550 through 296-24-56531.

(2) All swinging doors shall be provided with windows, the bottom of which shall be not more than forty-eight inches above the floor. One window shall be provided for each section of double swinging doors. All such windows shall be of shatter proof or safety glass unless otherwise protected against breakage.

(3) Outside exits shall open outward. Where sliding doors are used as exits, an inner door not less than two feet six inches by six feet shall be cut inside each of the main doors and arranged to open outward.

(4) At least two fire escapes or substantial outside stairways, shall be provided for mill buildings where the floor level is more than eight feet above the ground.

(a) Buildings over one hundred fifty feet in length shall have at least one additional fire escape or substantial outside stairway for each additional one hundred fifty feet of length or fraction thereof.

(b) Passageways to fire escapes or outside stairways shall be marked and kept free of obstructions at all times.

(c) Fire protection. The requirements of WAC 296-24-585 through 296-24-62003 of the General Safety and Health Standard, shall be complied with in providing the necessary fire protection for sawmills.

(d) Fire drills shall be held at least quarterly and shall be documented.

(5) Where a doorway opens upon a roadway, railroad track, or upon a tramway or dock over which vehicles travel, a barricade or other safeguard and a warning sign shall be placed to prevent workers from stepping directly into moving traffic.

(6) Tramways and trestles shall be substantially supported by piling or framed bent construction which shall be frequently inspected and maintained in good repair at all times. Tramways or trestles used both for vehicular and pedestrian traffic shall have a walkway with standard hand rail at the outer edge and shear timber on the inner edge, and shall provide three feet clearance to vehicles. When walkways cross over other thoroughfares, they shall be solidly fenced at the outer edge to a height of 42 inches over such thoroughfares.

(7) Where tramways and trestles are built over railroads they shall have a vertical clearance of twenty-two feet above the top of the rails. When constructed over carrier docks or roads, they shall have a vertical clearance of not less than six feet above the drivers foot rest on the carrier, and in no event shall this clearance be less than twelve feet from the surface of the lower roadway or dock.

(8) Walkways (either temporary or permanent) shall be not less than twenty-four inches wide and two inches thick, nominal size,

securely fastened at each end. When such walkways are used on an incline the angle shall not be greater than twenty degrees from horizontal.

(9) Walkways from the shore or dock to floats or barges shall be securely fastened at the shore end only and clear space provided for the other end to adjust itself to the height of the water.

(10) Cleats of one by four inch material shall be fastened securely across walkways at uniform intervals of eighteen inches whenever the grade is sufficient to create a slipping hazard.

NEW SECTION

WAC 296-78-71013 CABLEWAYS. (1)(a) Inclined cableways shall have a central line between the rails in practical alignment with the center of the hoisting drums. A substantial bumper shall be installed at the foot of each incline.

(b) Barricades or warning signs shall be installed to warn pedestrians to stand clear of the cables on inclined cableways. The cables shall not be put into motion without activating an alarm system, either audible or visible, which will inform anyone on the tracks to stand clear.

(2) Employees shall not ride on or stand below the cars on an inclined cableway.

NEW SECTION

WAC 296-78-71015 TANKS AND CHEMICALS. (1) All open vats and tanks into which workers may fall shall be guarded with standard railings or screen guards in all cases where such guarding is possible with regard to practical operation.

(2) Foundations of elevated tanks shall be accessible for inspections. When the tank platform is more than five feet above the ground a stairway or ladder shall be permanently attached.

(3) Every open tank over five feet in height shall be equipped with fixed standard ladders both inside and out, extending from the bottom to the rim of the tank arranged to be accessible to each other, so far as local conditions permit.

(4) The use of chemicals for treating of lumber for prevention of sap stain or mold or as preservatives, shall conform to the requirements of WAC 296-62-11021, Open Surface Tanks.

(a) Storage, handling, and use of chemicals. Threshold limits. Employees shall not be exposed to airborne concentration of toxic dusts, vapors, mists or gases that exceed the threshold limit values set forth in WAC 296-62-070 through 296-62-080 of the General Occupational Health Standards.

(b) Protective equipment. The use of chemicals shall be controlled so as to protect employees from harmful exposure to toxic materials. Where necessary, employees shall be provided with and required to wear such protective equipment as will afford adequate protection against harmful exposure as required by WAC 296-24-075 through 296-24-092 of the General Safety and Health Standards.

(5)(a) Means shall be provided and used to collect any excess of chemicals used in treating lumber so as to protect workers from accidental contact with harmful concentrations of toxic chemicals or fumes.

(b) Dip tanks containing flammable or combustible liquids shall be constructed, maintained and used in accordance with WAC 296-24-405 of the General Safety and Health Standards.

(c) An evacuation plan shall be developed and implemented for all employees working in the vicinity of dip tanks using flammable and/or combustible liquids. A copy of the plan shall be available at the establishment for inspection at all times. Every employee shall be made aware of the evacuation plan and know what to do in the event of an emergency and be evacuated in accordance with the plan. The plan shall be reviewed with employees at least quarterly and documented.

(d) When automatic foam, automatic carbon dioxide or automatic dry chemical extinguishing systems are used, an alarm device shall be activated to alert employees in the dip tank area before and during the activation of the system. The following combinations of extinguishment systems when used in conjunction with the evacuation plan as stated above will be acceptable in lieu of bottom drains:

(i) A dip tank cover with an automatic foam extinguishing system under the cover, or an automatic carbon dioxide system, or an automatic dry chemical extinguishing system, or an automatic water spray extinguishing system;

(ii) An automatic dry chemical extinguishing system with an automatic carbon dioxide system or a second automatic dry chemical extinguishing system or an automatic foam extinguishing system;

(iii) An automatic carbon dioxide system with a second automatic carbon dioxide system or an automatic foam extinguishing system.

(e) The automatic water spray extinguishing systems, automatic foam extinguishing systems, and dip tank covers shall conform with the requirements of WAC 296-24-405. The automatic carbon dioxide systems and dry chemical extinguishing system shall conform with the requirements of WAC 296-24-615 and 296-24-620.

(6) Where workers are engaged in the treating of lumber with chemicals or are required to handle lumber or other materials so treated, the workers shall be provided with, at no cost to the worker, and required to use such protective equipment as will provide complete protection against contact with toxic chemicals or fumes therefrom.

(7) Sanitation requirements. The requirements of WAC 296-24-120 through 296-24-13013 of the General Safety and Health Standards, shall govern sanitation practices.

(8) The sides of steam vats and soaking pits unless otherwise guarded shall extend forty-two inches above the floor level. The floor adjacent thereto shall be of nonslip construction.

(9) Large steam vats or soaking pits, divided into sections, shall be provided with substantial walkways between each section, each walkway to be provided with standard railings which may be removable if necessary.

NEW SECTION

WAC 296-78-71017 DRY KILNS. (1) Dry kilns shall be so constructed upon solid foundations that tracks will not sag. Dry kilns shall be provided with suitable walkways. Each kiln shall have doors that operate from the inside and be provided with escape doors of adequate height and width to accommodate an average size man, that also operates from the inside, and shall be located in or near the main door. Escape doors shall swing in the direction of exit. Kiln doors and door carriers shall be fitted with safety devices to prevent the doors or carriers from falling.

(2) Ladders. A fixed ladder, in accordance with the requirements of WAC 296-24-810 through 296-24-81009 of the General Safety and Health Standards, or other means shall be provided to permit access to the roof. Where controls and machinery are mounted on the roof, a permanent stairway with standard handrail shall be installed in accordance with the requirements of WAC 296-24-765 through 296-24-76523 of the General Safety and Health Standards.

(3) A heated room shall be provided for the use of the kiln operator in inclement weather. He should remain in such room for at least ten minutes after leaving a hot kiln before going to cold outside air.

(4) Where operating pits are used, they shall be well ventilated, drained and lighted. Substantial gratings shall be installed at the kiln floor line. Steam lines shall be provided with insulation wherever exposed to contact by employees. Fans shall be enclosed by standard safeguards.

(5) Mechanical equipment. All belts, pulleys, blowers, and other exposed moving equipment used in or about kilns shall be guarded in accordance with the requirements of WAC 296-24-205 through 296-24-20533 of the General Safety and Health Standards.

NEW SECTION

WAC 296-78-71019 EXHAUST SYSTEMS. (1) Air requirements in buildings, where persons are habitually employed, shall meet the requirements of the General Occupational Health Standard, WAC 296-62-100 through 296-62-11013.

(2) Where the natural ventilation is not sufficient to remove dust, fumes or vapors that create or constitute a hazard, additional means of removal shall be provided.

(3) All mills containing one or more machines whose operations create dust, shavings, chips or slivers during a period of time equal to or greater than one-fourth of the working day or shift, shall be equipped with a collecting system either continuous or automatic in action and of sufficient strength and capacity to thoroughly remove such refuse from the points of operation of the machines and the work areas.

(4) Each woodworking machine that creates dust, shavings, chips, or slivers shall be equipped with an exhaust or conveyor system located and adjusted to remove the maximum amount of refuse from the point of operation and immediate vicinity.

(5) Blower, collecting and exhaust systems shall be designed, constructed and maintained in accordance with American National Standards Z33.1 - 1961 (For the installation of blower and exhaust systems for dust, stock and vapor removal or conveying) and Z12.2 -

1962 (R1969) (Code for the prevention of dust explosions in wood-working and wood flour manufacturing plants.)

(6) Fans used for ventilating shall be of ample capacity, as evidenced by the performance schedules of the manufacturers, and shall be guarded when exposed to contact. Hoods, dust conveyors, dust collectors and other accessory equipment shall be large enough to insure free intake and discharge.

(7) The outlet or discharge of all ventilating equipment shall be so arranged that at no time will the dust, vapors, gases or other air borne impurities discharged, create or constitute a hazard.

(8) Where a hood is used to form a part or all of the guard required on a given machine, it shall be constructed of not less than ten U.S. gauge sheet metal, or if of cast iron it shall be not less than three-sixteenths inches in thickness.

(9) All exhaust pipes shall be of such construction and internal dimensions as to minimize the possibility of clogging. They shall be readily accessible for cleaning.

(10) All exhaust pipes shall empty into settling or dust chambers which shall effectively prevent the dust or refuse from entering any work area. Such settling or dust chambers shall be so designed and operated as to reduce to a minimum the danger of fire or dust explosions.

(11) In lieu of a general ventilating system, exhaust or blower units may be installed on the dust or fume producing machine, provided the required protection is secured thereby.

(12) When proper ventilation is not provided, and temporary hazardous conditions are therefore encountered, the employer shall furnish approved respiratory and visual equipment: PROVIDED, HOWEVER, That the exposure to such hazard shall not be for more than two hours duration. Protective measures and equipment shall meet the requirements of the General Occupational Health Standard, WAC 296-62-070 through 296-62-09001 and the requirements of the General Safety and Health Standard, WAC 296-24-081 through 296-24-08113.

(13) Provisions for the daily removal of refuse shall be made in all operations not required to have an exhaust system, or having refuse too heavy, or bulky, or otherwise unsuitable to be handled by an exhaust system.

NEW SECTION

WAC 296-78-71021 SPRAY PAINTING. All spray painting operations shall be carried on in accordance with the requirements of the General Safety and Health Standard, WAC 296-24-370 through 296-24-37027 and the General Occupational Health Standard, WAC 296-62-11019.

NEW SECTION

WAC 296-78-71023 LIGHTING. (1) Adequacy. Illumination shall be provided and designed to supply adequate general and local lighting to rooms, buildings and work areas during the time of use.

(2) Effectiveness. Factors upon which the adequacy and effectiveness of illumination will be judged, include the following:

(a) The quantity of light in footcandle intensity shall be sufficient for the work being done.

(b) The quality of the light shall be such that it is free from glare and has correct direction, diffusion and distribution.

(c) Shadows and extreme contrasts shall be avoided or kept to a minimum.

(3) The following table of light footcandles are taken from the General Occupational Health Standards, WAC 296-62-09003, and shall be used as a minimum requirement for mills and related work areas measured thirty inches above the floor**:

Assembly:	
Rough	10
Medium	20
Fine	B*
Extra Fine	A*
Construction - Indoor: General	10
Elevators - Freight and Passenger	10
Forge Shops and Welding	10
Garages - Automotive Equipment:	
Storage - Live	10
Storage - Dead	2
Repair Department and Washing	30
Locker Rooms	10
Machine Shops:	

Rough Bench and Machine Work	20
Medium Bench and Machine Work	30
Fine Bench and Machine Work	B*
Extra Fine Bench and Machine Work	A*
Offices:	
Bookkeeping, Typing and Accounting	50
Business Machines	B*
Conference Rooms:	
General Meetings	25
Desk Work:	
Intermittent Reading and Writing	25
Prolonged close work	50
Corridors and Stairways	5
Reading Blueprints and Plans	30
Drafting:	
Prolonged close work	50
Rough Drawing and Sketching	30
Filing and Indexing	25
Lobby	10
Mail Sorting	25
Reception Rooms	10
Stenographic Work	50
Vault	10
Packing and Boxing	10
Paint Mixing	10
Paints Shops:	
Dipping, Simple Spraying, Firing	10
Rubbing, Ordinary Hand Painting and Finishing, Art, Stencil and Special Spraying	20
Fine Hand Painting and Finishing	B*
Extra Fine Hand Painting and Finishing	A*
Plating	10
Polishing and Burnishing	20
Power Plants, Engine Rooms, Boilers:	
Boilers, Coal and Ash Handling, Storage Battery Rooms	5
Auxiliary Equipment, Oil Switches and Transformers	10
Engines, Generators, Blowers, Compressors	20
Switchboards	30
Receiving and Shipping	10
Sheet Metal Works:	
Miscellaneous Machines, Ordinary Bench Work	20
Punches, Presses, Shears, Stamps, Spinning, Medium Bench Work	20 C*
Stairways, Passageways	5
Store and Stock Rooms:	
Rough Bulky Material	5
Medium or Fine Material Requiring Care	10
Testing:	
Rough	20
Fine	30
Extra Fine Instruments, Scales, etc.	A*
Toilets and Washrooms	10
Warehouse	5
Welding	30
Woodworking:	
Rough Sawing and Bench Work	15
Sizing, Planing, Rough Sanding, Medium Machine and Bench Work, Gluing, Veneering, Cooperate	20
Fine Bench and Machine Work, Fine Sanding and Finishing	50

NOTE: ** Figures represent average level for area with lowest level in area to be fifty percent of the listed value. The levels are exclusive of the levels established for more difficult seeing tasks which follow in Groups A, B and C and which are light-levels on the task measurements.

* Lighting for the more difficult seeing tasks, as indicated by A, B and C in the foregoing table, are given in the following:

Group A. These seeing tasks involve (a) the discrimination of extremely fine detail under conditions of (b) extremely poor contrast, (c) for long periods of time. To meet these requirements, illumination levels above one hundred footcandles are recommended.

To provide illumination of this order, a combination of at least twenty footcandles of general lighting plus specialized supplementary lighting is necessary. The design and installation of the combination systems must not only provide a sufficient amount of light but also must provide the proper direction of light, diffusion, eye protection,

and insofar as possible must eliminate direct and reflected glare as well as objectionable shadows.

Group B. This group of visual tasks involves (a) the discrimination of fine detail under conditions of (b) a fair degree of contrast, (c) for long periods of time. Illumination levels from fifty to one hundred footcandles are required.

To provide illumination of this order a combination of at least twenty footcandles of general lighting plus specialized supplementary lighting is necessary. The design and installation of the combination systems must not only provide a sufficient amount of light but also must provide the proper direction of light diffusion, eye protection, and insofar as possible must eliminate direct and reflected glare as well as objectionable shadows.

Group C. The seeing tasks of this group require the discrimination of fine detail by utilizing (a) the reflected image of a luminous area or (b) the transmitted light from a luminous area.

The essential requirements are (1) that the luminous area shall be large enough to cover the surface which is being inspected and (2) that the brightness be within the limits necessary to obtain comfortable contrast conditions. This involves the use of sources of large area and relatively low brightness in which the source brightness is the principal factor rather than the footcandles produced at a given point.

(4) Diffusion and distribution of artificial and natural light. Artificial light sources shall be installed in regard to mounting height, spacing and reflectors or other suitable accessories, as to secure a reasonable uniform distribution of illumination and to avoid glare and sharply defined shadows from overhanging structural parts or persons in normal working positions. Suitable awnings, window shades, diffusive or refractive window glass shall be used where necessary to improve the diffusion and distribution of natural light.

NEW SECTION

WAC 296-78-71025 GAS PIPING AND APPLIANCES. All gas piping and appliances shall be installed in accordance with the American National Standard Requirements for Gas Appliances and Gas Piping Installations, Z21.30 - 1964.

NEW SECTION

WAC 296-78-715 MECHANICAL, STEAM AND ELECTRICAL EQUIPMENT.

NEW SECTION

WAC 296-78-71501 GENERAL PROVISIONS. (1) All machinery or other equipment located or used on the premises of the operation or in the processes incidental thereto, shall be provided and maintained with approved standard safeguards, irrespective of ownership.

(2) Machines shall be so located that each operator will have sufficient space in which to handle material with the least possible interference from or to other workers or machines.

(3) Machines shall be so placed that it will not be necessary for the operator to stand where passing traffic creates a hazard.

(4) Aisles of sufficient width to permit the passing of vehicles or employees without crowding shall be provided in all work areas and stock or storage rooms.

(5) All metal decking around machinery shall be equipped to effectively prevent slipping.

(6) All machinery or equipment started by a control so located as to create impaired vision of any part of such machinery or equipment shall be provided with an audible warning device, where such machinery or equipment is exposed to contact at points not visible to the operator. Such devices shall be sounded before starting up unless positive mechanical or electrical interlocking controls are provided which will prevent starting until all such posts are cleared.

(7) A mechanical or electrical power control device shall be provided at each machine which will make it possible for the operator to stop the machine feed without leaving his position at the point of operation.

(8) All machines operated by means of treadles, levers, or other similar devices, shall be provided with positive and approved nonrepeat devices except where such machine is being used as an automatic repeating device.

(9) Operating levers and treadles on all machines or machinery shall be so located and protected that they cannot be shifted or tripped accidentally.

(10) All power driven machinery shall be stopped and brought to a complete standstill before any repairs or adjustments are made or pieces of material or refuse removed, except where motion is necessary to make adjustments.

NEW SECTION

WAC 296-78-71503 LOCK OUT—TAG OUT. (1) To avoid accidental activation of machinery, electrical devices or other equipment which could create a hazardous condition while performing maintenance, repair, cleanup or construction work, the main disconnect(s) (line circuit breakers) shall first be locked out and tagged in accordance with the following provisions:

(2) Effective date. Effective July 1, 1982, only padlocks or other equivalent protective devices shall be used for locking out the main disconnect(s) (line circuit breakers) of machinery, electrical devices or other equipment that is shut down while maintenance, repair, cleanup, construction work or other type of work is done to the equipment. Tags shall be used to supplement the padlocks or other equivalent protective devices, and shall be used only for informational purposes.

(3) Padlocks, tags or equivalent protective devices to be supplied. The employer shall supply and the employee(s) shall use as many padlocks or other equivalent protective devices as are necessary to effectively lock out all affected equipment.

(4) Lock out plan. An effective lock out plan shall be formulated in writing and all concerned employees so informed. The plan shall contain specific procedures for locking out equipment, information to be contained on supplemental tags and specific procedures for unlocking equipment after repairs, cleanup, etc., have been completed.

(5) Informational tags. Tags used for providing supplemental information with lock out padlocks or other equivalent protective devices shall contain the name of the person authorizing placement, reason for placing, date, signature of person placing tag and such other relative information as deemed necessary by the person placing the tag.

(6) Lock out by pushbutton only. Locking out a machine or item of equipment by use of a pushbutton or other local control device only will not be acceptable as meeting the intent of these rules.

(7) Coordination of locking out devices. When repair, adjustment, cleanup, maintenance or construction work is necessary and the lock out procedures must be followed by any person not familiar with all power sources or material entry sources to any area involved, that person shall consult with the operator, supervisor, or some person that is capable of informing him of proper lock out procedures and supplemental tagging information.

(8) Lock out before removing guards. Equipment shall be stopped and locked out before employees remove guards or reach into any potentially hazardous area. The only exception to this rule will be when equipment must be in motion in order to make proper adjustments.

(9) Removal of lock outs. Each person actively engaged in the repair, maintenance, cleanup, etc., shall lock out the affected equipment and place the informational tag. Upon completion of the work and reinstallation of the guards, that person shall personally remove his lock and tag, except when it is positively determined that an employee has left the premises without removing his lock and tag, other persons may remove the locks and tags in accordance with a procedure formulated by each firm and approved by the Division of Industrial Safety and Health.

(10) Valves to be locked and tagged out. Each valve used to control the flow of hazardous materials into, or used to activate the equipment being worked on, shall be locked and tagged out.

(11) 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 and tagged out. The piping in the area to be worked on shall be drained and purged, if needed. If the piping contains hazardous materials, the piping shall be isolated from the work area by the insertion of blank flanges in the piping system.

(12) Pipe lines without valves. If pipelines or ducts are constructed without valves or closures that can be locked out, the lines or ducts shall be broken at a flange and a blank flange inserted to stop accidental flow of any hazardous material.

(13) Testing after lock out. After locking out and tagging equipment, a test shall be conducted to ascertain that the equipment has been made inoperative or the flow of hazardous material has been positively stopped. Precautions shall be taken to ascertain that persons will not be subjected to hazard while conducting the test if power source or flow of material is not shut off.

(14) 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.

NEW SECTION

WAC 296-78-71505 MECHANICAL POWER TRANSMISSION APPARATUS. (1) Machines and other equipment shall not be oiled while in motion, unless provided with guards or other devices to permit oiling without any possibility of contact with moving parts of machinery.

(2) Inspections shall be made to assure that shaftings, bearings and machines are in proper alignment at all times and that bolts in shaft hangars, couplings and boxes are tight.

(3) Isolated bearings or other equipment not reached by walkway shall be served by a ladder or other means of safe access.

(4) Running belts under power on or off pulleys shall be accomplished by mechanical means which will not expose employees to moving elements of the operation.

(5) Counterweights located on or near passageways or work areas shall be provided with enclosures. Overhead counterweights shall be provided with substantial safety chains or cables, or otherwise secured against falling.

(6) The construction, operation, and maintenance of all mechanical power-transmission apparatus shall be in accordance with the requirements of WAC 296-24-205 through 296-24-20533 of the General Safety and Health Standard.

(7) Baffles shall be erected, where necessary, to protect employees from breaking belts, chains, ropes or cables.

(8) Overhead horizontal belts, chains or rope drives shall be provided with guards.

(9) Hydraulic systems. Means shall be provided to block, chain, or otherwise secure equipment normally supported by hydraulic pressure so as to provide for safe maintenance.

NEW SECTION

WAC 296-78-720 BOILER AND PRESSURE VESSELS. Boilers and pressure vessels shall be constructed, maintained and inspected in accordance with the provisions of the Boiler and Unfired Pressure Vessel Law, chapter 70.79 RCW, and chapter 296-104 WAC as administered by the boiler inspection section of the Department of Labor and Industries.

NEW SECTION

WAC 296-78-725 NONIONIZING RADIATION. (1) Only qualified and trained employees shall be assigned to install, operate, adjust, and maintain laser equipment.

(2) Employees, when working in areas in which a potential exposure to direct or reflected laser light greater than 0.005 watts (5 milliwatts) exists, shall be provided with antilaser safety goggles which will protect for the specific wavelength of the laser and be of optical density (O.D.) adequate for the energy involved.

(3) Areas in which lasers are used shall be posted with standard laser warning placards.

(4) Beam shutters or caps shall be utilized, or the laser turned off, when laser transmission is not actually required. When the laser is left unattended for a substantial period of time, such as during lunch hour, overnight, or at change of shifts, the laser shall be turned off or shutters or caps shall be utilized.

(5) The laser beam shall not be directed at employees.

(6) The laser equipment shall bear such labels, logos and data placards to indicate maximum output and class designation as required of the manufacturer at time of sale, by I.A.W. Part 1040, CFR Title 21. Such labels, logos, data placards, etc., shall be maintained in a legible condition.

(7) Employees shall not be exposed to light intensities in excess of:

(a) Direct staring: One micro-watt per square centimeter;

(b) Incidental observing: One milliwatt per square centimeter;

(c) Diffused reflected light: Two and one-half watts per square centimeter.

(8) The laser equipment shall not be modified except by the manufacturer.

NEW SECTION

WAC 296-78-730 ELECTRICAL SERVICE AND EQUIPMENT. (1) Electrical service and equipment shall be constructed, maintained, inspected and operated in accordance with the provisions of chapter 19.28 RCW, chapter 296-46 WAC, WAC 296-24-950 through 296-24-955, and the Electrical Standard as promulgated by the Division of Building and Construction Safety Inspection Services.

(2) Repairs. Electrical repairs shall be made only by authorized and qualified personnel.

(3) Identification. Marks of identification on electrical equipment shall be clearly visible.

(4) Protective equipment. Rubber protective equipment shall be provided as required by WAC 296-24-092(1) of the General Safety and Health Standard.

(5) Open switches. Before working on electrical equipment, switches shall be open and shall be locked out.

(6) Concealed conductors. Where electrical conductors are known to be concealed, no work shall be performed until such conductors are located.

(7) Overload relays. Overload relays shall be reset by authorized qualified personnel only.

(8) Passageways to panels. Passageways to switch centers or panels shall at all times be kept free from obstruction. Not less than three feet of clear space shall be maintained in front of switch centers or panels at all times.

(9) Bridging fuses. Fuses shall not be doubled or bridged.

NEW SECTION

WAC 296-78-735 ELEVATORS, MOVING WALKS. Elevators, moving walks and other lifting devices intended for either passenger or freight service shall be constructed, maintained, inspected and operated in accordance with the provisions of chapter 70.87 RCW, WAC 296-24-870 through 296-24-90009 of the General Safety and Health Standards, and those specific standards which are applicable from the Division of Building and Construction Safety Inspection Services, Elevator Section.

NEW SECTION

WAC 296-78-740 TRANSPORTATION—LUMBER HANDLING EQUIPMENT—CRANES—CONSTRUCTION. (1) All apparatus shall be designed throughout, with not less than the following factors of safety, under static full rated load stresses, based on ultimate strength of the material used:

Material	Factor of Safety
Cast Iron	12
Cast Steel	8
Structural Steel	5
Forged Steel	5
Cables	5

(2) A notice shall be placed on every crane and hoist showing the maximum allowable load in pounds or tons. This notice shall be placed in such a manner as to be clearly legible from the floor.

(3) Cranes shall be of what is known as "all steel construction". No cast iron shall be used in parts subject to tension except in drums, trolley sides, bearings, brackets and brake shoes.

(4) The construction of cranes shall be such that all parts may be safely lubricated and inspected when cranes are not in operation.

(5) Bolts subject to stress shall be of the through type and all bolts shall be equipped with approved protection so that the bolt will not work loose or nuts work off.

(6) Outside crane cages shall be enclosed. There shall be windows on three sides of the cage and windows in the front, and the side opposite the door shall be the full width of the cage.

(7) Where a tool box or receptacle is used for the storing of oil cans, tools, etc., it shall be permanently secured in the cage or on the foot-walk of outside cranes and on the foot-walk of inside cranes. Tool boxes of hot metal cranes shall be constructed of metal.

(8) All gears on cranes shall be provided with standard guards.

(9) Keys projecting from revolving shafts shall be guarded.

(10) A braking apparatus shall be provided on every type of crane and shall be so designed and installed as to be capable of effectually braking a weight of at least one and one-half times the full rated load.

NEW SECTION

WAC 296-78-745 ELECTRICAL EQUIPMENT. (1) All exposed current-carrying parts except conductors, connected to circuits above three hundred volts to ground shall be so isolated, insulated, or guarded that no employee can come in contact with them. Exposed parts less than 300 volts shall be protected in some suitable way against possible accidental contact. Exposed metallic parts of conduit armored cable or molding shall be permanently grounded.

(2) Guards for the current-carrying parts of unisolated electrical equipment, such as controllers, motors, transformers, automatic cut-outs, circuit breakers, switches, and other devices shall consist of cabinets, casings, or shields of permanently grounded metal or of insulating material.

(3) All parts of electrical equipment, such as fuses and the handles and arc chutes of circuit breakers, shall be so isolated or guarded that the liability of employees being struck or burned by sparking, flashing or movement during operation is reduced to a minimum.

(4) All exposed noncurrent carrying metal parts of electrical equipment shall be permanently grounded. The ground connection through well bonded track rails will be considered satisfactory.

(5) The metallic parts of portable cranes, derricks, hoists, and similar equipment on which wires, cables, chains, or other conducting objects are maintained shall be provided with an effective protective ground, where operated in the vicinity of supply lines.

(6) Readily accessible means shall be provided whereby all conductors and equipment located in cranes can be disconnected entirely from the source of energy at a point as near as possible to the main current collectors.

(7) Means shall be provided to prevent the starting and operation of equipment by unauthorized persons.

(8) The control levers of traveling cranes shall be so located that the operator can readily face the direction of travel.

(9) A hoist limiting device shall be provided for each hoist.

(10) All fuses shall be of the enclosed arcless type.

NEW SECTION

WAC 296-78-750 CHAINS, WIRE ROPE, CABLES AND FIBER ROPE. (1) Ropes, cables, slings, and chains.

(a) Safe usage. Ropes, cables, slings, and chains shall be used in accordance with safe use practices recommended by the manufacturer or within safe limits recommended by the equipment manufacturer when used in conjunction with it.

(b) Proof testing. The employer shall ensure that before use, each new, repaired, or reconditioned alloy steel chain sling, including all welded components in the sling assembly, shall be proof tested by the sling manufacturer or equivalent entity, in accordance with paragraph 5.2 of the American Society of Testing and Materials Specification A391.65 (ANSI G61.1-1968). The employer shall retain the certificate of the proof test and shall make it available for examination. When a chain sling assembly is made up of segments of proof tested alloy chain and proof tested individual components such as mechanical coupling links, hooks and similar devices; it is not necessary to test the assembled unit, when appropriate test certification of individual components is available and the assembled sling is appropriately tagged by the manufacturer or equal entity. The sling shall not be used in excess of the rated capacity of the weakest component.

(c) Slings. Slings and their fittings and fastenings, when in use, shall be inspected daily for evidence of overloading, excessive wear, or damage. Slings found to be defective shall be removed from service.

(2) Proper storage shall be provided for slings while not in use.

(3) Protection shall be provided between the sling and sharp unyielding surfaces of the load to be lifted.

(4) Hooks. No open hook shall be used in rigging to lift any load where there is hazard from relieving the tension on the hook from the load or hook catching or fouling.

(5) Ropes or cables. Wire rope or cable shall be inspected when installed and once each day thereafter, when in use. It shall be removed from hoisting or load-carrying service when kinked or when one of the following conditions exist:

(a) When three broken wires are found in one lay of 6 by 6 wire rope.

(b) When six broken wires are found in one lay of 6 by 19 wire rope.

(c) When nine broken wires are found in one lay of 6 by 37 wire rope.

(d) When eight broken wires are found in one lay of 8 by 19 wire rope.

(e) When marked corrosion appears.

(f) Wire rope of a type not described herein shall be removed from service when four percent of the total number of wires composing such rope are found to be broken in one lay.

(g) Condemned. When wire rope, slings or cables deteriorate through rust, wear, broken wires, kinking or other conditions, to the extent there is a reasonable doubt that the necessary safety factor is maintained, the use of such equipment shall be discontinued.

(6) Wire rope removed from service due to defects shall be plainly marked or identified as being unfit for further use on cranes, hoists, and other load-carrying devices.

(7) The ratio between the rope diameter and the drum, block, sheave, or pulley tread diameter shall be such that the rope will adjust itself to the bend without excessive wear, deformation, or injury. In no case shall the safe value of drums, blocks, sheaves, or pulleys be reduced when replacing such items unless compensating changes are made for rope used and for safe loading limits.

(8) Drums, sheaves, and pulleys. Drums, sheaves, and pulleys shall be smooth and free from surface defects liable to injure rope. Drums, sheaves, or pulleys having eccentric bores or cracked hubs, spokes, or flanges shall be removed from service.

(9) Connections. Connections, fittings, fastenings, and other parts used in connection with ropes and cables shall be of the quality, size and strength recommended by the manufacturer for the use intended. These connections shall be installed in accordance with the manufacturer's recommendations.

(10) Socketing, splicing, and seizing.

(a) Socketing, splicing, and seizing of cables shall be performed only by qualified persons.

(b) All eye splices shall be made in a manner recommended by the manufacturer and wire rope thimbles of proper size shall be fitted in the eye, except that in slings the use of thimbles shall be optional.

(11) Wire rope clips attached with U-bolts shall have these bolts on the dead or short end of the rope. The U-bolt nuts shall be retightened immediately after initial load carrying use and at frequent intervals thereafter. The number and spacing of clips shall be as follows:

Improved Plow Steel Diameter of Rope	Number of Clips (Drop Forged)		Required Other Material	Minimum Space Between Clips
3/8 to 5/8"	3	4		3-3/4"
3/4"	4	5		4-1/2"
7/8"	4	5		5-1/4"
1"	5	6		6"
1-1/8"	6	6		6-3/4"
1-1/4"	6	7		7-1/2"
1-3/8"	7	7		8-1/4"
1-1/2"	7	8		9"

(a) When a wedge socket-type fastening is used, the dead or short end of the cable shall be clipped with a U-bolt or otherwise made secure against loosening.

(b) Fittings. Hooks, shackles, rings, pad eyes, and other fittings that show excessive wear or that have been bent, twisted, or otherwise damaged shall be removed from service.

(12) Running lines. Running lines of hoisting equipment located within six feet six inches of the ground or working level shall be boxed off or otherwise guarded, or the operating area shall be restricted.

(13) Preventing abrasion. The reeving of a rope shall be so arranged as to minimize chafing or abrading while in use.

(14) Sheave guards. Bottom sheaves shall be protected by close fitting guards to prevent cable from jumping the sheave.

(15) There shall be not less than two full wraps of hoisting cable on the drums of cranes and hoists at all times of operation.

(16) Where the cables are allowed to pile on the drums of cranes, the drums shall have a flange at each end to prevent the cables from slipping off the drum.

(17) Chains. Chains used in load carrying service shall be inspected before initial use and weekly thereafter.

If at any time any three-foot length of chain is found to have stretched one-third the length of a link it shall be discarded.

(18) Chains shall be spliced in compliance with the requirements of the General Safety and Health Standard, WAC 296-24-29413.

(19) 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.

Chain shall be normalized or annealed periodically as recommended by the manufacturer.

(20) Fiber rope.

- (a) Frozen fiber rope shall not be used in load carrying service.
- (b) Fiber rope that has been subjected to acid shall not be used for load carrying purposes.
- (c) Fiber rope shall be protected from abrasion by padding where it is fastened or drawn over square corners or sharp or rough surfaces.

NEW SECTION

WAC 296-78-755 NATURAL AND SYNTHETIC FIBER ROPE SLINGS. (1) Sling use.

(a) Fiber rope slings made from conventional three strand construction fiber rope shall not be used with loads in excess of the rated capacities prescribed in Tables D-16 through D-19 of Part "D" of the General Safety and Health Standards, chapter 296-24 WAC.

(b) Slings not included in these tables shall be used only in accordance with the manufacturer's recommendations.

(2) Safe operating temperatures. Natural and synthetic fiber rope slings, except for wet frozen slings, may be used in a temperature range from minus 20°F to plus 180°F without decreasing the working load limit. For operations outside this temperature range and for wet frozen slings, the sling manufacturer's recommendations shall be followed.

(3) Splicing. Spliced fiber rope slings shall not be used unless they have been spliced in accordance with the following minimum requirements and in accordance with any additional recommendations of the manufacturer:

(a) In manila rope, eye splices shall consist of at least three full tucks, and short splices shall consist of at least six full tucks, three on each side of the splice center line.

(b) In synthetic fiber rope, eye splices shall consist of at least four full tucks, and short splices shall consist of at least eight full tucks, four on each side of the center line.

(c) Strand end tails shall not be trimmed flush with the surface of the rope immediately adjacent to the full tucks. This applies to all types of fiber rope and both eye and short splices. For fiber rope under one inch in diameter, the tail shall project at least six rope diameters beyond the last full tuck. For fiber rope one inch in diameter and larger, the tail shall project at least six inches beyond the last full tuck. Where a projecting tail interferes with the use of the sling, the tail shall be tapered and spliced into the body of the rope using at least two additional tucks (which will require a tail length of approximately six rope diameters beyond the last full tuck).

(d) Fiber rope slings shall have a minimum clear length of rope between eye splices equal to ten times the rope diameter.

(e) Knots shall not be used in lieu of splices.

(f) Clamps not designed specifically for fiber ropes shall not be used for splicing.

(g) For all eye splices, the eye shall be of such size to provide an included angle of not greater than sixty degrees at the splice when the eye is placed over the load or support.

(4) End attachments. Fiber rope slings shall not be used if end attachments in contact with the rope have sharp edges or projections.

(5) Removal from service. Natural and synthetic fiber rope slings shall be immediately removed from service if any of the following conditions are present:

(a) Abnormal wear.

(b) Powdered fiber between strands.

(c) Broken or cut fibers.

(d) Variations in the size or roundness of strands.

(e) Discoloration or rotting.

(f) Distortion of hardware in the sling.

(6) Repairs. Only fiber rope slings made from new rope shall be used. Use of repaired or reconditioned fiber rope slings is prohibited.

NEW SECTION

WAC 296-78-760 SYNTHETIC WEB SLINGS. (1) Sling identification. Each sling shall be marked or coded to show the rated capacities for each type of hitch and type of synthetic web material.

(2) Webbing. Synthetic webbing shall be of uniform thickness and width and selvage edges shall not be split from the webbing's width.

(3) Fittings. Fittings shall be:

(a) Of a minimum breaking strength equal to that of the sling; and

(b) Free of all sharp edges that could in any way damage the webbing.

(4) Attachment of end fittings to webbing and formation of eyes. Stitching shall be the only method used to attach end fittings to webbing and to form eyes. The thread shall be in an even pattern and contain a sufficient number of stitches to develop the full breaking strength of the sling.

(5) Sling use. Synthetic web slings illustrated in Figure D-6 shall not be used with loads in excess of the rated capacities specified in Tables D-20 through D-22. Slings not included in these tables shall be used only in accordance with the manufacturer's recommendations.

(6) Environmental conditions. When synthetic web slings are used, the following precautions shall be taken:

(a) Nylon web slings shall not be used where fumes, vapors, sprays, mists or liquids of acids or phenolics are present.

(b) Polyester and polypropylene web slings shall not be used where fumes, vapors, sprays, mists or liquids of caustics are present.

(c) Web slings with aluminum fittings shall not be used where fumes, vapors, sprays, mists or liquids of caustics are present.

(7) Safe operating temperatures. Synthetic web slings of polyester and nylon shall not be used at temperatures in excess of 180°F. Polypropylene web slings shall not be used at temperatures in excess of 200°F.

(8) Repairs.

(a) Synthetic web slings which are repaired shall not be used unless repaired by a sling manufacturer or an equivalent entity.

(b) Each repaired sling shall be proof tested by the manufacturer or equivalent entity to twice the rated capacity prior to its return to service. The employer shall retain a certificate of the proof test and make it available for examination.

(c) Slings, including webbing and fittings, which have been repaired in a temporary manner shall not be used.

(9) Removal from service. Synthetic web slings shall be immediately removed from service if any of the following conditions are present:

(a) Acid or caustic burns;

(b) Melting or charring of any part of the sling surface;

(c) Snags, punctures, tears or cuts;

(d) Broken or worn stitches; or

(e) Distortion of fittings.

NEW SECTION

WAC 296-78-770 OPERATORS. (1) Cranes shall be operated only by regular crane operators, authorized substitutes who have had adequate experience and training under the supervision of a competent operator, or by crane repair person or inspectors.

(2) No person under the age of eighteen years shall be permitted to operate a crane.

(3) Operators shall be required to pass a practical examination limited to the specific type of equipment to be operated. Operators shall meet the following physical qualifications:

(a) Have vision of at least 20/30 Snellen in one eye, and 20/50 in the other, with or without corrective lenses.

(b) Be able to distinguish red, green, and yellow, regardless of position of colors, if color differentiation is required for operation.

(c) Hearing, with or without hearing aid, must be adequate for the specific operation.

(d) A history of epilepsy or an uncorrected disabling heart condition shall be cause for a doctor decision to determine qualifications to operate a crane.

(4) Hands shall be kept free when going up and down ladders. Articles which are too large to go into pockets or belts shall be lifted to or lowered from the crane by hand line. (Except where stairways are provided.)

(5) Cages shall be kept free of clothing and other personal belongings. Tools, extra fuses, oil cans, waste and other articles necessary in the crane cage shall be stored in a tool box and not left loose on or about the crane.

(6) The operator shall familiarize himself fully with all crane rules and with the crane mechanism and its proper care. If adjustments or repairs are necessary, he shall report the same at once to the proper authority.

(7) The operator shall not eat, smoke or read while actually engaged in the operation of the crane.

(8) The operator or someone especially designated shall lubricate all working parts of the crane.

(9) Cranes shall be examined for loose parts or defects each day on which they are in use.

(10) Sawdust, oil or other debris shall not be allowed to accumulate to create a fire, health or slipping hazard.

(11) Operators shall avoid, as far as possible, carrying loads over workers. Loads shall not be carried over employees without sounding an audible warning alarm.

(12) Whenever the operator finds the main or emergency switch open, he shall not close it, even when starting on regular duty, until he has made sure that no one is on or about the crane. He shall not oil or repair the crane unless the main switch is open.

(13) If the power goes off, the operator shall immediately throw all controllers to "off" position until the power is again available.

(14) Before closing the main switch the operator shall make sure that all controllers are in "off" position until the power is again available.

(15) The operator shall pay special attention to the block, when long hitches are made, to avoid tripping the limit switch.

(16) The operator shall recognize signals only from the person who is supervising the lift except for emergency stop signals. Operating signals shall follow established standard crane signals as illustrated in WAC 296-78-830 of this chapter. Whistle signals may be used where one crane only is in operation. Cranes shall have audible warning device which shall be sounded in event of emergency.

(17) Before starting to hoist, the operator shall place the trolley directly over the load to avoid swinging it when being hoisted.

(18) The operator shall not make side pulls with the crane except when especially instructed to do so by the proper authority.

(19) When handling maximum loads, the operator shall test the hoist brakes after the load has been lifted a few inches. If the brakes do not hold, the load shall be lowered at once and the brakes adjusted or repaired.

(20) Bumping into runway stops or other cranes shall be avoided. When the operator is ordered to engage with or push other cranes, he shall do so with special care for the safety of persons on or below cranes.

(21) When lowering a load, the operator shall proceed carefully and make sure that he has the load under safe control.

(22) When leaving the cage the operator shall throw all controllers to "off" position and open the main switch.

(23) If the crane is located out of doors the operator shall lock the crane in a secure position to prevent it from being blown along or off the track by a severe wind.

(24) Railroad cars shall not be pulled along the tracks with sidepulls on an overhead crane.

(25) Operators shall not move the crane or a load unless floor signals are clearly understood.

(26) The rated lifting capacity of a crane shall not be exceeded. If any doubt exists about the weight of a load which might exceed the rated capacity, the foreman in charge must be contacted before any attempt is made to lift the load. The foreman shall determine that the load is within the rated capacity of the crane or the load shall not be lifted.

(27) Crane operators and floorpersons shall coordinate their activities on every lift or movement of the crane. Both the operator and signalperson shall clearly understand any problem a movement might create with regard to surrounding materials, structures, equipment or personnel.

NEW SECTION

WAC 296-78-775 SIGNALPERSONS. (1) Signalpersons shall give all the signals to the operator in accordance with established standard signals as illustrated in WAC 296-78-830 of this chapter.

(2) A designated person shall be responsible for the condition and use of all hoisting accessories and for all hitches.

(3) Before an operator moves a crane upon which an empty chain or cable sling is hanging, both ends of the sling shall be placed on the hook.

(4) Signalpersons, where necessary, shall walk ahead of the moving load and warn people to keep clear of it. They shall see that the load is carried high enough to clear all obstructions.

(5) Signalpersons shall notify the person in charge in advance when an extra heavy load is to be handled.

(6) No person shall be permitted to stand or pass under an electric magnet in use.

(7) The electrical circuit for electric magnets shall be maintained in good condition. Means for taking up the slack cable shall be provided.

NEW SECTION

WAC 296-78-780 REPAIRPERSONS. (1) When repairs are necessary, repairpersons shall have the crane run to a location where the repair work will least interfere with the other cranes and with operations on the floor.

(2) Before starting repairs, repairpersons shall see that all controllers are thrown to the "off" position, and that main or emergency switches are opened; one of these shall be locked out in compliance with WAC 296-78-715(11) of this chapter.

(3) Repairpersons shall immediately place warning signs or "Out of Order" signs on a crane to be repaired and also on the floor beneath or hanging from the crane so that it can easily be seen from the floor. If other cranes are operated on the same runway, repairpersons shall also place rail stops at a safe distance or make other safe provisions.

(4) When repairing runways, repairpersons shall place rail stops and warning signs or signals so as to protect both ends of the section to be repaired.

(5) Repairpersons shall take care to prevent loose parts from falling or being thrown upon the floor beneath.

(6) Repairs shall not be considered complete until all guards and safety devices have been put in place and the block and tackle and other loose material have been removed.

NEW SECTION

WAC 296-78-785 CONSTRUCTION REQUIREMENTS. (1) Calculations for wind pressure on outside overhead traveling cranes shall be based on not less than 30 pounds per square foot of exposed surface.

(2) No overhung gears shall be used unless provided with an effective means of keeping them in place, and keys shall be secured to prevent gears working loose.

Safety lugs or brackets shall be provided on the trolley frames and bridge ends of overhead traveling cranes, so that in the event of a broken axle or wheel the trolley or bridge proper will not have a drop greater than one inch.

(3) Where there are no members over an outside overhead crane suitable for attaching blocks for repair work, and a locomotive crane is not available, a structural steel outrigger of sufficient strength to lift the heaviest part of the trolley shall be provided.

(4) Outside overhead traveling cranes shall be equipped with wind indicators and rail clamps as required by the General Safety and Health Standards, WAC 296-24-23503.

(5) Foot brakes, or other effective means shall be provided to control the bridge travel of all overhead traveling cranes.

NEW SECTION

WAC 296-78-790 CRANE PLATFORMS AND FOOTWALKS. (1) Platforms shall be provided when changing and repairing truck wheels on end trucks.

(2) A platform or footwalk shall be located on crane or crane runway to give access to the crane cage, and it shall be accessible from one or more stairways or fixed ladders. This platform or footwalk shall be not less than eighteen inches in width.

(3) Where stairways are used to give access to platforms they shall make an angle of not more than fifty degrees with the horizontal and shall be equipped with substantial railing. If ladders are used to give access to platforms they shall extend not less than thirty-six inches above the platform. Railed stairways or ladders to be used as a means of ingress and egress to crane cages shall be located at either or both ends.

(4) A footwalk shall be placed along the entire length of the bridge on the motor side, and a short platform twice the length of the trolley placed at one end of the girder on the opposite side, with a vertical clearance of a least six feet six inches where the design of crane or building permits, but in no case shall there be less than four feet clearance. For hand operated cranes the footwalk shall not be required to be installed on the bridge of the crane, but there shall be a repair platform equal in strength and design to that required for motor operated cranes, installed on the wall of the building or supported by the crane runway at a height equal to the lower edge of the bridge girder to facilitate necessary repairs.

(5) Clear width of footwalks shall not be less than eighteen inches except around the bridge motor where it may be reduced to fifteen inches.

(6) Footwalks shall be of substantial construction and rigidly braced. Footwalks for outside service shall be constructed so as to provide proper drainage, but the cracks between the boards shall not be wider than one-fourth inch.

(7) Every footwalk shall have a standard railing and toeboard at all exposed edges. Railings and toeboards shall conform in construction and design with the following requirements:

(a) Railings shall be not less than thirty-six inches nor more than forty-two inches in height, with an additional rail midway between the top rail and the floor.

(b) Pipe railings shall be not less than one and one-fourth inch inside diameter if of iron or be not less than one and one-half inches outside diameter if of brass tubing.

(c) Metal rails other than pipe shall be at least equal in strength to that of one and one-half by three-sixteenths inch angle and shall be supported by uprights of equal strength.

(d) Posts or uprights shall be spaced not more than eight feet center to center.

(e) Toeboards shall be not less than four inches in height.

(f) Toeboards shall be constructed in a permanent and substantial manner of metal, wood, or other material equivalent thereto in strength. Where of wood, toeboards shall be at least equal in cross section to one inch by four inches; where of steel at least one-eighth inch by four inches; where of other construction at least equal to the requirements for steel. Perforations up to one-half inch are permissible in metal toeboards.

(8) No openings shall be permitted between the bridge footwalk and the crane girders. Where wire mesh is used to fill this opening the mesh openings shall be not greater than one-half inch.

(9) All footwalks and platforms shall be so designed as to be capable of sustaining a concentrated load of one hundred pounds per lineal foot.

NEW SECTION

WAC 296-78-795 CRANE CAGES. (1) Safe means of escape shall be provided for operators of all cranes in all operating locations. Rope ladders shall not be used as a regular means of access but may be installed as an emergency escape device to be used in the event of fire, mechanical breakdown or other emergency.

(2) The operator's cage shall be located at a place from which signals can be clearly distinguishable, and shall be securely fastened in a place and well braced to minimize vibration. It shall be large enough to allow ample room for the control equipment and the operator. The operator shall not be required to step over an open space of more than eighteen inches when entering the cage.

(3) Cab operated cranes shall be equipped with a portable fire extinguisher which meets the requirements of the General Safety and Health Standard, WAC 296-24-590 through 296-24-59007.

(4) In establishments where continuous loud noises prevail such as caused by the operation of pneumatic tools, steam exhausts from boilers, etc., adequate signals shall be installed on cranes or one or more employees shall be placed on the floor for each crane operated to give warning to other employees of the approach of a crane with a load. Where there are more than two cranes on the same runway or within the same building structure, signaling devices are required to give warning to other employees of the approach of a crane with a load.

(5) Cages of cranes subjected to heat from below shall be of non-combustible construction and shall have a steel plate shield not less than one-eighth inch thick, placed not less than six inches below the bottom of the floor of the cage.

(6) Outside crane cages shall be enclosed. There shall be windows on three sides of the cage. The windows in the front and the side opposite the door shall be the full width of the cage.

(7) The floor of the cage on out-door cranes shall be extended to form an entrance landing which shall be equipped with a handrail and toeboard constructed to the specifications of WAC 296-78-790 of this chapter.

(8) A copy of the rules for operators shall be permanently posted in the cages of all cage-operated cranes.

NEW SECTION

WAC 296-78-800 CRANE RAIL STOPS, BUMPERS AND FENDERS. (1) Rail stops shall be provided at both ends of the crane runway and at ends of the crane bridge. When two trolleys are operated on the same bridge rails, bumpers shall be provided to prevent collision of trolleys.

(2) Bumpers and rail stops shall extend at least as high as the centers of the wheel.

(3) Rail stops shall be fastened to the girders or girders and rails, but not to the rails alone. This does not apply to portable rail stops. Portable rail stops shall not be used as permanent rail stops.

(4) Rail stops shall be built up of plates and angles or be made of cast steel.

(5) Fenders shall be installed which extend below the lowest point of the treads of gantry type crane wheels. They shall be f shape and form that will tend to push or raise an employee's hand, arm or leg off the rail and away from the wheel.

NEW SECTION

WAC 296-78-805 CRAWLER LOCOMOTIVE AND TRUCK CRANES. Crawler locomotive and truck cranes shall be constructed, maintained, inspected and operated in accordance with the provisions of WAC 296-24-240 through 296-24-24019 of the General Safety and Health Standards.

NEW SECTION

WAC 296-78-810 CHAIN AND ELECTRIC HOISTS. (1) Chain and electric hoists shall be of what is known as "all steel construction." No cast iron shall be used in parts subject to tension except drums, bearings or brake shoes.

(2) The chains shall be made of the best quality steel or iron with welded links.

(3) Chain and electric hoists shall have a factor of safety of at least five.

(4) Chain and electric hoists shall be equipped with a device which will automatically lock the load when hoisting is stopped.

(5) Electric hoists shall be provided with a limit stop to prevent the hoist block from traveling too far in case the operating handle is not released in time.

(6) Workers shall not ride the load of any chain or electric hoist. If necessary to balance the load manually, it shall be done from a safe distance.

(7) The rated capacity of the hoist shall be posted on both the hoist and the jib or rail.

NEW SECTION

WAC 296-78-815 MONORAIL HOISTS. (1) No attempt shall be made with a monorail hoist to lift or move an object by a side pull, unless designed for that purpose.

(2) A stop shall be provided at all switches and turntables which will prevent the trolley from running off should the switch be turned or be left in the open position.

(3) All monorail hoists operating on swivels shall be equipped with one or more safety catches which will support the load should a suspension pin fail. All trolley frames shall be safeguarded against spreading.

(4) Rail stops shall be provided at the ends of crane runways. Such rail stops shall extend at least as high as the centers of the wheels.

(5) All monorail hoists shall have the rated capacity posted on both the hoist and the rail.

NEW SECTION

WAC 296-78-820 AIR HOISTS. (1) To prevent piston rod lock nuts from becoming loose and allowing rod to drop when supporting a load, lock nut shall be secured to piston rod by a castellated nut and cotter-pin.

(2) A clevis, "D" Strap or other means shall be used to prevent the hoist cylinder becoming detached from the hanger.

(3) All air hoists shall have their rated capacity posted on both the hoist and the jib or rail.

NEW SECTION

WAC 296-78-825 JIB, PILLAR, AND PORTABLE FLOOR CRANES, CRABS, AND WINCHES. (1) Side pulls shall not be made with jib or pillar cranes. The arm or boom shall be directly over the load when making a lift.

(2) The gears of all cranes shall be enclosed, and if hand operated by means of a crab or winch, a locking dog shall be provided to hold load when the handle is released.

(3) Some form of brake or safety lowering device shall be provided on all crabs, winches, and jib cranes.





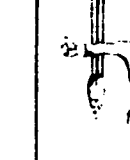


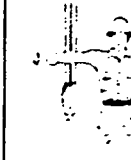
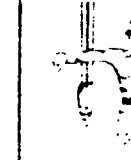
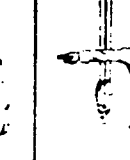


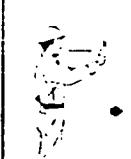







(4) A hoist limiting device shall be provided on all jib cranes of ten or more tons capacity.

(5) The rated capacity of the hoisting device shall be posted on the hoist and the arm or boom.

NEW SECTION

WAC 296-78-830 STANDARD CRANE HAND SIGNALS—ILLUSTRATIONS. (1) The following hand signals shall be used for crawler, locomotive, and truck cranes and a copy shall be posted in the cab at the operator's station.



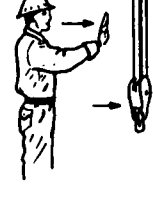

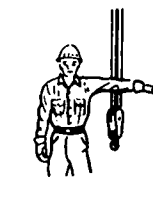

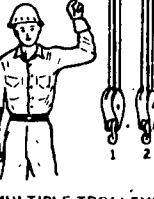
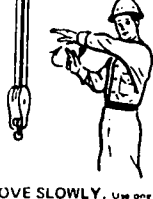
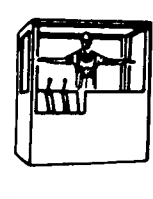
Crawler, Locomotive, and Truck Cranes

 <p>HOIST With forearm vertical, hand open, palm facing up, move hand in small horizontal circles.</p>	 <p>LOWER With arm extended downward, hand open, palm facing down, move hand in small horizontal circles.</p>	 <p>USE MAIN HOIST Tap forehead with one finger, palm facing forward.</p>	 <p>USE SHOULDER (Auxiliary Hoist) Tap shoulder with one hand, palm facing forward.</p>	 <p>RAISE BOOM Arm extended forward, hand open, palm facing forward.</p>
 <p>LOWER BOOM Arm extended vertically, hand open, palm facing down.</p>	 <p>MOVE SLOWLY Use one hand to give any motion signal and place other hand motionless in front of head giving the motion signal. (Hand motion shown as example.)</p>	 <p>RAISE THE BOOM AND LOWER THE LOAD With arm extended, hand pointing up, the fingers in and out as long as load movement is desired.</p>	 <p>LOWER THE BOOM AND RAISE THE LOAD With arm extended, hand pointing down, the fingers in and out as long as load movement is desired.</p>	 <p>SWING Arm extended forward with fingers in direction of swing of boom.</p>
 <p>STOP Arm extended, palm down, hand position rigidly.</p>	 <p>EMERGENCY STOP Arm extended, palm down, head turned rigidly right and left.</p>	 <p>TRAVEL Arm extended forward, hand open and slightly raised, palm pointing motion in direction of travel.</p>	 <p>DO EVERYTHING Close hands in front of body.</p>	 <p>TRAVEL (Both Hands Use Both Arms in front of body, making a double motion about each other, indicating direction of travel forward or backward. (For crawler cranes only.)</p>
 <p>TRAVEL (One Hand Use One Arm in front of body, making a double motion about each other, indicating direction of travel forward or backward. (For crawler cranes only.)</p>	 <p>EXTEND BOOM (Telescoping Booms) Both arms in front of body with thumbs pointing outward.</p>	 <p>RETRACT BOOM (Telescoping Booms) Both arms in front of body with thumbs pointing toward each other.</p>	 <p>EXTEND BOOM (Telescoping Booms) One Hand Up, One Out in front of head with thumb tapping outward.</p>	 <p>RETRACT BOOM (Telescoping Booms) One Hand Up, One Out in front of head, thumb pointing inward and tapping inward.</p>

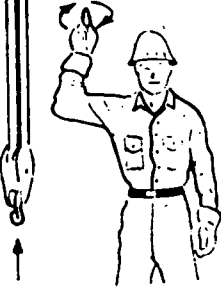
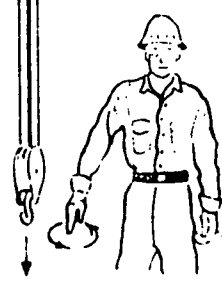
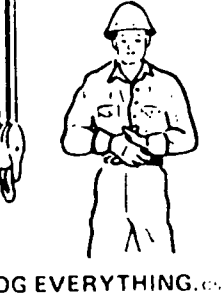
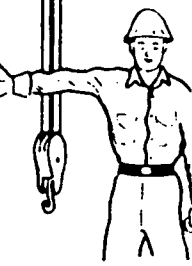
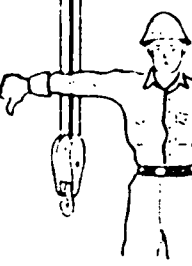
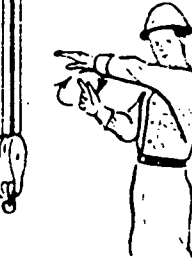
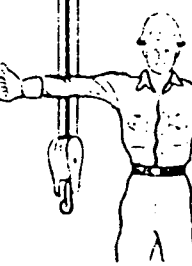
(2) The following hand signals shall be used for overhead and gantry cranes and a copy shall be posted in the cab at the operator's station.

(3) The following hand signals shall be used for derricks and a copy shall be posted in the cab at the operator's station.

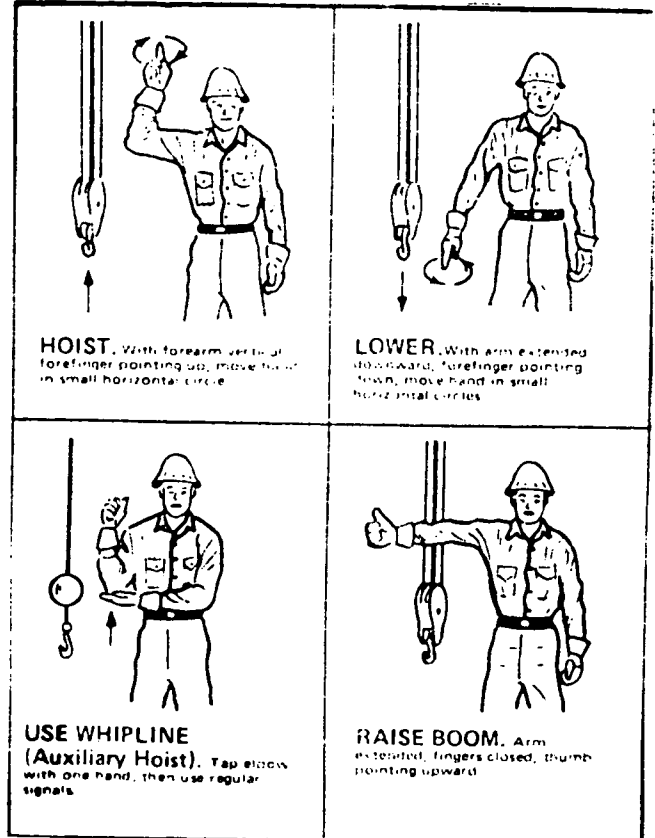
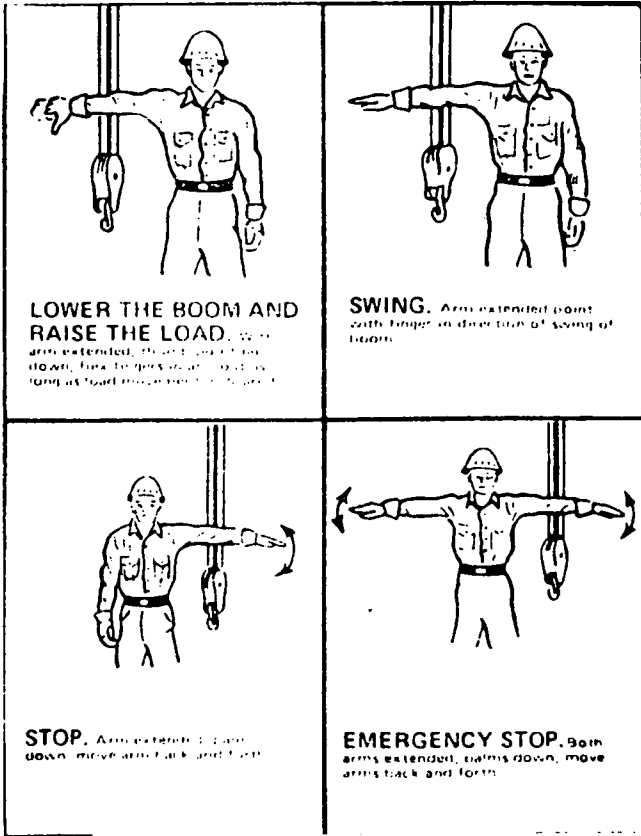
STANDARD HAND SIGNALS FOR CONTROLLING OVERHEAD AND GANTRY CRANES

 <p>HOIST. With forearm vertical, forefinger pointing up, move hand in small horizontal circle.</p>	 <p>LOWER. With arm extended downward, forefinger pointing down, move hand in small horizontal circles.</p>	 <p>BRIDGE TRAVEL. Arm extended forward, hand open and slightly raised, make pushing motion in direction of travel.</p>
 <p>TROLLEY TRAVEL. Right arm, finger closed, thumb pointing in direction of motion, hand held horizontally.</p>	 <p>STOP. Arm extended, palm down, move arm back and forth.</p>	 <p>EMERGENCY STOP. Both arms extended, palms down, move arms back and forth.</p>
 <p>MULTIPLE TROLLEYS. Hold up one finger for block marked "1" and two fingers for block marked "2". Regular signals follow.</p>	 <p>MOVE SLOWLY. Use one hand to give any motion signal and the other hand motionless in front of hand giving the motion signal. Hoist slowly shown as example.</p>	 <p>MAGNET IS DISCONNECTED. Crane operator extends both hands, palms up.</p>

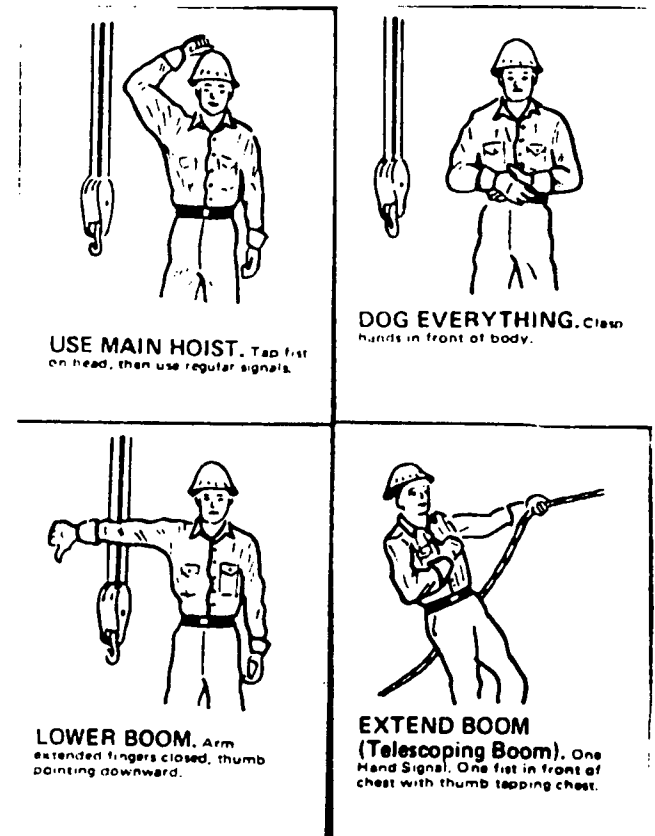
STANDARD HAND SIGNALS FOR CONTROLLING CRANES.

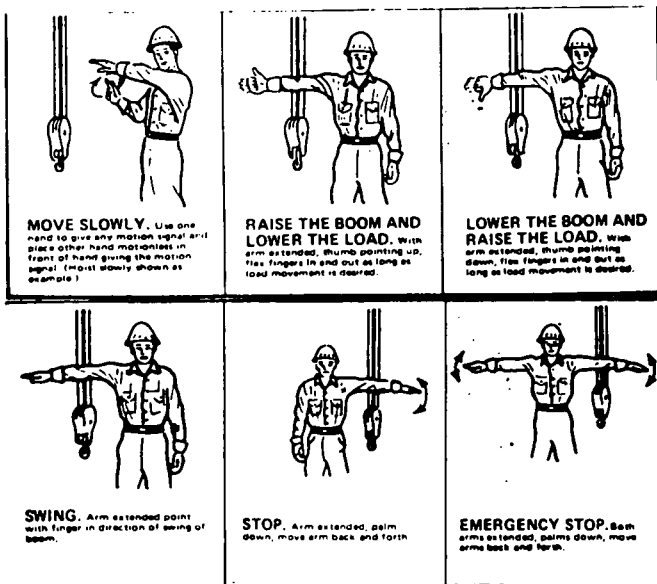
 <p>HOIST. With forearm parallel to tower, hand extended, index finger pointing up.</p>	 <p>LOWER. With forearm parallel to tower, hand extended, index finger pointing down.</p>	 <p>DOG EVERYTHING. Clasp hands in front of body.</p>
 <p>RAISE BOOM. With arm extended, forearm parallel to tower, index finger pointing up.</p>	 <p>LOWER BOOM. With arm extended, forearm parallel to tower, index finger pointing down.</p>	
 <p>MOVE SLOWLY. With hand extended, index finger pointing to the side, other hand in a similar position, forearm parallel to tower, index finger pointing to the side.</p>	 <p>RAISE THE BOOM AND LOWER THE LOAD. With arm extended, forearm parallel to tower, index finger pointing up.</p>	

STANDARD HAND SIGNALS FOR CONTROLLING PORTAL, TOWER, AND PILLAR CRANES



(4) The following hand signals shall be used for portal, tower, and pillar cranes and a copy shall be posted in the cab at the operator's station.





NEW SECTION

WAC 296-78-835 VEHICLES. (1) Vehicles.

(a) Scope. Vehicles shall include all mobile equipment normally used in sawmill, planing mill, storage, shipping, and yard operations, including log sorting yards.

(b) Lift trucks. Lift truck shall be designed, constructed, maintained and operated in accordance with the requirements of WAC 296-24-230 through 296-24-23035 of the General Safety and Health Standards.

(c) Carriers. Drive chains on lumber carriers shall be adequately guarded to prevent contact at the pinch points.

(d)(i) Lumber carriers shall be so designed and constructed that the operator's field of vision shall not be unnecessarily restricted.

(ii) Carriers shall be provided with ladders or equivalent means of access to the operator's platform or cab.

(e) Lumber hauling trucks.

(i) On trucks where the normal operating position is ahead of the load in the direction of travel, the cab shall be protected by a barrier at least as high as the cab. The barrier shall be capable of stopping the weight of the load capacity of the vehicle if the vehicle were to be stopped suddenly while traveling at its normal operating speed. The barrier shall be constructed in such a manner that individual pieces of a normal load will not go through openings in the barrier.

(ii) Stakes, stake pockets, racks, tighteners, and binders shall provide a positive means to secure the load against any movement during transit.

(iii) Where rollers are used, at least two shall be equipped with locks which shall be locked when supporting loads during transit.

(2) All vehicles used in a sawmill, lumber yard, factory or other establishment shall be equipped with audible warning signals that shall be maintained in good order at all times.

(3) Flywheels, gears, sprockets and chains and other exposed parts that constitute a hazard to workers shall be enclosed in standard guards.

(4) All vehicles operated after dark or in any area of reduced visibility shall be equipped with head lights which adequately illuminate the direction of travel for the normal operating speed of the vehicle. The vehicle shall also be equipped with tail lights which are visible enough to give sufficient warning to surrounding traffic at the normal traffic operating speed.

(5) All vehicles operated in areas where overhead hazards exist shall be equipped with an overhead guard for the protection of the operator.

(6) Where vehicles are so constructed and operated that there is a possibility of the operator being injured by backing into objects, a platform guard shall be provided and so arranged as not to hinder the exit of the driver.

(7) Trucks, lift trucks and carriers shall not be operated at excessive rates of speed. When operating on tramways or docks more than six feet above the ground or lower level they shall be limited to a speed of not more than twelve miles per hour. When approaching blind corners they shall be limited to four miles per hour.

(8) Vehicles shall not be routed across principal thoroughfares while employees are going to or from work unless pedestrian lanes are provided.

(a) Railroad tracks and other hazardous crossings shall be plainly posted and traffic control devices (American National Standard D8.1 - 1967 for Railroad-Highway Grade Crossing Protection) should be utilized.

(b) Restricted overhead clearance. All areas of restricted side or overhead clearance shall be plainly marked.

(c) Pickup and unloading points. Pickup and unloading points and paths for lumber packages on conveyors and transfers and other areas where accurate spotting is required, shall be plainly marked and wheel stops provided where necessary.

(d) Aisles, passageways, and roadways. Aisles, passageways, and roadways shall be sufficiently wide to provide safe side clearance. One-way aisles may be used for two-way traffic if suitable turnouts are provided.

(9) Where an operator's vision is impaired by the vehicle or load it is carrying, he shall move only on signal from someone so stationed as to have a clear view in the direction the vehicle is to travel.

(10) Lift trucks shall be equipped, maintained and operated in compliance with the requirements of the General Safety and Health Standard, WAC 296-24-230 through 296-24-23035.

(11) Load limits. No vehicle shall be operated with loads exceeding its safe load capacity.

(12) Vehicles with internal combustion engines shall not be operated in enclosed buildings or buildings with ceilings less than sixteen feet high unless the buildings have ventilation adequate to maintain air quality as required by the General Occupational Health Standard, chapter 296-62 WAC.

(13) Vehicles shall not be refueled while motor is running. Smoking or open flames shall not be allowed in the refueling area.

(14) No employee other than trained operators or mechanics shall start the motor of, or operate any log or lumber handling vehicle.

(15) All vehicles shall be equipped with brakes capable of holding and controlling the vehicle and capacity load upon any grade or incline over which they may operate.

(16) Unloading equipment and facilities.

(a) Machines used for hoisting, unloading, or lowering logs shall be equipped with brakes capable of controlling or holding the maximum load in midair.

(b) The lifting cylinders of all hydraulically operated log handling machines, where the load is lifted by wire rope, shall be equipped with a positive device for preventing the uncontrolled lowering of the load or forks in case of a failure in the hydraulic system.

(c) A limit switch shall be installed on powered log handling machines to prevent the lift arms from traveling too far in the event the control switch is not released in time.

(d) When forklift-type machines are used to load trailers, a means of securing the loading attachment to the fork shall be installed and used.

(e) A-frames and similar log unloading devices shall have adequate height to provide safe clearance for swinging loads and to provide for adequate crotch lines and spreader bar devices.

(f) Log handling machines used to stack logs or lift loads above operator's head shall be equipped with overhead protection.

(g) Unloading devices shall be equipped with a horn or other plainly audible signaling device.

(h) Movement of unloading equipment shall be coordinated by audible or hand signals when operator's vision is impaired or operating in the vicinity of other employees.

Lift trucks regularly used for transporting peeler blocks or cores shall have tusks or a similar type hold down device to prevent the blocks or cores from rolling off the forks.

(17) Where spinners are used on steering wheels, they shall be of the automatic retracting type or shall be built into the wheel in such a manner as not to extend above the plane surface of the wheel. Vehicles equipped with positive antikickback steering are exempted from this requirement.

(18) Mechanical stackers and unstackers shall have all gears, sprockets and chains exposed to the contact of workers, fully enclosed by guards as required by WAC 296-78-710 of this chapter.

(19) Manually operated control switches shall be properly identified and so located as to be readily accessible to the operator. Main control switches shall be so designed that they can be locked in the open position.

(20) Employees shall not stand or walk under loads being lifted or moved. Means shall be provided to positively block the hoisting platform when employees must go beneath the stacker or unstacker hoist.

(21) No person shall ride any lift truck or lumber carrier unless a suitable seat is provided, except for training purposes.

(22) Unstacking machines shall be provided with a stopping device which shall at all times be accessible to at least one employee working on the machine.

(23) Floor of unstacker shall be kept free of broken stickers and other debris. A bin or frame shall be provided to allow for an orderly storage of stickers.

(24) Drags or other approved devices shall be provided to prevent lumber from running down on graders.

(25) Liquefied petroleum gas storage and handling. Storage and handling of liquefied petroleum gas shall be in accordance with the requirements of WAC 296-24-475 through 296-24-47517 of the General Safety and Health Standards.

(26) Flammable liquids. Flammable liquids shall be stored and handled in accordance with WAC 296-24-330 through 296-24-33019 of the General Safety and Health Standards.

(27) Guarding side openings. The hoistway side openings at the top level of the stacker and unstacker shall be protected by enclosures of standard railings.

(28) Guarding hoistway openings. When the hoist platform or top of the load is below the working platform, the hoistway openings shall be guarded.

(29) Guarding lower landing area. The lower landing area of stackers and unstackers shall be guarded by enclosures that prevent entrance to the area or pit below the hoist platform. Entrances should be protected by electrically interlocked gates which, when open, will disconnect the power and set the hoist brakes. When the interlock is not installed, other positive means of protecting the entrance shall be provided.

(30) Lumber lifting devices. Lumber lifting devices on all stackers shall be designed and arranged so as to minimize the possibility of lumber falling from such devices.

(31) Inspection. At the start of each work shift, equipment operators shall inspect the equipment they will use for evidence of failure or incipient failure. Equipment found to have defects which might affect the operating safety shall not be used until the defects are corrected.

(32) Cleaning pits. Safe means of entrance and exit shall be provided to permit cleaning of pits.

(33) Preventing entry to hazardous area. Where the return of trucks from unstacker to stacker is by mechanical power or gravity, adequate signs, warning devices, or barriers shall be erected to prevent entry into the hazardous area.

NEW SECTION

WAC 296-78-840 **LOADING, PILING, STORAGE AND CONVEYING.**

NEW SECTION

WAC 296-78-84001 **LOADING, PILING, STORAGE AND CONVEYING—GENERAL.** (1) Units or loads of lumber built up for transportation by overhead cranes, lift trucks, auto trucks, or manually or mechanically operated transfers shall be provided with at least one set of stickers for each eighteen inches in height of unit or load. One set of stickers shall be not more than six inches from the top of units of lumber up to three inch dimension. Where dimension of material is greater than three inches, a set of stickers shall be placed under the top layer. Stickers shall extend the full width of the package, shall be uniformly spaced, and shall be aligned one above the other. Stickers may be lapped with a minimum overlapping of twelve inches. Stickers shall not protrude more than two inches beyond the sides of the package.

(2) Lumber loading. Loads shall be built and secured to insure stability in transit.

(3) Units or loads of lumber shall not be lifted or moved until all workers are in the clear.

(4) Gradient of roll sets or roll cases over which units of lumber are to be moved shall not exceed three percent. The movement of units shall be under control at all times.

(5) Stacking of lumber in yards, either by units or in block piles, shall be conducted in a safe and orderly manner.

(6) Foundations for piling lumber in yards shall be capable of supporting the maximum applied load without tipping or sagging.

(7) The height of stacked units in storage areas shall not exceed seven of the usual four foot units, subject to the following qualifications:

(a) Units of lumber shall not be stacked more than four high unless two or more stacks of units are tied together with ties.

(b) Long units of lumber shall not be stacked upon shorter packages except where a stable pile can be made with the use of package separators.

(c) In unit package piles, substantial polsters or unit separators shall be placed between each package directly over the stickers.

(8) Wooden horses used for loading preformed loads of lumber shall be of material not less than four by six inches in cross section net measure.

(9) Unstable piles. Piles of lumber which have become unstable shall be immediately made stable or removed.

(10) Lift boards or pallets shall be loaded in such a manner as to prevent material from spilling or the material shall be secured with a binder.

(11) Packing rooms shall be kept free of debris and chutes shall be equipped with a means of slowing down the materials.

(12) Sorting chains shall be provided with a stopping device which shall at all times be readily accessible to at least one employee working on the chain.

(13) The inside of the walkway of all green chains and sorting tables shall be provided with a standard toeboard.

(14) Rollers or other devices shall be provided for removing heavy dimension lumber from the cabin or table.

(15) Roll casings and transfer tables shall be cleaned regularly and shall be kept reasonably free from debris.

(16) In all permanent installations, green chains and sorting tables shall be roofed over to provide protection from inclement weather. Normal work stations shall be provided with a drained work surface which is evenly floored of nonslip material.

(17) Power driven rolls shall be operated in a manner to prevent end collisions.

(18) The space between live rolls shall be filled in on either side of crosswalks with material of structural strength to withstand the load imposed with a four to one safety factor.

(19) The driving mechanism of live rolls shall be guarded wherever exposed to contact.

(20) Live rolls shall be replaced when their surface develops a break or hole.

(21) Guarding. Spiked live rolls shall be guarded.

(22) Ramps or skidways used to transfer lumber or materials from one level to another shall be provided with all safeguards necessary for the protection of workers.

(23) Landings on a lower level where lumber or timbers are discharged over ramps or skidways shall be provided with a solid bumper not less than six inches in height at the outer edge. Such landing shall be maintained in good repair at all times.

(24) Ramps or skidways shall be so arranged that the person putting lumber down shall have a clear view of the lower landing. Lumber or timbers shall not be put down until all workers are in the clear.

(25)(a) The under face of all ramp or skidway landings shall be fenced off or other positive means provided to prevent persons from walking out under dropping timber.

(b) Return strands of sorting table ramp chains shall be supported by troughs of sufficient strength to support the weight of a broken chain.

NEW SECTION

WAC 296-78-84003 **CONVEYORS.** (1) Construction, operation, and maintenance of conveyors shall be in accordance with American National Standard B20.1 - 1957, Safety Code for Conveyors, Cableways and related equipment.

(2) Conveyor troughs in which the working strands of a conveyor operate shall be of ample dimension and strength to carry a broken chain and shall afford effective protection to all employees.

(3) When the return strand of a conveyor operates within seven feet of the floor there shall be a trough provided of sufficient strength to carry the weight resulting from a broken chain.

(4) When the return strands of a conveyor pass over passageways or work areas such guards shall be placed under them as will effectively protect workers.

(5) When the working strand of a conveyor crosses within three feet of the floor level in passageways, the trough in which it works shall be bridged the full width of the passageway.

(6) Where conveyor, idler pulleys or other equipment is located over or dangerously near burning refuse, any worker going to such location shall use a safety line which shall be securely fastened to his body and tended by a helper.

(7) Conveyors shall be provided with an emergency panic-type stopping device which can be reached by a person in a sitting position on the conveyor. Such device shall be located near the material entrance to each barker, chipper, hog, saw, or similar type of equipment except where the conveyor leading into such equipment is under constant control of an operator who has full view of the material entrance and is located or restrained where he/she cannot possibly fall onto the conveyor. The device shall stop the conveyor a sufficient distance away from the hazard to prevent injury or further injury by the hazard.

(8) Screw or auger type conveyor troughs and boxes shall be equipped with covers. If it is not practical to cover the troughs or boxes, other equivalent type guards shall be provided.

NEW SECTION

WAC 296-78-84005 DRY KILNS. (1) Transfer, kiln and dolly tracks shall be properly maintained at all times and shall have a grade of not more than one and one-fourth percent. Bumpers or stops shall be installed at the ends of all tracks capable of stopping a normal load for which the track is installed. A means shall be provided for chocking or blocking cars.

(2) Doors.

(a) Main kiln doors. Main kiln doors shall be provided with a method of holding them open while kiln is being loaded.

(b) Counterweights on vertical lift doors shall be boxed or otherwise guarded.

(c) Means shall be provided to firmly secure main doors, when they are disengaged from carriers and hangers, to prevent toppling.

(3) Kilns whose operation requires inside inspection shall be maintained with not less than eighteen inches clearance between loaded cars and the walls of the kiln. The requirements for personal protective equipment specified in WAC 296-24-075 through 296-24-092 shall be complied with.

(4) Kiln loads shall be equipped or arranged for easy attachment and detachment of transfer cables. Means for stopping kiln cars shall be available at all times.

(5) Cars shall not be moved until tracks are clear and workers are out of the bight of transfer lines.

(6) When kiln or dolly loads of lumber are permitted to coast through or adjacent to any work area, audible warning shall be given.

(7) Stickers shall not be allowed to protrude more than two inches from the sides of kiln stacks.

(8) Yards and storage areas shall be kept reasonably free of debris and unnecessary obstruction. Warning signs shall be conspicuously posted wherever there is danger from moving vehicles or equipment.

NEW SECTION

WAC 296-78-84007 CHIPPERS AND LOGS. (1) Chippers. The feed system to the chipper shall be arranged so the operator does not stand in direct line with the chipper spout (hopper). The chipper spout shall be enclosed to a height or distance of not less than forty inches from the floor or the operator's station. A safety belt and lifeline shall be worn by workers when working at or near the spout unless the spout is guarded. The lifeline shall be short enough to prevent workers from falling into the chipper.

(2) Hog mills shall be provided with feed chutes so designed and arranged that from no position on the rim of the chute shall the distance to the knives or feed roll be less than forty inches. Baffles shall be provided which shall effectively prevent material from being thrown from the mill.

(3) Employees feeding hog mills shall be provided with safety belts and lines, which they shall be required to use at all times, unless otherwise protected from any possibility of falling into the mill.

NEW SECTION

WAC 296-78-84009 BINS AND BUNKERS. (1) Bins, bunkers, hoppers, and fuel houses. Guarding. Open bins, bunkers, and hoppers whose upper edges extend less than three feet above working level shall be equipped with standard handrails and toeboards, or have their tops covered by a substantial grill or grating with openings small enough to prevent a person from falling through.

(2) Fuel hoppers shall be provided with doors that may be remotely operated.

(3) Fuel hoppers shall be provided with platforms with standard railings and adequately lighted for the protection of workers taking out fuel.

(4)(a) Fuel bins shall be provided with an approved railed platform or walkway near the top or other approved means, for the use of employees engaged in dislodging congested fuel. No employee shall enter any fuel bin except where adequately safeguarded.

(b) Recognizing however, the varying designs of fuel storage vaults and the type of fuel handled and certain peculiar local conditions, the adequacy of safety devices shall be determined by a duly authorized representative of the Department of Labor and Industries, Division of Industrial Safety and Health.

(c) During operations when the flow of normal fuel is interrupted but dust from operating sanders is received in the bin, workers shall not enter the fuel bin until the flow of sander dust has been discontinued and the dust has settled.

(d) Use of wheeled equipment to load bins. Where automotive or other wheeled equipment is used to move materials into bins, bunkers, and hoppers, adequate guard rails shall be installed along each side of the runway, and a substantial bumper stop provided when necessary.

NEW SECTION

WAC 296-78-84011 BURNERS. (1) Burners and smoke stacks other than the self-supporting type shall be adequately guyed. Buckle guys shall be installed if burner or stack is more than fifty feet in height.

(2) Runway. The conveyor runway to the burner shall be equipped with a standard handrail. If the runway crosses a roadway or thoroughfare, standard toeboards shall be provided in addition.

REPEALER

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

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| (1) <u>WAC 296-78-005</u> | Forward. |
| (2) <u>WAC 296-78-007</u> | Definitions Applicable to this Chapter. |
| (3) <u>WAC 296-78-030</u> | Construction and Isolated Equipment. |
| (4) <u>WAC 296-78-035</u> | Mechanical, Steam and Electrical Equipment—General Provisions. |
| (5) <u>WAC 296-78-040</u> | Boiler and Pressure Vessels. |
| (6) <u>WAC 296-78-045</u> | Electrical Service and Equipment. |
| (7) <u>WAC 296-78-170</u> | Elevators, Moving Walks and Other Lifting Devices. |
| (8) <u>WAC 296-78-180</u> | Transportation—Lumber Handling Equipment—Cranes—Construction. |
| (9) <u>WAC 296-78-185</u> | Electrical Equipment. |
| (10) <u>WAC 296-78-190</u> | Chains, Wire Rope, Cables and Fiber Rope. |
| (11) <u>WAC 296-78-195</u> | Floor Operated Cranes. |
| (12) <u>WAC 296-78-200</u> | Operators. |
| (13) <u>WAC 296-78-205</u> | Signalmen. |
| (14) <u>WAC 296-78-210</u> | Repairmen. |
| (15) <u>WAC 296-78-215</u> | Construction Requirements. |
| (16) <u>WAC 296-78-220</u> | Crane Platforms and Footwalks. |
| (17) <u>WAC 296-78-225</u> | Crane Cages. |
| (18) <u>WAC 296-78-230</u> | Crane Rail Stops, Bumpers and Fenders. |
| (19) <u>WAC 296-78-235</u> | Crawler Locomotive and Truck Cranes. |
| (20) <u>WAC 296-78-240</u> | Construction, Operation and Maintenance—Chain and Electric Hoists. |
| (21) <u>WAC 296-78-245</u> | Monorail Hoists. |
| (22) <u>WAC 296-78-250</u> | Air Hoists. |
| (23) <u>WAC 296-78-255</u> | Jib, Pillar, and Portable Floor Cranes, Crabs, and Winches. |
| (24) <u>WAC 296-78-260</u> | Standard crane hand signals—Illustration. |
| (25) <u>WAC 296-78-265</u> | Vehicles. |
| (26) <u>WAC 296-78-270</u> | Loading, Piling, Storage and Conveying. |
| (27) <u>WAC 296-78-275</u> | Log Dumps and Ponds—Headmills. |
| (28) <u>WAC 296-78-280</u> | Band Saws—Saws. |
| (29) <u>WAC 296-78-285</u> | Circular Saws. |
| (30) <u>WAC 296-78-290</u> | Edgers. |
| (31) <u>WAC 296-78-295</u> | Equalizer Saws. |
| (32) <u>WAC 296-78-300</u> | Gang Saws and Re-Saws. |
| (33) <u>WAC 296-78-305</u> | Jump Saws. |

- (34) WAC 296-78-315 Trimmer and Slasher Saws.
- (35) WAC 296-78-320 Barrel Stave Saws.
- (36) WAC 296-78-325 Swing Saws.
- (37) WAC 296-78-330 Table Saws.
- (38) WAC 296-78-335 Circular Saws, Speeds, Repairs.
- (39) WAC 296-78-340 Saw Filing and Grinding Rooms and Equipment.
- (40) WAC 296-78-345 Miscellaneous Woodworking Machines—Planers, Stickers, Molders, and Matchers.
- (41) WAC 296-78-350 Planers (Stave and Heading).
- (42) WAC 296-78-355 Stave Croziers.
- (43) WAC 296-78-360 Jointers.
- (44) WAC 296-78-365 Jointers (Stave and Heading).
- (45) WAC 296-78-375 Wood Shapers.
- (46) WAC 296-78-380 Boring and Mortising Machines.
- (47) WAC 296-78-385 Tenoning Machines.
- (48) WAC 296-78-390 Lathe (Pail and Barrel).
- (49) WAC 296-78-395 Sanding Machines.
- (50) WAC 296-78-400 Glue Machines.
- (51) WAC 296-78-405 Lath Mills.
- (52) WAC 296-78-410 Veneer and Plywood Plants—Peeling and Barking.
- (53) WAC 296-78-415 Veneer Lathe.
- (54) WAC 296-78-420 Veneer Slicer and Cutter.
- (55) WAC 296-78-425 Veneer Clipper.
- (56) WAC 296-78-430 Veneer Wringer (Swede).
- (57) WAC 296-78-450 The Shake and Shingle Industry.

WSR 81-13-028
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 155—Filed June 15, 1981]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA, that it does promulgate and adopt the annexed rules relating to special assignment pay provisions, amending WAC 356-15-120.

We, the State Personnel Board, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Department of Revenue has conducted an on-going recruitment effort for Revenue Auditors and has been unable to fill vacant positions and those scheduled to be vacated. A July 1, 1981, effective date is established to coincide with the new fiscal period.

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

This rule is promulgated pursuant to RCW 41.06.150(17) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 11, 1981.

By Leonard Nord
 Secretary, State Personnel Board

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 ~~((2))~~ (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) Effective July 1, 1981, basic salary range plus four ranges shall be paid Department of Revenue employees in Revenue Auditor classifications who are permanently assigned and maintain an office at an out-of-state location or are on a one-year roving assignment out-of-state.

WSR 81-13-029
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 156—Filed June 15, 1981]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA, that it does promulgate and adopt the annexed rules relating to Examinations—Composition, amending WAC 356-22-090.

We, the State of Washington Personnel Board, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is because of the huge number of applicants applying for very few vacancies, immediate implementation of this rule, which will allow for screening devices to be used is mandatory.

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

This rule is promulgated pursuant to RCW 41.06.150(17) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 11, 1981.

By Leonard Nord
 Secretary, State Personnel Board

AMENDATORY SECTION (Amending Order 49, filed 8/17/72)

WAC 356-22-090 EXAMINATIONS—COMPOSITION. (1) The Director of Personnel, or ~~((his))~~ designated representative, shall determine, by uniform standards, the appropriate examination for a register for a class and the tests, or combination of tests and relative weights to be assigned. Examinations shall be practical in nature and of such character as to determine the capacity of the applicant to perform the duties of the particular class of positions for which ~~((he))~~ the applicant is competing as well as ~~((his))~~ the applicant's general background and related knowledge, and shall be rated objectively. A passing score may be required on each test included in the examination.

Examinations shall normally consist of one or a combination of the following:

~~((+))~~(a) A written test.

~~((2))~~(b) A performance test.

~~((3))~~(c) An oral test.

~~((4))~~(d) An evaluation of experience and training.

(2) When the Director of Personnel determines that the number of applicants responding to an ~~((open competitive or combined register))~~ examination announcement is excessive in relation to the number of projected job openings, ~~((he))~~ the Director may ~~((with prior approval from the Board use a preliminary examination of the applicants' experience and training, designed to admit to the oral test only those applicants who possess the best qualifications))~~ limit admission to the oral test to those scoring highest on a preliminary test which may be a written test, performance test, or an evaluation of experience and training. The number admitted to the oral test shall be at least twice the number of anticipated vacancies for the subsequent year or 20% of those applicants with passing scores, whichever is greater, but never less than 16 or the entire body of passing applicants, whichever is less.

(3) When the Director of Personnel determines that the number of applicants to be admitted to the oral examination will be limited by a screening procedure as authorized by WAC 356-22-090(2), the Department will ensure that, in addition, a representative number of those protected group members who were accepted under the examination announcement and who passed the preliminary test are also admitted to the oral examination.

WSR 81-13-030
ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 157—Filed June 15, 1981]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA, that it does promulgate and adopt the annexed rules relating to:

Amd	WAC 356-15-120	Special assignment pay provisions.
Amd	WAC 356-18-090	Vacation leave—Accrual.
Amd	WAC 356-22-090	Examinations—Composition.
Amd	WAC 356-26-040	Registers—Name removal for cause— Grounds enumerated—Requirements.
Rep	WAC 356-18-210	Part-time employees—Vacation and sick leave.

This action is taken pursuant to Notice No. WSR 81-10-045 filed with the code reviser on April 30, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.06.150(17) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 11, 1981.

By Leonard Nord
Secretary, State Personnel Board

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) Effective July 1, 1981, basic salary range plus four ranges shall be paid Department of Revenue employees in Revenue Auditor classifications who are permanently assigned and maintain an office at an out-of-

state location or are on a one-year roving assignment out-of-state.

AMENDATORY SECTION (Amending Order 45, filed 4/17/72)

WAC 356-18-090 VACATION LEAVE—ACRUAL. (1) Full time employees who were in pay status for 15 or more calendar days including holidays shall be credited monthly with the following rates of vacation leave for each year of employment. Part time, intermittent, hourly or seasonal employees whose payroll hours are usually less than 40 hours a week shall be credited with vacation leave under the same conditions as a full time employee. The hours credited shall be at the respective ratio of payroll hours to the payroll hours requirement for full time employment.

(a) During the first year of current continuous employment — 96 hours (12 days) per annum.

(b) During the second year of current continuous employment — 104 hours (13 days) per annum.

(c) During the third and fourth years of current continuous employment — 112 hours (14 days) per annum.

(d) During the fifth, sixth, and seventh years of current continuous employment — 120 hours (15 days) per annum.

(e) During the eighth, ninth, and tenth total years of employment — 128 hours (16 days) per annum.

(f) During the eleventh, twelfth, and thirteenth total years of employment — 136 hours (17 days) per annum.

(g) During the fourteenth, fifteenth, and sixteenth total years of employment — 144 hours (18 days) per annum.

(h) During the seventeenth, eighteenth, and nineteenth total years of employment — 152 hours (19 days) per annum.

(i) During the twentieth, twenty-first, and twenty-second total years of employment — 160 hours (20 days) per annum.

(j) During the twenty-third, twenty-fourth, and twenty-fifth total years of employment — 168 hours (21 days) per annum.

(k) During the twenty-sixth year of total employment and after — 176 hours (22 days) per annum.

(2) Vacation leave is cumulative to a maximum of 240 hours (30 working days) unless the employee's request for leave is deferred by the agency and a statement of necessity filed with the Director of Personnel. Such deferred leave may be credited in excess of the 30-day maximum until such leave is granted by the employing agency.

AMENDATORY SECTION (Amending Order 49, filed 8/17/72)

WAC 356-22-090 EXAMINATIONS—COMPOSITION. (1) The Director of Personnel, or ~~((his))~~ designated representative, shall determine, by uniform standards, the appropriate examination for a register for a class and the tests, or combination of tests and relative weights to be assigned. Examinations shall be practical

in nature and of such character as to determine the capacity of the applicant to perform the duties of the particular class of positions for which ~~((he))~~ the applicant is competing as well as ~~((his))~~ the applicant's general background and related knowledge, and shall be rated objectively. A passing score may be required on each test included in the examination.

Examinations shall normally consist of one or a combination of the following:

~~((1))~~(a) A written test.

~~((2))~~(b) A performance test.

~~((3))~~(c) An oral test.

~~((4))~~(d) An evaluation of experience and training.

(2) When the Director of Personnel determines that the number of applicants responding to an ~~((open competitive or combined register))~~ examination announcement is excessive in relation to the number of projected job openings, ~~((he))~~ the Director may ~~((with prior approval from the Board use a preliminary examination of the applicants' experience and training, designed to admit to the oral test only those applicants who possess the best qualifications))~~ limit admission to the oral test to those scoring highest on a preliminary test which may be a written test, performance test, or an evaluation of experience and training. The number admitted to the oral test shall be at least twice the number of anticipated vacancies for the subsequent year or 20% of those applicants with passing scores, whichever is greater; but never less than 16 or the entire body of passing applicants, whichever is less.

(3) When the Director of Personnel determines that the number of applicants to be admitted to the oral examination will be limited by a screening procedure as authorized by WAC 356-22-090(2), the Department will ensure that, in addition, a representative number of those protected group members who were accepted under the examination announcement and who passed the preliminary test are also admitted to the oral examination.

AMENDATORY SECTION (Amending Order 87, filed 5/4/76)

WAC 356-26-040 REGISTERS—NAME REMOVAL FOR CAUSE—GROUNDS ENUMERATED—REQUIREMENTS. (1) Upon notifying the Personnel Board of the intended action~~((s))~~, the Director of Personnel or designee may remove the name of an eligible from a register for any of the following reasons:

(a) For any of the causes stipulated in the chapter on appeals (WAC 356-34-010).

(b) On evidence that the eligible cannot be located by the postal authorities.

(c) On receipt of a statement from the eligible declining an appointment and/or ~~((stating that he/she no longer desires consideration for a))~~ future interest in positions in that class.

(d) If a promotional candidate has twice waived consideration for a position in the class for which the register was established.

(e) If an eligible fails to reply to a written inquiry as to availability after five days in addition to the time required to receive and return the inquiry.

(f) If an eligible accepts an appointment and fails to report for duty at the time and place specified without giving satisfactory reasons for the delay to the appointing authority.

(g) If an eligible was certified and reported "not satisfactory" on three occasions or if the eligible was certified and the appointing authority reported the eligible "considered but not appointed" on four separate occasions, or if the appointing authority reports either "not satisfactory" or "considered but not appointed" for a total of four times.

(h) Rejection or waiver of employment offered to a person from either of the reduction-in-force registers when the person had earlier indicated availability to accept work in that geographic area and agency; except when the person is ill or disabled. The Director of Personnel may require a letter from medical authorities verifying the illness or disability.

(i) If an open competitive eligible indicates availability in a specific geographic area and subsequently refuses referral or appointment to a position in that area.

(2) The Director of Personnel or designee shall notify the eligible of this action and the reasons therefore by mail to the last known address, except in those cases in (1)(b) or (c) above. The Director should advise the eligible of the right to appeal.

(3) An eligible's name shall be reinstated on the register upon showing of cause satisfactory to the Director of Personnel or in accordance with the decision of the Personnel Board upon appeal.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 356-18-210 PART-TIME EMPLOYEES—VACATION AND SICK LEAVE.

WSR 81-13-031
NOTICE OF PUBLIC MEETINGS
COMMISSION FOR
VOCATIONAL EDUCATION
[Memorandum—June 15, 1981]

9:30 a.m.
June 18, 1981
Yakima Valley College
16th Ave. and Nob Hill Blvd.
Yakima, WA 98907

In order to hold a meeting in June, it has been necessary to change the location of the commission meeting from Walla Walla Community College to Yakima Valley College. The meeting will convene at 9:30 a.m.

Directions to the meeting room will be posted on the campus.

WSR 81-13-032
ADOPTED RULES
GAMBLING COMMISSION
[Resolution] 109—Filed June 15, 1981]

Be it resolved by the Washington State Gambling Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the licensing and regulation of gambling activities, amending WAC 230-04-200, 230-30-015 and 230-42-010.

This action is taken pursuant to Notice No. WSR 81-10-071 filed with the code reviser on May 6, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 9.46.070(5) and 9.46.115. WAC 230-04-200 and 230-30-015 is promulgated pursuant to RCW 9.46.070(5) and WAC 230-42-010 is promulgated pursuant to RCW 9.46.115 and is intended to administratively implement those statutes.

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

APPROVED AND ADOPTED June 12, 1981.

By Harold Walsh
Chairman

AMENDATORY SECTION (Amending Order No. 105, filed 1/16/81)

WAC 230-04-200 LICENSE FEES. The following fees shall be paid to the commission for licenses, and permits, issued by the commission. For the operation of:

(1) BINGO

(a) Class A – five hundred dollars or less annual net receipts – \$25.

(b) Class B – over five hundred dollars through five thousand dollars annual net receipts – \$75.

(c) Class C – over five thousand dollars through fifteen thousand dollars annual net receipts – \$300.

(d) Class D – over fifteen thousand dollars through twenty-five thousand dollars annual net receipts – \$500.

(e) Class E – over twenty-five thousand dollars through fifty thousand dollars annual net receipts – \$1000.

(f) Class F – over fifty thousand dollars through one hundred thousand dollars annual net receipts – \$2000.

(g) Class G – over one hundred thousand dollars through five hundred thousand dollars annual net receipts – \$4000.

(h) Class H – over five hundred thousand dollars through seven hundred fifty thousand dollars annual net receipts – \$5500.

(i) Class I – over seven hundred fifty thousand dollars through one million dollars annual net receipts – \$8000.

(j) Class J – over one million dollars annual net receipts – \$11,000.

(2) RAFFLES

(a) Class C – five hundred dollars or less annual net receipts – \$25.

(b) Class D – over five hundred dollars but not over five thousand dollars, annual net receipts – \$75.

(c) Class E – over five thousand dollars through fifteen thousand dollars annual net receipts – \$300.

(d) Class F – over fifteen thousand dollars annual net receipts – \$500.

(3) AMUSEMENT GAMES – by bona fide charitable or bona fide nonprofit organizations.

(a) Class A – five hundred dollars or less annual net receipts – \$25.

(b) Class B – over five hundred dollars through one thousand dollars annual net receipts – \$30.

(c) Class C – over one thousand dollars through five thousand dollars annual net receipts – \$50.

(d) Class D – over five thousand dollars through fifteen thousand dollars annual net receipts – \$200.

(e) Class E – over fifteen thousand dollars annual net receipts – \$350.

(4) FUND RAISING EVENT (license year) – by bona fide charitable or bona fide nonprofit organizations.

(a) Class A-1 – one event, one calendar day – \$200.

(b) Class A-1R – one event, one calendar day – recreational – \$5.

(c) Class A-2 – not more than two events, one calendar day each – \$400.

(d) Class B-1 – one event, not more than three calendar days – \$300.

(e) Class B-1R – one event, not more than three calendar days – recreational – \$10.

(5) SPECIAL LOCATION AMUSEMENT GAMES – other than bona fide charitable or bona fide nonprofit organizations.

(a) Class A – one event per year lasting no more than 12 consecutive days – \$500.

(b) Class B – twenty-five thousand dollars or less annual net receipts – \$500.

(c) Class C – over twenty-five thousand dollars through one hundred thousand dollars annual net receipts – \$1500.

(d) Class D – over one hundred thousand dollars through five hundred thousand dollars annual net receipts – \$3000.

(e) Class E – over five hundred thousand dollars annual net receipts – \$5000.

(6) CARD GAMES – bona fide charitable and nonprofit organizations.

(a) Class A – general (fee to play charged) – \$500.

(b) Class B – limited card games – to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) – \$100.

(c) Class C – tournament only (no more than ten consecutive days) per tournament – \$35.

(d) Class D – general (no fee is charged a player to play cards) – \$35.

(e) Class R – primarily for recreational purposes and meets the standards of WAC 230-04-199 – \$10.

(7) CARD GAMES – commercial stimulant – each licensee per premises.

(b) Class B – limited card games to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) – \$100.

(c) Class C – tournament only (no more than ten consecutive days) – per tournament – \$100.

(d) Class D – general (no fee is charged a player to play cards) – \$35.

(e) Class E – general.

(i) up to five tables – \$2000

(ii) up to four tables – \$1500

(iii) up to three tables – \$750

(iv) up to two tables – \$500

(v) one table only – \$250.

(8) PUBLIC CARD ROOM EMPLOYEE – each licensee – \$100, each renewal – \$50.

(9) PERMITS – for operation by persons of authorized activity at agricultural fair or special property.

(a) Class A – one location and event only – \$10.

(b) Class B – annual permit for specified different events and locations – \$100.

(10) PUNCHBOARDS AND PULL TABS – each licensee, per premises – (~~(\$300)~~) \$150.

(11) Manufacturer license – \$1250.

(12) Distributor license – \$1000.

(13) Distributor's representative license – \$150, renewal – \$75.

(14) Manufacturer's representative license – \$150, renewal – \$75.

The term annual net receipts as used above means net receipts from the activity licensed only, during the licensed year.

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 #90, filed 6/14/79)

WAC 230-30-015 IDENTIFICATION STAMPS.

(1) No punchboard, series of pull tabs or device for the dispensing of pull tabs shall be sold or purchased within this state or knowingly for use within this state or put out for play unless and until a stamp obtained from the commission containing an identifying number, symbol or combination thereof has been permanently and conspicuously affixed thereto. Once placed, such stamp shall not be removed or tampered with by any person.

With respect to punchboards, the stamp shall be placed so the complete number, together with any symbol appearing thereon, is plainly visible.

With respect to series of pull tabs, the stamps shall be placed upon the dispensing device sold together with, and for that specific series or upon a flare furnished by the manufacturer for that series. Such flare shall also show the series number assigned to that series by the manufacturer. If a different flare than the flare so stamped is used for display when the series of pull tabs is put out for play, then the manufacturer's flare, with the manufacturer's series number and with the identification stamp obtained from the commission thereon, shall be attached to the back of the substitute flare in

such a manner as to be clearly visible to a person playing the device.

(2) Stamps shall be placed only on items which conform to all requirements of this state's laws and the rules of this commission, and shall not be placed upon items not authorized for use within this state. Stamps shall be placed only upon those pull tab dispensing devices which have been approved by the commission pursuant to WAC 230-30-095.

(3) Identification stamps may be obtained only from the commission, by a licensed manufacturer only, for ~~((five))~~ ten cents each. Such stamps shall be placed by the licensed manufacturer only on items which he, himself, sells or furnishes, and shall not be transferred or furnished to any other person unless already placed upon a punchboard, series of pull tabs or pull tab dispensing device.

(4) No person not a licensed manufacturer shall obtain such stamps from any source, nor shall he affix such a stamp to any punchboard, series of pull tabs or pull tab dispensing device, after November 1, 1974.

AMENDATORY SECTION (Amending Order No. 74, filed 8/17/77)

WAC 230-42-010 TAX ON COIN OPERATED ((GAMING)) GAMBLING DEVICE. (1) In addition to any other fees and taxes imposed by statute or by commission rule, ~~((there is hereby imposed))~~ a special tax has been imposed by RCW 9.46.115 to be paid by ~~((every))~~ any person who maintains for use or permits the use of, a coin-operated gambling device as defined by RCW 9.46.115(2) on any place or premises occupied by ~~((him, a coin-operated gaming device which is subject to the federal tax on coin-operated devices imposed by section 4461 of the internal revenue code (79 Stat. 148, 26 U.S.C. § 4461), as amended and in effect on March 11, 1976.~~

~~((The amount of such tax shall be equal to 80 percent of the amount of the tax required to be paid to the federal government. Such tax shall not exceed the amount of the credit for state taxes allowed by section 4464 of the internal revenue code (85 Stat. 534, 26 U.S.C. § 4462).~~

~~((This tax shall be imposed on any coin-operated gaming device as defined in section 4462 of the internal revenue code (79 Stat. 149, 26 U.S.C. § 4462))) the person.~~

(2) ~~((The tax established in subsection (1) shall be payable to the commission on or before June 20 of each year in advance of the following taxable year, July 1, through June 30. The licensee shall submit this tax with the Washington state coin-operated gaming device tax return. Payment shall be made in the form of cash, check, or money order.))~~ The tax ~~((shall apply))~~ applies to each such gambling device so maintained or permitted at any time during the tax year. ~~((and no))~~ No such device shall be placed out for public play unless and until the tax due respecting it has first been paid: PROVIDED, That a replacement for such device removed from play shall not be deemed an additional device for that year.

The tax referred to in subsection (1) is payable to the commission on or before June 20 of each year in advance of the following taxable year, July 1 through June 30. The operator shall submit this tax with the Washington coin-operated gambling device tax return obtained from the commission. Payment shall be made in the form of cash, check, or money order.

The tax does not apply for any month during the tax year in which the device is not in use when such month is prior to the month in which the device is initially put out for play. The commission has been authorized to adopt a schedule, prorated by month, setting out the tax due for the rest of the year for devices put out for use after the beginning of the year.

~~((3))~~ ~~((The tax imposed by subsection (1) shall be in addition to any tax imposed upon such coin-operated gaming devices, or the income therefrom, by any municipal corporation or political subdivision of the state.~~

~~((4))~~ The following proration schedule shall apply for each coin-operated ~~((gaming))~~ gambling device:

MACHINES IN OPERATION DURING THE MONTH OF -	AMOUNT DUE FOR EACH MACHINE
July	\$(200.00) 350.00
August	((+83.37)) 320.83
September	((+66.70)) 291.67
October	((+50.03)) 262.49
November	((+33.36)) 233.33
December	((+16.69)) 204.16
January	((+00.02)) 175.00
February	((83.35)) 145.83
March	((66.68)) 116.66
April	((50.01)) 87.50
May	((33.34)) 58.33
June	((16.67)) 29.17

~~((5))~~ (4) The licensee shall post the validated receipt showing proof of payment of this tax with the license issued by the Washington state gambling commission to operate punchboards or pull tabs prior to placing any coin-operated ~~((gaming))~~ gambling device for which the tax has been paid, out for public play.

(5) Payment of any tax due is a condition precedent to the issuance or renewal of any license issued by this commission to the taxpayer.

(6) The tax imposed by subsection (1) shall be in addition to any tax imposed upon such coin-operated gambling devices, or the income therefrom, by any municipal corporation or political subdivision of the state.

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.

[Handwritten signatures and initials]
WSR 81-13-033
ADOPTED RULES
GAMBLING COMMISSION
 [Resolution 110—Filed June 15, 1981]

Be it resolved by the Washington State Gambling Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to

the regulation of gambling activities, amending WAC 230-30-200.

This action is taken pursuant to Notice No. WSR 81-11-026 filed with the code reviser on May 15, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 9.46.070(13) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 12, 1981.

By Harold Walsh
Chairman

AMENDATORY SECTION (Amending Order No. 18, filed 5/21/74)

WAC 230-30-200 PUNCHBOARD AND PULL TAB BUSINESS RESTRICTIONS. (1) No operator shall buy, receive or otherwise obtain, nor shall any manufacturer or distributor, or anyone connected therewith, sell or deliver any punchboard, pull tab, dispensing device or related equipment, or merchandise for prizes to be awarded in connection with such activities, to any operator, except ((upon)) a cash basis ((of a cash transaction,)) nor shall any operator permit any manufacturer or distributor or anyone connected therewith, to acquire any interest, including a security interest, in any such equipment or merchandise. ((A cash transaction shall include payment or payments by check: PROVIDED, That each check is presented for payment into the banking system by the end of the second business day following the day the check is written.)) A cash basis shall consist of payment in full, either by cash or by check, with payment made to the seller by the operator upon, or prior to, actual physical delivery of the merchandise to the operator: PROVIDED, That when a check is used for payment to constitute a cash basis payment it shall be presented for payment into the banking system by the end of the tenth calendar day following the day the check is written. If an operator can demonstrate by a preponderance of evidence that it has properly made a payment by check, as required by this section, then it will not be held liable for a violation of this rule if the violation is caused solely by the failure of the manufacturer or distributor to deposit the check into the banking system in a timely fashion.

(2) No operator shall accept a loan of money or any thing of value from any manufacturer or distributor, or from anyone connected therewith.

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 81-13-034

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 81-18—Filed June 15, 1981]

I, John F. Spencer, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to designation maps, amending WAC 173-22-060.

This action is taken pursuant to Notice No. WSR 81-09-077 filed with the code reviser on April 22, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120, 90.58.200 and 90.58.030(2)(f) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 9, 1981.

By John F. Spencer
Deputy Director

Reviser's Note: The designation maps filed with this rule are not capable of being reproduced in the Register and are therefore omitted pursuant to RCW 34.04.050(3). Copies of the maps may be obtained from the Department of Ecology, Mail Stop PV-11, Olympia, WA 98504, or may be inspected at the Office of the Code Reviser.

WSR 81-13-035

PROPOSED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed June 16, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 49.17 RCW, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning the amending of chapters 296-24 WAC, General Safety and Health Standards; 296-45 WAC, Electrical Workers Safety Standard; 296-79 WAC, Pulp, Paper and Paperboard; and 296-155 WAC, Safety Standards for Construction; and that the adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Wednesday, June 17, 1981, in the Directors office, Labor and Industries, Olympia, Washington.

The authority under which these rules are proposed is RCW 49.17.040, 49.17.050 and 49.17.240.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 81-07-027 and 81-07-051 filed with the code reviser's office on March 13, 1981 and March 18, 1981.

Dated: June 16, 1981
By: Thornton Wilson, AAG
for Sam Kinville
Director

WSR 81-13-036

PROPOSED RULES

WENATCHEE VALLEY COLLEGE

[Filed June 16, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Wenatchee Valley College intends to adopt, amend, or repeal rules concerning the Human Rights Policy, chapter 132W-149 WAC;

that such institution will at 1:00 p.m., Wednesday, August 12, 1981, in Room 230, Anderson Hall, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Wednesday, August 12, 1981, in Room 230, Anderson Hall.

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 August 12, 1981, and/or orally at 1:00 p.m., Wednesday, August 12, 1981, Room 230, Anderson Hall.

Dated: June 9, 1981

By: James R. Davis
President

STATEMENT OF PURPOSE

Title and description of purpose: Human Rights Policy, Reaffirming and strengthening the Wenatchee Valley College's commitment to insure that equal opportunities in employment and educational services and activities exist.

Statutory authority: EO 79-08.

Summary of rule: It is the policy of the Board of Trustees of Wenatchee Valley College, within the realm of its authority in keeping with its responsibility to the public, to prohibit discrimination based on race, religion, color, national origin, sex, marital or parental status, age, the presence of any sensory, mental or physical handicap or Vietnam era and disabled veteran status. The Board of Trustees directs the president of Wenatchee Valley College to establish administrative procedures, in accordance with applicable state and federal laws, rules, and regulations which fulfill this policy and which provide means to monitor and maintain such rules and regulations.

Reasons supporting proposed action: Policy complies with plan approval for State Higher Education Institutions by the Governor's Advisory Committee on March 28, 1981.

Agency personnel responsible for drafting and implementation: Donna Allen, Personnel Officer, 1300 5th-Wenatchee, WA 662-1651 and Enforcement: Jim Davis, President, 1300 5th-Wenatchee, WA 662-1651.

Person or organization proposing rule, and whether public, private, or governmental: Wenatchee Valley College, public.

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: Wenatchee Valley College's affirmative action plan received final approval from the Governor's Affirmative Action Policy Committee April 2, 1981.

Whether rule is necessary as result of federal law or federal or state court action: [No information supplied by agency]

AMENDATORY SECTION (Amending Order 78-74, Resolution 78-74, filed 11/28/78)

WAC 132W-149-010 GENERAL HUMAN RIGHTS POLICY.

(1) It is the policy of the Board of Trustees of Wenatchee Valley College, within the realm of its authority and in keeping with its responsibility to the public, to prohibit discrimination based on race, religion, color, national origin, sex, marital or parental status, age, the presence of any sensory, mental or physical handicap or Vietnam era and disabled veteran status. This prohibition applies to all aspects of the college's functions, programs and activities, the utilization of its facilities, the official use of the college's name and the employment and educational opportunities it provides.

(2) The board of trustees hereby directs the president of Wenatchee Valley College to establish administrative procedures, in accordance with applicable state and federal laws, rules, and regulations which fulfill this policy and which provide means to monitor and maintain such rules and regulations. The president is directed to report ~~(from time to time;)~~ to the board of trustees progress and problems relating to the execution of this policy. The Affirmative Action Plan shall be reviewed with the board annually.

(3) The Affirmative Action Plan shall include, but not be limited to, the following objectives:

(a) Wenatchee Valley College will recruit, hire, train, and promote individuals solely upon their qualifications and ability or potential ability to do the job, and shall consider race, religion, color, national origin, sex, age, physical, mental or sensory disability or whether a disabled veteran or a veteran of the Vietnam era only when such is a bona fide occupational qualification.

(b) All other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, social and recreational programs will be administered without regard to race, religion, color, national origin, sex, age, parental or marital status, physical or sensory disability or whether a disabled veteran or a veteran of the Vietnam era.

(c) Numerical goals will continue to be set in areas where minorities, women, handicapped and Vietnam era veterans are underutilized.

The college will make every good faith effort to meet these goals within the timetables set for them.

(d) A concerted effort will be maintained to influence those who provide goods and services to the college to establish meaningful equal opportunity programs at their facilities.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 132W-149-020 EMPLOYMENT—JOB PLACEMENT AND PROMOTION.

(2) WAC 132W-149-022 EMPLOYMENT—JOB PLACEMENT AND PROMOTION—AFFIRMATIVE ACTION GOALS AND TIMETABLES.

(3) WAC 132W-149-024 EMPLOYMENT—JOB PLACEMENT AND PROMOTION—PROCEDURES AND POLICIES.

(4) WAC 132W-149-026 EMPLOYMENT—JOB PLACEMENT AND PROMOTION—EVALUATION.

(5) WAC 132W-149-030 STUDENT EMPLOYMENT.

(6) WAC 132W-149-040 GOVERNMENT CONTRACTS.

(7) WAC 132W-149-050 CONTRACTORS AND VENDORS.

(8) WAC 132W-149-070 FACILITIES.

- (9) WAC 132W-149-080 STUDENT SERVICES.
- (10) WAC 132W-149-090 EDUCATIONAL PROGRAM.
- (11) WAC 132W-149-100 COMMUNITY RELATIONS.
- (12) WAC 132W-149-110 DISSEMINATION OF POLICY.
- (13) WAC 132W-149-120 IMPLEMENTATION AND ADMINISTRATION.
- (14) WAC 132W-149-130 GRIEVANCE PROCEDURE.

WSR 81-13-037
ADOPTED RULES
COUNCIL FOR
POSTSECONDARY EDUCATION
 [Order 3/81, Resolution 81-68—Filed June 16, 1981]

Be it resolved by the Council for Postsecondary Education, acting at The Evergreen State College, CAB 108, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the State Work Study Program.

This action is taken pursuant to Notice No. WSR 81-10-070 filed with the code reviser on May 6, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Council for Postsecondary Education as authorized in RCW 28B.10.806.

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

APPROVED AND ADOPTED June 10, 1981.

By Chalmers Gail Norris
 Executive Coordinator

AMENDATORY SECTION (Amending Order 4-79, Resolution 79-33, filed 6/15/79)

WAC 250-40-030 DEFINITIONS. (1) "Financial need" shall be the difference between the budgetary cost to the student attending an institution of postsecondary education and the total applicant resources which the institutional financial aid officer determines can reasonably be expected to be available to the student for meeting such costs.

(2) "Budgetary cost" of attending an institution shall consist of that amount required to support the individual and his or her dependents during the period in which that individual is enrolled as a student. Budgets will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses, and any other cost factors deemed necessary for consideration, consistent with WAC 250-40-040(2)(a).

(3) "Total applicant resources" for the dependent student shall mean the sum of the amounts which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education, and the amount which reasonably may be expected to be made available to the student by his or her parents for such purpose. For the self-supporting student total applicant resources shall

mean the amount which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education.

(4) "Washington resident" shall be defined as an individual who has been domiciled within the state of Washington for at least one year. Domicile shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of domicile shall be in accordance with RCW 28B.15.011 through RCW 28B.15.014.

(5) "Eligible institution of postsecondary education" shall mean any postsecondary educational institution in the state of Washington accredited by the Northwest Association of Secondary and Higher Schools, or any public vocational-technical institute in the state of Washington.

(6) "Eligible employer" shall be defined as any eligible public institution of postsecondary education, any other nonprofit organization which is nonsectarian, or any profit-making nonsectarian (~~organization~~) employer producing a good or providing a service for sale or resale to others, can and agrees to provide employment of a demonstrable benefit related to the student's postsecondary educational pursuits and which (~~has been~~) conducts business within the state of Washington, or any other employer approved by the Council for Postsecondary Education ((for participation in the Work-Study Program)). In approving an employer as eligible, the council or an institution acting as its agent will consider at the minimum:

(a) The relationship of the job to the ~~((student's))~~ students' educational objectives;

(b) The potential for displacement of regular employees;

(c) The rate of pay as compared to salaries and wages provided other employees engaged in similar work;

(d) The employer's compliance with appropriate federal and state civil rights laws.

(7) "Dependent student" shall mean any post-high school student attending an eligible institution of postsecondary education who does not qualify as a self-supporting student in accordance with subsection (8) of this section.

(8) "Self-supporting student" shall be one who demonstrates compliance with all of the following criteria:

(a) The student will not be and has not been claimed as an exemption for federal income tax purposes by any person except his or her spouse for the calendar year(s) in which a Work-Study award is received and the prior calendar year.

(b) The student will not receive and has not received financial assistance of more than ~~((750))~~ \$1000 in cash or kind from his or her parent(s) in the calendar year(s) in which a Work-Study award is received and the prior calendar year.

(c) The student will not live and has not lived in the home(s) of his or her parent(s) except during limited vacation periods during the calendar year(s) in which an award is received and the prior calendar year unless the

student reimburses the parent(s) for at least the value of the student's room and board and personal benefits. Vacation periods will not include summer vacation unless such vacation is for a limited time between the end of spring term and the beginning of summer term or summer employment, or the end of summer term or summer employment and the beginning of fall term. As a general rule, vacation periods should not exceed the length of break period between academic terms. Any individual variance from this guideline which would warrant special classification of the student as self-supporting must be approved by the Council for Postsecondary Education.

(9) "Half-time-student" means any student enrolled in exactly one-half of the credit hour or clock hour load defined by the institution as constituting expected full time progress toward the particular degree or certificate.

AMENDATORY SECTION (Amending Order 2-80, Resolution 80-54, filed 4/14/80)

WAC 250-40-040 STUDENT ELIGIBILITY AND SELECTION. (1) Eligibility Criteria. In order to be eligible for employment under this program the student must:

(a) Demonstrate financial need.

(b) Be enrolled or accepted for enrollment as at least a half-time undergraduate, graduate or professional student or be a student under an established program designed to qualify him or her for enrollment as at least a half-time student at an eligible institution of postsecondary education.

(c) Be capable, in the opinion of the institution, of maintaining good standing in a course of study while employed under the program, and demonstrate satisfactory progress toward degree or certificate completion.

(d) Not be pursuing a degree in theology.

(2) Criteria for institutional determination of financial need and the making of awards.

(a) Budgetary costs will be determined by the institution subject to approval by the Council for Postsecondary Education. The advisory committee authorized by WAC 250-40-070(~~((6))~~)(4) of these regulations will review each budget for reasonableness and make recommendations to the council for approval or disapproval.

(b) Total applicant resources shall be determined according to the uniform methodology system of need analysis. Institutional financial aid officers may make reasonable adjustments to the computed total applicant resources if individual circumstances warrant such adjustments. In addition, nonliquid assets in the form of equity in the primary residence and net worth of business or farm may be disregarded in the computation of total applicant resources.

Any adjustments must be documented and placed in the student's financial aid file.

(c) The work-study award shall be designed in such a manner that the sum total of financial aid awarded any one student will not exceed the difference between the total applicant's resources and the budgetary cost of education. In the case of students attending participating private institutions, the sum of the state share of the state work-study wages and a State Need Grant, if

awarded, may not exceed the nontuition and required fee portion of the student's budgetary cost.

(d) Each institution must have a policy relating to the continuance of aid for students who enroll in but do not complete the number of credit or clock hours required to maintain ~~((at least half-time status))~~ satisfactory progress toward completion of his or her degree or program objective. The institution must submit its policy to the council annually for approval. The advisory committee authorized by WAC 250-40-070(~~((6))~~)(4) will make recommendations to the Council for approval or disapproval of each institution's policy.

(3) Priorities in placing students.

(a) The institution ~~((should make every effort to provide opportunities for student employment in an area related to the student's course of study))~~ must, wherever possible, place students in positions which are related to their educational goals or career interests. At the time of job placement, the student who is able to obtain course- or career objective-related employment shall be awarded in favor of one who is not able to obtain such employment.

(b) At the time of job placement, and after consideration of (a) above, no eligible Washington resident shall be excluded in favor of a nonresident.

(c) It is the intent of the Work Study Program to assist those students from moderate income family backgrounds whose total applicant resources are insufficient to cover the total budgetary costs of education; and(~~(;)~~) who, but for this program, would normally be forced to rely heavily on loans.

AMENDATORY SECTION (Amending Order 2-80, Resolution 80-54, filed 4/14/80)

WAC 250-40-050 RESTRICTIONS ON STUDENT PLACEMENT AND COMPENSATION. (1) Displacement of employees. Employment of state work-study students may not result in displacement of employed workers or impair existing contracts for services. ~~((State work-study students employed by public institutions of postsecondary education may not fill positions currently or formerly occupied by classified employees. In all other cases, state work-study students may not fill positions which have been occupied by regular employees during the current or prior calendar or fiscal year.))~~

(a) State work-study students employed by public institutions of post-secondary education may not fill positions currently or formerly occupied by classified employees.

(b) In cases of governmental employment, state work-study students may fill positions which have been previously occupied but were vacated as a result of implementing previously adopted reduction in force policies in response to employment limitations imposed by federal, state or local governments.

(c) In all other cases, state work-study students may not fill positions which have been occupied by regular employees during the current or prior calendar or fiscal year.

(2) Rate of compensation. All work-study positions shall receive compensation equal to the entry level salary of comparable positions.

Students employed by public postsecondary educational institutions who are filling positions which are comparable to Higher Education Personnel Board classified positions must be paid entry level Higher Education Personnel Board wages for the position.

An institution wishing to place students in on-campus positions which are not comparable to Higher Education Personnel Board classifications must annually submit to the student financial assistance section of the council for their approval a student compensation plan which clearly and substantially delineates those positions which are and which are not comparable to Higher Education Personnel Board classifications. Once the council has approved an institution's student compensation plan, the institution may place state work-study recipients in non-Higher Education Personnel Board comparable positions and pay those students the wage rates as approved.

~~(3) ((Appeals. The council shall be notified of any violation of the requirements under (1) and (2) above. If satisfactory resolution cannot be made by the council, the advisory committee authorized by WAC 250-40-070(6) shall review the appeal and make a recommendation to the council on the disposition of the appeal.~~

~~(4)) Maximum total compensation. Earnings beyond the student's state work-study eligibility must be reported to the financial aid officer, and resulting adjustments made in the financial aid package. ((However, if necessary to complete a special state work-study assignment, or to continue employment to the end of an academic term, the student may be allowed, upon agreement of the financial aid officer, to earn up to an additional \$200 through the State Work-Study Program without penalty. In addition, a student wishing to extend his or her experience beyond the \$200 maximum may, after all possible adjustments have been made in the financial aid package, replace expected family contribution by continuing in his or her employment position for the balance of the academic year if the employer pays 100 percent of the student's compensation.)) In the event that a student earns more money from employment than the institution anticipated when it awarded student financial aid, the excess is to be treated in accordance with the method specified in the state work-study operational guidelines.~~

~~((5)) (4) State share of student compensation. The state share of compensation paid students employed by state supported institutions of postsecondary education or by common school districts which have entered into a special agreement with the Council for Postsecondary Education through the Superintendent of Public Instruction's office for the placement of students in ((a-pi-tot)) an authorized program providing tutorial assistance shall not exceed 80 percent of the student's gross compensation. The state share of compensation paid students employed by all other employers shall not exceed 65 percent of the student's gross compensation.~~

~~((6)) (5) Employer share of student compensation. The employer shall pay a minimum of 20 percent or 35 percent of the student's gross compensation as specified in subsection ((5)) (4) above, plus the costs of any employee benefits including all payments due as an employer's contribution under the state workman's compensation laws, federal Social Security laws, and other~~

applicable laws. The federally-funded college work-study program cannot be used to provide the employer share of student compensation.

~~((7)) (6) Academic credit for state work-study employment. Students may receive academic credit for experience gained through state work-study employment.~~

~~((8)) (7) Maximum hours worked. Employment of a student in excess of an average of 19 hours per week over the period of enrollment for which the student has received an award or maximum of 40 hours per week during vacation periods will not be eligible for reimbursement from state funds.~~

A student may not be concurrently employed in the same position by the State Work-Study Program and the federal college work-study program and exceed the 19 hours per week average.

Further, the student cannot accept other on-campus employment which results in achievement of a change in residency status for tuition and fee purposes under RCW 28B.15.014.

~~((9)) (8) Types of work prohibited. Work performed by a student under the State ((College)) Work-Study Program shall not be sectarian related and shall not involve any partisan or nonpartisan political activity.~~

~~((10)) (9) Relationship to formula staffing percentage. Placement of state work-study students in on-campus positions at public postsecondary educational institutions may not result in a level of employment in any budget program in excess of a formula staffing percentage specifically mandated by the legislature.~~

AMENDATORY SECTION (Amending Order 10-79, Resolution 80-19, filed 10/11/79)

WAC 250-40-070 ADMINISTRATION. (1) Administering agency. The Council for Postsecondary Education shall administer the Work-Study Program. The staff of the Council for Postsecondary Education under the direction of the executive coordinator will manage the administrative functions relative to the program and shall be authorized to enter into agreement with:

(a) Eligible public institutions for the placement of students and the reimbursement of employers for the state share of the student's compensation.

(b) Eligible private institutions for the placement of students.

(c) Employers of students attending eligible private institutions for the reimbursement of the state share of the student's compensation. Such agreements shall be written to ensure employer compliance with the rules and regulations governing the Work-Study Program.

(2) Responsibility of eligible public institutions. The institution will:

(a) Enter into contract with eligible organizations for employment of students under the Work-Study Program. Such agreements shall be written to ensure employer compliance with the rules and regulations governing the Work-Study Program.

(b) Determine student eligibility and arrange for placement.

(c) Arrange for payment of the state share of the student's compensation.

(3) Responsibility of eligible private institutions. The institution will:

(a) Assist the council in contracting with eligible employers.

(b) Determine student eligibility, arrange for placement with employers, and notify the council of such placement.

~~(4) ((Responsibility of eligible employers. The employer will:~~

~~(a) Arrange for payment of the student's compensation and benefits and request reimbursement of the state share from the institution or the Council for Postsecondary Education.~~

~~(b) When a federal or state agency is the employer, reimburse the institution or the Council for Postsecondary Education for the employer's share of the student's compensation.~~

~~(5) Responsibility of the Council for Postsecondary Education. The council will, for those students attending private institutions:~~

~~(a) Reimburse the employer for the state share of the student's wages, or~~

~~(b) When a federal or state agency is the employer, arrange for the payment of the student's compensation and benefits and request reimbursement of the employer's share.~~

~~(6))~~ Advisory committee. The council will appoint an advisory committee composed of representatives of eligible institutions, ~~((employer))~~ employee organizations having membership in the classified service of the state's institutions of postsecondary education, a student and persons as may be necessary to advise the council staff on matters pertaining to the administration of the Work-Study Program. In addition, representatives from postsecondary educational advisory and governing bodies will be invited to participate in advisory committee meetings when annual institutional allocations are being determined.

~~((7))~~ (5) Institutional administrative allowance. Contingent upon funds being made available to the Council for Postsecondary Education for the operation of the Work-Study Program, the public institutions will be provided an administrative expense allowance. In order to qualify for the allowance, the institution must demonstrate that financial support for student financial aid administration, exclusive of the administrative allowance, is at least equal to the level of support provided during the previous fiscal year.

~~((8))~~ (6) Institutional maintenance of effort. State funds provided under this program are not to be used to replace institutional funds which would otherwise be used to support student employment.

~~((9))~~ (7) Reports. The Council for Postsecondary Education will obtain periodic reports on the balance of each institution's Work-Study funds to ensure a proper distribution of funds among institutions. In addition, information will be gathered subsequent to the end of the academic year, describing the population served and the modes of packaging used.

~~((10))~~ (8) Agreement to participate. As a precedent to participating in the State Work Study Program, each

institution must acknowledge its responsibility to administer the program according to prescribed rules and regulations and guidelines.

(9) Appeals. If the council is notified of any possible violations of these rules and regulations, satisfactory resolution shall be attempted by council staff. If satisfactory resolution cannot be achieved by council staff, the advisory committee authorized by WAC 250-40-070(4) shall review the appeal and make a recommendation to council staff. If satisfactory resolution still cannot be achieved, the person or institution initiating the appeal may request a hearing with the council, which shall take action on the appeal.

~~((11))~~ (10) Program reviews. The Council for Postsecondary Education will review institutional administrative practices to determine institutional compliance with rules and regulations and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations ((for}{and})) and guidelines the institution will reimburse the students affected or the program in the appropriate amount.

WSR 81-13-038

ADOPTED RULES

COUNCIL FOR

POSTSECONDARY EDUCATION

[Order 2/81, Resolution 81-67--Filed June 16, 1981]

Be it resolved by the Council for Postsecondary Education, acting at The Evergreen State College, CAB 108, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the State Need Grant Program.

This action is taken pursuant to Notice No. WSR 81-10-069 filed with the code reviser on May 6, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

The rule is promulgated under the general rule-making authority of the Council for Postsecondary Education as authorized in RCW 28B.10.806.

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

APPROVED AND ADOPTED June 10, 1981.

By Chalmers Gail Norris
Executive Coordinator

AMENDATORY SECTION (Amending Order 11-79, Resolution 80-18, filed 10/11/79)

WAC 250-20-001 APPLICABILITY OF RULES. Unless specified, the term "State Need Grant" applies to both the State Need Grant Program and the federal program for State Student Incentive Grants. Institutions participating in the State Need Grant Program must comply with the regulations specified in chapter 250-20 WAC and conform to all requirements of the State Student Incentive Grant Program as specified in ~~((Chapter~~

~~I, Part 192, Title 45,))~~ 34 Code of Federal Regulations, Part 692. A school which does not qualify as a "postsecondary institution" for State Need Grant purposes, but which meets the qualifications of the State Student Incentive Grant Program may participate in the latter program upon presentation of satisfactory evidence of the availability of local matching funds, and is also subject to compliance with WAC 250-20-001 through ~~((250-20-08+))~~ 250-20-091.

AMENDATORY SECTION (Amending Order 3-80, Resolution 80-56, filed 4/14/80)

WAC 250-20-021 PROGRAM DEFINITIONS.

(1) The term "needy student" shall mean a post-high school student of an institution of postsecondary education who demonstrates to the council the financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.

(2) The term "disadvantaged student" shall mean a post-high school student who by reason of adverse cultural, educational, environmental, experiential or familial circumstance is unable to qualify for enrollment as a full-time student in a postsecondary institution, and who otherwise qualifies as a needy student and who is attending a postsecondary educational institution under an established program designed to qualify him or her for enrollment as a full-time student.

(3) The term "postsecondary institution" shall mean any public university~~((+))~~, college, community college, or vocational-technical institute operated by the state of Washington political subdivision thereof, or any other university, college, school or institute in the state of Washington offering instruction beyond the high school level which is a member institution of one of the following accrediting associations: The Northwest Association of Schools and Colleges, the Association of Independent Colleges and Schools, the Cosmetology Accrediting Commission, or the National Association of Trade and Technical Schools, and if such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of one of the above named accrediting associations.

(4) The term "domicile" shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she, upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of "domicile" shall be in accordance with RCW 28B.15.011 ~~((=))~~ through 28B.15.014.

(5) "Dependent student" shall mean any post-high school student who does not qualify as an independent student in accordance with WAC 250-20-021(6).

(6) "Independent student" shall mean any student whose parents (including step-parent(s)) do not acknowledge and accept a financial responsibility for the student and have on record in the financial aid office documentation attesting to requirements for independence. Such requirements include the following criteria:

(a) The student has not and will not be claimed as an exemption for federal income tax purposes by any person except his or her spouse for the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(b) The student has not received and will not receive financial assistance of more than ~~((750))~~ \$1000 in cash or kind from his or her parent(s) in the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(c) The student has not lived and will not live in the home of his or her parent(s) except during occasional temporary visits during the calendar year(s) in which the Need Grant is received and the prior calendar year.

(d) A special category of independent students consists of persons emancipated or independent by circumstances beyond their control. Examples are wards of court and orphans. An affidavit describing such circumstances is required in lieu of documentation of the family financial situation. Students in this category will be treated as independent applicants with a \$0 parental income and contribution.

(e) Married students will be considered as dependent or independent as appropriate.

(7) Definitions of "undergraduate students" will be in accord with definitions adopted for institutional use by the council.

(8) "Budgetary cost" shall consist of that amount required to support an individual as a student for nine months~~((+))~~, taking into consideration cost factors for maintaining the student's dependents. The Council for Postsecondary Education will annually review and adjust budgets which will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses and any other factors deemed necessary for consideration. The adopted budgets will be published concurrent with annual guidelines for program administration.

(9) "Total family contribution" for dependent students and students who have been independent from their parents for less than ~~((five))~~ three years shall mean the sum of the assumed parents' contribution, contribution from student assets, and additional student resources. For students who have been independent for ~~((five))~~ three years or longer, "total family contribution" shall mean the sum of contribution from students assets, and additional student resources.

(10) "Parents' contribution" shall mean the contribution toward college expenses expected from the student's parent(s) as related to the total financial strength of the parents.

(11) "Student assets" are comprised of those funds other than the student's expected summer savings and additional student resources as defined in WAC 250-20-021(13) to meet his or her educational expenses which were generated primarily through the student's own efforts. Examples of student assets are money in a savings account or in a trust fund.

(12) "Additional student resources" consist of those funds made available to the student primarily because of his or her student status such as G.I. Bill or veterans benefits. They also include financial support such as

public assistance benefits, vocational rehabilitation funds, CETA funds, spouses' academic year income, those portions of agency funds designated for expenses other than tuition and fees, etc.

Funds administered by the institution, Basic Grants, BIA grants, those portions of agency funds designated for tuition and fees, and student employment are to be used as matching funds and as such are not included as "additional student resources".

(13) "State Need Index" is the difference between the appropriate ranking factor as identified in the following table and the student's total family contribution. Ranking factors: Students living with parents - 1970; Single students living away from parents - 2770; Married couple, one student, or single parent with child - 4065; Married couple, both students - 5540. An additional 1000 may be added for the first dependent and (({5}))800 added for each subsequent dependent.

(14) "Academic year" is that nine-month period of time from September to June during which a full-time student would normally be expected to complete the equivalent of two semesters or three quarters of instruction.

(15) "Clock hours" means a period of time which is the equivalent of either:

- (a) A 50 to 60 minute class, lecture, or recitation, or
- (b) A 50 to 60 minute period of faculty-supervised laboratory shop training or internship.

WSR 81-13-039
PROPOSED RULES
COMMUNITY COLLEGE
DISTRICT 17
 [Filed June 16, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and WAC 1-13-030, that the Washington State Community College District 17 intends to adopt, amend, or repeal rules concerning WAC 132Q-04-086 and 132Q-04-200;

that such institution will at 2:00 p.m., Tuesday, July 21, 1981, in the Washington State Community College District 17 Office, Room 0108, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Wednesday, August 19, 1981, in the Washington State Community College District 17 Office, Room 111.

The authority under which these rules are proposed is chapters 28B.19 and 34.08 RCW, and chapter 1-13 WAC.

Dated: June 12, 1981
 By: R. Montecucco
 for J. E. Overholser
 Vice President

STATEMENT OF PURPOSE

Identification of the Proposed Rules: New section WAC 132Q-04-086 to be captioned "Conduct at college functions" and amending WAC 132Q-04-086 titled "Composition of College Discipline Committee".

Statutory Authority: Chapters 28B.19 and 34.08 RCW, chapter 1-13 WAC, statutorily grant the authority for District 17 as an institution of higher education, to amend, repeal or create WACs.

Purpose: New section WAC 132Q-04-086 is proposed to provide students notice that misconduct at functions under the jurisdiction of District 17 will subject the student to disciplinary action. Misconduct at a function is conduct which makes it difficult or impossible to conduct functions in an orderly manner. This rule will allow college functions to proceed in an orderly manner.

WAC 132Q-04-200 is proposed to address those instances when an associated men or associated women student group does not exist on campus. Student membership on the college disciplinary committee would then be appointed by the Associated Students Executive Committee. This rule is proposed so that student participation on the college discipline committee will continue.

Statement of Reasons: New section WAC 132Q-04-086 is supported by the following reason(s): Students should be expressly notified of the consequence of misconduct which so disrupts a function under the jurisdiction of District 17 so as to render the function difficult or impossible to conduct business in an orderly manner. The consequence of such misconduct would, under the proposed new rule, subject the student to disciplinary action.

Amendatory section WAC 132Q-04-200 is supported by the following reason(s): Student's participation on the college disciplinary committee should continue in the event that there is no campus group or groups formed called the associated men students and/or the associated women students. In that event, a student group called the Associated Students Executive Committee will appoint the male and female student (and two alternates) to serve on the college discipline committee.

Summary of the Rules: New section WAC 132Q-04-086 may be summarized as follows: Any student who so disrupts a function under the jurisdiction of District 17 so as to render it difficult or impossible to conduct functions in an orderly manner will be subject to disciplinary action as defined in WAC 132Q-04-020.

WAC 132Q-04-200 may be summarized as follows: Student membership on the college disciplinary committee should be designated by the president of the associated students and the president of associated men or associated women students on each campus. In the event the above associations or organizations do not exist, the appointments will be made by the Associated Students Executive Committee.

Institution Personnel Responsible for Rule: Mr. Jefferson E. Overholser, Vice President, Washington Community College District 17, N. 2000 Greene Street, Spokane, Washington 99207, (509) 456-2976.

The rules will be enforced as provided in the student handbook "Rules of Conduct and Procedures of Enforcement" chapter 132Q-04 WAC.

These rules are not necessary as the result of federal law or federal or state court action.

NEW SECTION

WAC 132Q-04-086 CONDUCT AT COLLEGE FUNCTIONS. Any student who by any action of misconduct disrupts any function under the jurisdiction of Washington Community College District 17 by engaging in conduct that makes it difficult or impossible to conduct functions in an orderly manner shall be subject to disciplinary action.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-04-200 COMPOSITION OF COLLEGE DISCIPLINE COMMITTEE. Each campus of Spokane Community College and after July 1, 1970, each college created by the Board of Trustees for Washington State Community College District No. 17 shall have a college disciplinary committee composed of six members, who shall be chosen by no later than October 15 of each academic year. The membership shall be selected as follows:

(1) The faculty organization at each college shall appoint two members and an alternate who are teaching on the appropriate campus or college; such members shall serve a two-year term.

(2) The college president shall appoint two members from the college administration who shall serve at his pleasure.

(3) Student membership shall be designated by the president of the associated students and the president of associated men or associated women students on each campus (~~of Spokane Community College and after July 1, 1970 for each community college created by the Board of Trustees of the District:~~) unless such associations or organizations do not exist on each college campus. In that case the appointments are to be made by the Associated Students Executive Committee. Student membership must include a male and female student and two alternates who shall serve for no more than one year.

(4) The chairman of the college disciplinary committee shall be the Dean of Student Personnel Services or his designated representative; provided, however, that no person who personally participates in any disciplinary action reviewed by the disciplinary committee may serve as chairman, nor may said person cast a vote on the merits of the issue decided by the disciplinary committee pursuant to WAC 132Q-04-240.

WSR 81-13-040
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-42—Filed June 16, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at

Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, 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 establishes the least restrictive protection for adult Puget Sound chinook salmon and adult 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 June 16, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-28-00700Q MESH RESTRICTION. *Effective immediately until further notice, it is 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 7 with reef net gear or with gill net gear having a mesh size greater than 5-1/4 inches. All chinook salmon over 28 inches in length taken with purse seine gear in Area 7 must be released immediately.*

NEW SECTION

WAC 220-28-007A0P MESH RESTRICTION. *Effective immediately until further notice, it is 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 7A with reef net gear or with gill net gear having a mesh size greater than 5-1/4 inches. All chinook salmon over 28 inches in length taken with purse seine gear in Area 7A must be released immediately.*

NEW SECTION

WAC 220-28-007B0U MESH RESTRICTION. *Effective immediately until further notice, it is 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 7B with gillnet gear having a mesh size greater than 5-1/4 inches. All chinook salmon over 28 inches in length taken with purse seine gear in Area 7B must be released immediately.*

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-28-00700P MESH RESTRICTIONS (81-34)

WAC 220-28-007A0N MESH RESTRICTIONS (81-34)

WAC 220-28-007B0T MESH RESTRICTIONS (81-34)

WSR 81-13-041**ADOPTED RULES
COUNCIL FOR****POSTSECONDARY EDUCATION**

[Order 4/81, Resolution 81-64—Filed June 17, 1981]

Be it resolved by the Council for Postsecondary Education, acting at The Evergreen State College, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the Educational Services Registration Act.

This action is taken pursuant to Notice No. WSR 81-09-068 filed with the code reviser on April 21, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28B.05.050 which directs that the Council for Postsecondary Education has authority to implement the provisions of The Educational Services Registration Act.

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

APPROVED AND ADOPTED June 10, 1981.

By Chalmers Gail Norris
Executive Coordinator

AMENDATORY SECTION (Amending Order 13-79, filed 12/18/79)

WAC 250-55-020 DEFINITIONS. The definitions set forth in this section are intended to supplement the definitions in RCW 28B.05.030, and shall apply throughout this chapter, unless the context clearly indicates to the contrary:

(1) "Educational institution" or "institution" means a degree-granting institution or a dual-purpose institution as defined in RCW 28B.05.030(10) and ~~((12))~~ (13).

(2) "Council" shall mean the Council for Postsecondary Education.

(3) "Executive coordinator" shall mean the executive coordinator of the council or the executive coordinator's designee.

(4) "Accrediting agency" or "accrediting association" shall mean an educational agency or association of regional or national scope which has adopted criteria reflecting the qualities of sound educational practices, and

also provides for peer evaluations of institutions to determine whether or not said institutions operate at basic levels of quality.

(5) "Institutional accreditation" shall mean certification by an accrediting agency or association, recognized under WAC 250-55-220, that the institution as a whole is capable of achieving its educational objectives and fulfilling its commitment to students. Institutions that are candidates for accreditation or are on probation concerning their accreditation status shall not be judged to have institutional accreditation.

(6) "Charitable institution, organization or agency" shall mean any public or private not-for-profit entity organized substantially to provide or promote services to the general public without charge or for nominal payment and which substantially relies on contributions from the general public, the United States, or any state or political subdivision thereof for its operating expenses: PROVIDED, That such entity is recognized by the United States Internal Revenue Service as being exempt under section 501(c)(3) of the Internal Revenue Code.

(7) "Avocational or recreational education" shall mean instruction that is clearly not being offered for the purpose of providing the student with employable skills or with competencies that upon completion of the program, course or class would be customarily applied to gainful employment.

(8) "The act" shall mean the Educational Services Registration Act (chapter 28B.05 RCW).

AMENDATORY SECTION (Amending Order 1-80, filed 4/11/80)

WAC 250-55-030 EXEMPTIONS. Notwithstanding any other exemption provision in this section, no institution or organization shall advertise, offer, sell, or award a degree or any other type of educational credential unless the student has enrolled in and successfully completed a prescribed program of study, as outlined in the institution's catalog: PROVIDED, That this prohibition shall not apply to honorary credentials clearly designated as such on the front side of the diploma or certificate and awarded by institutions that offer other educational credentials requiring enrollment in and successful completion of a prescribed program of study, in compliance with the requirements of this chapter. ((The following types of education and institutions are exempted from the provisions of the act and this chapter:))

The following types of education and institutions are exempted from the provisions of the act and this chapter:

(1) Education offered or sponsored by a bona fide trade, business, professional, or fraternal organization primarily for that organization's membership or offered by that organization on a no-fee basis;

(2) Education solely avocational or recreational in nature, as defined in WAC 250-55-020(7), and institutions offering such education exclusively: PROVIDED, That the institution does not advertise, promote, or offer educational credentials;

(3) Education offered by charitable institutions, organizations or agencies, as defined in WAC 250-55-020(6): PROVIDED, That the institution, organization

or agency does not advertise, promote, or offer educational credentials;

(4) Institutions that are established, operated, and governed by this state or its political subdivisions under the provisions of Titles 28A (Common Schools), 28B (Higher Education), and 28C (Vocational Education) RCW;

(5) Institutions that have received institutional accreditation from any accrediting association recognized by the council under the provisions of WAC 250-55-220: PROVIDED,

(a) That this exemption shall pertain only to ~~((the types of educational credentials for which the institution is accredited;))~~ degrees that (1) are covered by the institution's accreditation or (2) have achieved candidacy status with the agency or association that has accredited the institution.

(b) That an institution, branch, extension or facility operating within the state of Washington, which is affiliated with an institution operating in another state, must have separate institutional accreditation from a recognized accrediting association to qualify for this exemption;

(c) That an institution offering instruction on a federal installation solely to federal employees, and their dependents, shall not be required to have separate institutional accreditation in order to qualify for this exemption; and

(d) That a dual-purpose institution, as defined in RCW 28B.05.030~~((+2))~~ (13), shall not be exempted under the provisions of both chapters 250-55 and 490-600 WAC unless it is specifically exempted under the provisions of both chapters.

(6) Any other institution to the extent that it has been exempted from some or all of the provisions of the act and this chapter in accordance with the ~~((hardship))~~ agency exemption procedure outlined in RCW 28B.05.130. ~~((and the hearing procedure outlined in WAC 250-55-210.))~~ The executive coordinator may suspend or modify any of the registration or other requirements contained in this chapter in a particular case if the executive coordinator finds (1) that such suspension or modification will not frustrate the purposes of this chapter and (2) that the educational services to be offered address a substantial, demonstrated need among residents of the state of Washington or that literal application of this chapter works a manifestly unreasonable hardship on the educational institution: PROVIDED, That the chief administrative officer of the institution, after hearing, shall be entitled to appeal the decision of the executive coordinator to the council. An application for ~~((a hardship))~~ an agency exemption shall be submitted on a form developed by the executive coordinator. ~~((and shall include descriptive information about the institution, as required in WAC 250-55-040(1)(c); a list of the specific provisions for which an exemption is requested; an explanation of the hardship(s) created by those provisions; and an explanation of why, in the opinion of the chief administrator, the requested exemption(s) would not frustrate the purposes of the act.))~~

(7) ~~((²))~~ Institutions not otherwise exempt that are of a religious character, but only as to those educational programs exclusively devoted to religious or theological objectives, and that are represented in an accurate manner in institutional catalogs and other official publications. The following procedures shall be employed in the implementation of this subsection:

(a) The executive coordinator shall ask the chief administrative officer of any institution that may qualify for an exemption on religious grounds to forward to the council office a copy of the institution's catalog and/or any other official publications that describe the nature of the institution and its programs. This information shall be used by the executive coordinator to verify the exemption status of the institution.

(b) For purposes of this subsection, "educational program exclusively devoted to religious or theological objectives" shall mean a program that has as its sole stated objective training in the religious beliefs of the controlling religious organization and/or preparation of students for occupations that are primarily church-related.

(c) In the case of a religious institution that offers both religious and secular programs of instruction, the requirements of RCW 28B.05 and WAC 250-55 shall pertain only to the secular programs of the institution.

(d) If the executive coordinator has reasonable cause to believe that certain religious or theological programs offered by a religious institution are not represented in a materially accurate manner in the institution's catalog and other official publications, the executive coordinator shall proceed according to the provisions of WAC 250-55-200.~~((²))~~

AMENDATORY SECTION (Amending Order 13-79, filed 12/18/79)

WAC 250-55-040 APPLICATION, ANNUAL RENEWAL, AND AMENDMENTS. (1) At the time of its initial registration, each institution shall:

(a) Pay the council an initial registration fee of \$200.00.

(b) File with the council a surety bond or other form of security, as specified in RCW 28B.05.110, and WAC 250-55-050.

(c) File with the council an application, on a form developed by the executive coordinator, which shall include the following information:

(i) Name, address, and degrees offered.

(ii) Whenever applicable, the names and addresses of the owner(s) of the institution, any shareholders holding more than a ten percent interest, and members of the institution's governing board.

(iii) Names and addresses of the chief administrative officer and all agents of the institution who are currently operating in the state of Washington.

(iv) A copy of each of the materials that the institution is required to supply to prospective students prior to enrollment in accordance with WAC 250-55-100.

(v) A list, with addresses, of all locations at which the institution offers instruction: PROVIDED, That if the institution's primary campus is located in Washington, the list shall include all locations at which the institution offers instruction both in and outside of Washington.

(vi) The name of a bank or other financial institution that may be consulted as a financial reference.

(vii) Copies of the institution's current balance sheet and income statement covering the preceding year's operations. Institutions that have not operated prior to initial registration may submit a proposed operating budget for the succeeding twelve months in lieu of an income statement.

(viii) Copies of any enrollment agreements and/or student contracts employed by the institution.

(ix) Copies of any written agreements for library services required in WAC 250-55-080(3).

(x) If applicable, the file number of the institution's articles of incorporation on record with the Washington State Office of Secretary of State.

(xi) If applicable, a list of all programs approved by a licensing or certifying agency of the state of Washington.

(xii) A report of the institution's student enrollments in Washington during the past three calendar years: PROVIDED, That if the institution has not operated prior to initial registration, the institution may substitute a report of the number of student applications received in Washington as of the date of the registration application.

(xiii) A signed, written statement from the chief administrative officer attesting to the truth and accuracy of the information provided and pledging that the institution will comply with the requirements of the act and this chapter.

(2) At the time of each annual renewal, the institution shall:

(a) Pay the council a renewal fee of \$100.00.

(b) Provide evidence of continued compliance with the surety bond or security requirement specified in RCW 28B.05.110 and WAC 250-55-050.

(c) File ~~((an amended))~~ a registration renewal application, ~~((as specified in subsection (1)(c) of this section, indicating any changes from the information previously submitted;))~~ on a form developed by the executive coordinator, together with a signed, written statement from the chief administrative officer, attesting to the truth and accuracy of the information provided in the ~~((amended))~~ renewal application and pledging continued compliance with all the requirements of the act and this chapter.

(3) Additionally, the institution shall file an ~~((amended))~~ application amendment within thirty days of any change of circumstances which would require amendment of the information provided in compliance with subsections (1)(c) or (2)(c) of this section: PROVIDED, That this requirement shall not pertain to changes in materials submitted under subsection (1)(c)(iv) of this section. All amended statements must be filed with the council and include a signed, written statement, as required in subsection (1)(c)(xiii) of this section.

(4) Any institution subject to the registration requirement shall grant to the executive coordinator or the executive coordinator's designee access to all records relevant to the requirements of the act and this chapter at any time during the normal business hours of the institution.

(5) A change of ownership or control of an institution shall nullify any previous registration of that institution, and the chief administrator, representing the new owners or governing body, shall comply with all the application requirements outlined in this section.

(6) If the council determines that any school is not maintained and operated, or cannot be reasonably maintained and operated, in compliance with the requirements of the act and this chapter, the council may deny the issuance or continuance of a certificate of registration or may establish conditions in conformity with these provisions which shall be met by said school prior to issuance or continuance of such a certificate: PROVIDED, That the institution may appeal a denial of issuance under the provisions of WAC 250-55-190 and shall be entitled to a hearing concerning a denial of continuance under WAC 250-55-200.

AMENDATORY SECTION (Amending Order 13-79, filed 12/8/79)

WAC 250-55-050 BONDING. In addition to the requirements set forth in RCW 28B.05.110, the following requirements shall pertain:

(1) The amount of the surety bond shall be ten percent of the preceding year's total tuition and fee charges ~~((to students receiving))~~ received for educational services in Washington, but not less than \$5,000 nor more than \$75,000. In the case of institutions that have not operated prior to the date of their initial registration the bond amount for the first year of registration shall be based upon total anticipated tuition and fee charges for the next calendar year.

(2) In lieu of the surety bond provided for herein, the institution may furnish, file or deposit with the council, cash or other negotiable security acceptable to the executive coordinator, in an amount and of such proportions as required in the case of a surety bond in subsection (1) of this section. Release of such security shall be made in compliance with the provisions of RCW 28B.05.110(3): PROVIDED, That, if the institution replaces the security with a surety bond, the executive coordinator may release the security 90 days after the effective date of the bond, unless there are outstanding claims against the institution.

AMENDATORY SECTION (Amending Order 13-79, filed 12/18/79)

WAC 250-55-070 PROGRAM QUALITY AND CONTENT. (1) The objectives and requirements for each program shall be provided to students in written form prior to enrollment. Each student's curriculum shall consist of a planned sequence of related courses designed to achieve the published objectives of the program.

(2) Each course shall be taught by a qualified faculty member, as specified in WAC 250-55-090(2).

(3) Each student must have access to academic counseling by a member of the faculty or a qualified academic counsellor.

(4) Admission to an associate or baccalaureate degree program shall normally require a high school diploma or

the equivalent and admission to a masters or doctoral degree program shall normally require completion of at least a baccalaureate degree or the equivalent, unless the institution can demonstrate, upon request from the council, that these are not the normally accepted practices in a particular field of study. This subsection is not intended to prohibit early admissions and dual-degree programs for which systematic procedures have been established and published in the institution's catalog.

(5) For the award of an associate degree, the institution shall require at least the equivalent of eighteen months of full-time study; for a baccalaureate degree, at least the equivalent of thirty-six months of full-time study; for a masters degree, at least the equivalent of nine months of full-time post-baccalaureate study; and for a doctorate, at least the equivalent of twenty-seven months of full-time post-baccalaureate study, unless the institution can demonstrate, upon request from the council, that this is not the normally accepted practice in a particular field of study. Credit for prior learning experience in lieu of full-time study may be included in accordance with subsection (9) of this section.

(6) Institutions that provide for the development of individualized degree programs shall have published policies and procedures for designing such programs.

(7) Any individualized courses, including but not limited to independent study, research, and internships, shall be based upon written agreements that specify the content of the course, as well as the specific responsibilities of the student and the instructor.

(8) All courses offered by correspondence or away from the institution's primary campus shall be consistent with, and comparable in content and quality to courses offered to resident students enrolled at the institution's primary campus.

(9) If the institution recognizes transfer credits from other institutions and/or if it awards credit for prior learning experience and credit by examination, there shall be clearly defined, published policies and procedures for recognizing or awarding such credits. Institutional policies concerning credit for prior learning shall specify administrative responsibilities, means of assessment, documentation procedures, and maximum number of credits allowable. No more than fifty percent of the credits required for a degree or other credential shall be awarded for prior learning experience and/or for credits by examination: PROVIDED, That exceptions to this requirement may be requested under WAC 250-55-030(6).

AMENDATORY SECTION (Amending Order 13-79, filed 12/18/79)

WAC 250-55-100 CATALOGS AND BROCHURES. The institution shall provide students and other interested parties with a catalog or brochure, supplemented as necessary by other published materials. Whenever there are changes in institutional policies and procedures, the catalog or brochure shall be revised and published at least every two years, starting on or before September 30, 1980. The catalog or brochure, together with whatever supplementary materials may be necessary, shall include at least the following information:

(1) Identifying data, such as volume number, date of publication, and years for which the catalog is effective.

(2) The official name, address, and telephone number of the institution.

(3) A statement on the first page or cover of the catalog that ~~((says))~~ states that the institution, by name, "is registered with the Washington State Council for Post-secondary Education under the Educational Services Registration Act and complies with the requirements and educational standards established for degree-granting institutions in the state of Washington," and that ~~((in addition to any other legal remedies, in the event of an unresolved dispute between a student and the institution involving a requirement of the act or relevant council regulations, either party may seek the assistance of the executive coordinator of the council. Prior to seeking such assistance, however, the parties shall attempt to exhaust all institutional grievance and appeals procedures.))~~ "any person desiring information about the requirements of the act, or the applicability of those requirements to the institution, by name, may contact the council office."

(4) A statement of the origin and objectives of the institution.

(5) Whenever applicable, a list of all institutional board members, including their firms, and professional titles, or city of residence.

(6) A list of all institutional administrators and faculty members, including their titles and academic qualifications. In the case of faculty members, each entry ~~((shall))~~ shall include the name of the faculty member's academic department and/or field(s) of instruction. If the institution employs part-time or temporary faculty who are not listed in the catalog, there shall be an explanation of the minimum qualifications required of such faculty members.

(7) An institutional calendar showing legal holidays, beginning and ending dates of each quarter, term, or semester, and other important dates.

(8) Institutional policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each of the institution's programs.

(9) Institutional policy and regulations relative to leaves, absences, class cuts, make-up work, tardiness, and interruptions for unsatisfactory attendance.

(10) Institutional policy relative to standards of progress required of the student. This policy shall describe the institution's system for evaluating student performance, the minimum performance considered satisfactory, conditions for interruption for unsatisfactory performance, a description of the probationary period, if any, and conditions for reentrance for those students dismissed for unsatisfactory progress. A statement shall be made regarding progress records kept by the institution and furnished to the student.

~~((+))~~ Institutional policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct.

~~((+))~~ (11) A detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other

student charges necessary for the completion of each course of study.

~~((13))~~(12) Policy and regulations relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course, or withdraws, or is discontinued therefrom, in compliance with the provisions of WAC 250-55-160.

~~((14))~~(13) A description of the institution's facilities.

~~((15))~~(14) A description of the objectives, requirements, and length of each program offered.

~~((16))~~(15) For each program or field of study that prepares students for a licensed or certified occupation, a statement that indicates whether or not the appropriate agency or association recognizes the program for purposes of licensing or certification in that occupation: PROVIDED, That if a licensing authority does not review and approve academic institutions or programs, the institution shall provide students with the name and address of the licensing authority and indicate that a license is required to practice in the occupation for which the student is training. For all such programs, this information must be provided at the beginning of each program description in the catalog, brochure, and supplementary publications.

~~((17))~~(16) Policy and procedures relative to the granting of credit for previous education and experience, in compliance with WAC 250-55-070(9).

~~((18))~~(17) A statement explaining the transferability of the institution's credits to other institutions and the process by which a student may determine whether the institution's credits are transferable to another institution.

~~((19))~~(18) If the institution offers multiple degrees, an indication of which courses qualify for credit toward each degree.

~~((20))~~(19) If the institution offers individualized courses or programs, a description of the manner in which those courses or programs are designed, in compliance with WAC 250-55-070(6) and (7).

~~((21))~~(20) A description of the types of financial assistance available to students enrolled in the institution.

~~((22))~~(21) A description of any auxiliary services offered, including but not limited to housing, counseling, placement services, services for veterans and other special groups, and extracurricular activities.

~~((23))~~(22) If the institution makes any claims about graduate placement or courses completion rates, in its catalog or elsewhere, the catalog shall indicate how an interested person can obtain specific, up-to-date information about these rates.

~~((24))~~(23) Such other material facts concerning the institution and the program as are reasonably likely to affect the decision of the student to enroll.

~~((25))~~(24) A table of contents or index.

~~((26))~~(25) The catalog shall be supplemented with a printed schedule of courses to be offered each term. The schedule for any particular term shall be available to students at least two weeks prior to the beginning of classes.

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 13-79, filed 12/18/79)

WAC 250-55-110 EDUCATIONAL CREDENTIALS. (1) Upon satisfactory completion of education or training and the payment of all tuition and fees owed by the student to the institution, the student shall be given appropriate educational credentials by the institution indicating that the course or courses of instruction or study have been satisfactorily completed by the student.

(2) In addition, for each student who graduates or withdraws, the institution shall prepare, permanently file, and make available a transcript or academic record that specifies the name of the institution, the name of student, all courses completed, ((provided that)) and a key to or explanation of the institution's evaluation system: PROVIDED, That the institution shall not be required to make copies of the transcript or academic record available unless all tuition and fees owed by the student to the institution had been paid. Each course entry shall include a title, the number of credits awarded, and a grade. The transcript or academic record shall separately identify all credits awarded by transfer and for prior learning experience, correspondence courses, and credit by examination. If credits are awarded for prior learning experience, the transcript or academic record shall also indicate the nature of the experience for which credit was awarded. If instruction for a course took place at a location other than the primary campus of the institution, the location of the instruction shall also be indicated.

(3) No institution shall offer, print, or award a degree or any other type of educational certificate unless the student has enrolled in and completed a prescribed program of study, as outlined in the institution's catalog, that has been identified in the institution's registration application, annual renewal application, or amendments, as prescribed in WAC 250-55-040.

AMENDATORY SECTION (Amending Order 13-79, filed 12/18/79)

WAC 250-55-120 RECORDS. (1) In addition to the transcript or academic record requirement provided for under WAC 250-55-110(2), the institution shall maintain adequate records to document the performance and progress of each student. The records and accounts pertaining to each period of enrollment of each student shall be kept intact and in good condition by the educational institution for a period of at least three years following the termination of such enrollment period.

(2) The records to be retained shall include, but not necessarily be limited to, any of the following information that does not appear on permanently filed transcripts~~(-)~~ or academic records:

(a) Records and accounts which are evidence of tuition and fees charged to and received from or on behalf of all students.

(b) Records of previous education or training of students at the time of admission and records of credit, if any, granted by the institution at the time of admission, with the student so notified.

~~((c) Records of the student's grades and progress:))~~

~~((d) Individual instructor's class records:))~~

~~((e)) (c) Records of interruption for unsatisfactory progress or conduct.~~

~~((f)) (d) Records of refunds of tuition, fees, and other charges made to the student.~~

(3) Institutions shall maintain and have available for inspection for a period of thirty-six months following their use complete records and copies of all advertising, sales, and enrollment materials used by or on behalf of the institution.

(4) If any educational institution proposes to discontinue its operation, the chief administrative officer of the institution shall immediately notify the executive coordinator and file with the council the original or legible true copies of all such information as is customarily required by colleges when considering students for transfer or advanced study, including but not necessarily limited to all records required in WAC 250-55-110(2) and subsection (1) of this section. In the event it appears to the ((council)) executive coordinator that any such records of an educational institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the council, the ((council)) executive coordinator may seek a court order to protect and, if necessary take possession of the records. ((The council)) The executive coordinator shall make a determination concerning which records should be permanently maintained and shall select an appropriate permanent location for such records((, and the)). The institution shall be required to notify its students of such location prior to release of the bond or security filed under the provisions of WAC 250-55-050: PROVIDED, That this notification requirement shall pertain only to students who have been enrolled during the past calendar year.

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 13-79, filed 12/18/79)

WAC 250-55-150 ENROLLMENT. (1) When a student enrolls for a course of instruction, the institution shall comply with the following requirements:

~~((a) The institution shall not require payment for tuition or any other fees in excess of \$125, including a maximum nonrefundable application fee of \$25, more than sixty days in advance of the first day of instruction:))~~

~~((b) The institution shall not collect tuition and fees for more than one calendar year at a time. For courses in which the student may determine the amount of time required for completion, including but not limited to correspondence study, the institution may charge tuition for up to one calendar year at a time according to the average rate of course completion and, in addition, may~~

~~charge full fees for any materials provided to the student:))~~

~~((c)) (a) Upon payment, the institution shall provide the student with a receipt or voucher for all tuition and fees collected.~~

~~((d)) (b) Prior to enrollment or before tuition and fees are collected, whichever is earlier, the institution shall provide the student with all the information specified in WAC 250-55-100. ((In addition, the institution shall require the student to sign a statement that he or she received a copy of the institution's policy pertaining to refund of tuition and fees:))~~

(2) If the institution employs a formal enrollment agreement or contract, this document shall ((contain at least the following information:)) pertain only to requirements that are printed or entered on the agreement or contract. The student shall receive a copy of the agreement or contract signed by all parties to the agreement or contract.

~~((a) The title, identifying the document as a contract or agreement:))~~

~~((b) The name and address of the institution:))~~

~~((c) The course or program for which the student is enrolling, as identified in the catalog:))~~

~~((d) The approximate time required to complete the course, specified in weeks, months, or years of full- or part-time study:))~~

~~((e) The type of credential the student will receive upon successful completion of the course or program:))~~

~~((f) An enumeration of all costs involved in completion of the program, together with an explanation of the method and terms of payment:))~~

~~((g) The starting date of the course or program:))~~

~~((h) Grounds for termination of the student by the school prior to completion of the course or program:))~~

~~((i) Methods and conditions under which the student may voluntarily terminate enrollment:))~~

~~((j) A detailed refund policy, as specified in WAC 250-55-160:))~~

~~((k) An effective date, which shall not precede the date on which all parties to the contract have signed the document:))~~

~~((l) An acknowledgment, in large or bold print, that all signers have read and received a copy of the contract:))~~

~~((m) An enumeration of all other conditions, circumstances, or qualifications that may be imposed by the school:))~~

~~((n) If contracts or promissory notes may be sold, discounted, or otherwise transferred, an authorization from the applicant (and financial sponsors, if any), together with a statement that the refund policy shall continue to apply:))~~

~~((o) A statement identical to the catalog statement required under WAC 250-55-100(3):))~~

AMENDATORY SECTION (Amending Order 13-79, filed 12/18/79)

WAC 250-55-160 MINIMUM CANCELLATION AND REFUND POLICY. (1) Each institution required to register under this chapter shall publish its cancellation and refund policies in clear language that

can be easily understood by prospective students. The policies shall apply to all terminations, for any reason, by either party.

(2) The refund policy for resident institutions shall, as a minimum, comply with the following requirements:

(a) An applicant rejected by the institution shall be entitled to a refund of all money paid, less any standard application fee, not to exceed ~~(\$25)~~\$50. The amount of the maximum application fee may be adjusted at the discretion of the executive coordinator.

(b) All money paid by a successful applicant, less an application fee not to exceed ~~(\$25)~~\$50, shall be refunded to the applicant if requested in any manner within six business days after signing an enrollment agreement or making an initial payment, whichever comes later.

(c) If a successful applicant chooses to withdraw after the initial six day period but before the first day of instruction, the applicant shall be entitled to a refund of all moneys paid, less a maximum of ~~(\$125)~~10 percent of tuition and fee charges for current term for an applicant for full-time study, prorated accordingly for applicants for part-time study.

(d) Starting on the first day of classes and continuing through the first ~~((twenty-five percent))~~ calendar week of the current academic term, the tuition and fee charges retained by the institution shall not exceed ~~((seventy-five))~~ twenty-five percent of the tuition and fees paid for that term plus a maximum application fee of ~~(\$25)~~\$50. ~~((If the student has paid any tuition or fees in advance for subsequent academic terms, these moneys shall be refunded in full.))~~

(e) Starting on the eighth calendar day of the current academic term and continuing through the fourteenth calendar day, the tuition and fee charges retained by the institution shall not exceed fifty percent of the tuition and fees paid for that term.

~~((e))~~(f) Following completion of ~~((twenty-five percent))~~ the first fourteen days of the current academic term, the institution may retain one hundred percent of the tuition and fees paid for that term but shall refund any tuition and fees paid in advance for subsequent terms.

~~((f))~~(g) For purposes of this section, an academic term shall not exceed sixteen weeks of instruction.

~~((g))~~(h) The termination date for refund computation purposes shall be the date on which the student initially requests cancellation, or the date on which the institution withdraws the student under subsection (2)~~((h))~~(i) of this section. The school may require written affirmation of cancellation or withdrawal provided such requirement is stated in the catalog, and, if applicable, the enrollment agreement. The institution may require that such written affirmation be made by a parent or guardian if the student is below legal age.

~~((h))~~(i) If a student, without notice to proper institutional authorities, fails to attend classes for a period of thirty calendar days during which resident classes are in session, the institution shall notify the student in writing that his or her enrollment has been terminated, effective the thirtieth calendar day and shall refund tuition and fees according to its published refund policy.

~~((i) Percentage of course completion shall be computed on the basis of the number of hours or days of instruction completed as a percentage of the total hours or days in the period for which tuition and fees were collected.))~~

(j) The refund policy shall pertain to all charges with the exception of charges for materials that are not returned to the institution in their original condition within fifteen days of withdrawal or termination.

(k) The institution shall provide an exact pro rata refund to the student for any arbitrary and unilateral change by the institution of scheduled times for course instruction, reduction of contracted training time, reduction of course content, or other actions that effectively reduce the ratio of training to course costs, including but not limited to termination of a course or program during the current academic term.

(l) Any money due the applicant or student shall be refunded within thirty days after written notice of cancellation or termination.

(3) For correspondence and home study schools, the following minimum refund policy shall pertain:

(a) An enrollment may be canceled by an applicant student within six days from the day on which an enrollment agreement is signed or the student submits tuition and fees to the institution, whichever is later. An applicant student requesting cancellation in whatever manner within this time shall be given a refund of all money paid to the institution or its representatives.

(b) From six days after the day on which the enrollment agreement is signed and until the time the institution receives the first completed lesson assignment from the student, upon cancellation, the institution is entitled to retain a registration fee of either \$25 or fifteen percent of the tuition ~~((up to \$100))~~, whichever is less.

(c) After receipt of the first completed lesson assignment and up to and including the first ten percent of the course, if the student requests cancellation, the institution shall be entitled to retain the registration fee plus ten percent of the tuition.

(d) After completion of more than ten percent of the course and up to and including completion of twenty-five percent of the course, the institution shall be entitled to retain the registration fee plus twenty-five percent of the tuition.

(e) After completion of more than twenty-five percent of the course and up to and including completion of fifty percent of the course, the institution is entitled to retain the registration fee plus fifty percent of the tuition.

(f) After completion of more than fifty percent of the course, the institution is entitled to retain the full tuition.

(g) The amount of the course completed shall be the number of completed lesson assignments received by the institution as a percentage of the total lesson assignments in the course.

(h) Upon written notice of cancellation, all money due the student shall be refunded within thirty days.

(i) The refund policy shall pertain to all charges with the exception of charges for materials that are not returned to the institution in their original condition within fifteen days of withdrawal or termination.

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 13-79, filed 12/18/79)

WAC 250-55-220 RECOGNITION OF ACCREDITING AGENCIES AND ASSOCIATIONS.

(1) Any accrediting agency or association desiring recognition for the purposes of WAC 250-55-030(5) shall ((comply)) demonstrate that the agency or association complies with the following standards:

(a) Scope of operations:

(i) The agency or association is national or regional in its scope of operations;

(ii) It clearly defines in its charter, bylaws, or accrediting standards the scope of its activities, including the geographical area and the types and levels of institutions or programs covered.

(b) Organization:

(i) The agency or association has the administrative personnel and procedures to carry out its operations in a timely and effective manner;

(ii) It defines its fiscal needs, manages its expenditures, and has adequate financial resources to carry out its operations, as shown by an externally audited financial statement;

(iii) Its fees, if any, for the accreditation process do not exceed the reasonable cost of sustaining and improving the process;

(iv) It uses competent and knowledgeable persons, qualified by experience and training, and selects such persons in accordance with nondiscriminatory practices to participate on visiting evaluation teams; to engage in consultative services for the evaluation and accreditation process; and to serve on policy and decision-making bodies;

(v) It includes on each visiting evaluation team at least one person who is not a member of its policy or decision-making body or its administrative staff;

(vi) It accredits institutions that are classified as primarily postsecondary, are properly chartered and licensed to operate, and offer instruction leading to degrees, diplomas, or certificates with educational validity.

(c) Procedures:

(i) The agency or association maintains clear definitions of each level of accreditation status and has clearly written procedures for granting, denying, reaffirming, revoking, and reinstating such accredited statuses;

(ii) If it has developed a preaccreditation status, it provides for the application of criteria and procedures that are related in an appropriate manner to those employed for accreditation;

(iii) It requires, as an integral part of its accrediting purposes, institutional or program self-analysis and an on-site review by a visiting team.

(iv) It requires that the self-analysis shall be a qualitative assessment of the strengths and limitations of the institution, including the achievement of institutional objectives, and shall involve a representative portion of

the institution's administrative staff, teaching faculty, students, governing body, and other appropriate constituencies.

(v) It provides written and consultative guidance to the institution or program and to the visiting team.

(vi) It publishes or otherwise makes publicly available the standards by which institutions are evaluated, the procedures utilized in arriving at decisions regarding the accreditation status of an institution, the current accreditation status of institutions and the date of the next currently scheduled review or reconsideration of accreditation, the names and affiliations of members of its policy and decision-making bodies, the name(s) of its principal administrative personnel, and a description of the ownership, control and type of legal organization of the agency or association;

(vii) It provides advance notice of proposed or revised standards to all persons, institutions, and organization significantly affected by its accrediting process, and provides such persons, institutions and organizations adequate opportunity to comment on such standards prior to their adoption;

(viii) Its purposes and objectives are clearly defined in its charter, bylaws, or accrediting standards.

(d) Responsiveness:

(i) The agency's or association's accreditation program takes into account the rights, responsibilities, and interests of students, the general public, the academic, professional, or occupational fields involved, and institutions;

(ii) It includes representatives of the public in its policy and decision-making bodies, or in an advisory or consultative capacity that assures attention by the policy and decision-making bodies;

(iii) It has written procedures for the review of complaints pertaining to institutional or program quality, as these relate to the agency's standards, and demonstrates that such procedures are adequate to provide timely treatment of such complaints in a manner that is fair and equitable to the complainant and to the institution or program.

(e) Due process:

(i) The agency or association affords initial evaluation of the institution only when the chief executive officer of the institution applies for accreditation of the institution;

(ii) It provides for adequate discussion during an on-site visit between the visiting team and the faculty, administrative staff, students, and other appropriate persons;

(iii) It furnishes, as a result of an evaluation visit, a written report to the institution commenting on areas of strength, areas needing improvement and, when appropriate, suggesting means of improvement and including specific areas, if any, where the institution may not be in compliance with the agency's standards;

(iv) It provides the chief executive officer of the institution with an opportunity to comment upon the written report and to file supplemental materials pertinent to the facts and conclusions in the written report of the visiting team before the accrediting agency or association takes action on the report;

(v) It evaluates, when appropriate, the report of the visiting team in the presence of a member of the team, preferably the chairman;

(vi) It provides for the withdrawal of accreditation only for cause, after review, or when the institution does not permit reevaluation, after due notice;

(vii) It provides the chief executive officer of the institution with a specific statement of reasons for any adverse accrediting action, and notice of the right to appeal such action;

(viii) It establishes and implements published rules of procedure regarding appeals which will provide for no change in the accreditation status of the institution pending disposition of an appeal; the right to a hearing before the appeal body; supplying the chief executive officer of the institution with a written decision of the appeal body, including a statement of specifics.

(f) Ethical practices: The agency or association has a demonstrated ability and willingness to foster ethical practices among the institutions which it accredits, including equitable student tuition refunds and nondiscriminatory practices in admissions and employment.

(g) Evaluation: The agency or association maintains a program of evaluation of its educational standards designed to assess their validity and reliability.

(h) Application of standards: The agency or association accredits only those institutions which meet its published standards, and demonstrates that its standards, policies, and procedures are fairly applied and that its evaluations are conducted and decisions rendered under conditions that assure an impartial and objective judgment.

(i) Periodic review: The agency or association re-evaluates at reasonable intervals institutions which it has accredited.

(j) Specificity: The agency or association requires that any reference to its accreditation of accredited institutions clearly specifies the areas and levels for which accreditation has been received.

(k) Reliability:

(i) The agency or association demonstrates reliability, competence, and experience by providing evidence of the acceptance of its policies, evaluative criteria, procedures, and evaluation decisions by educators, educational institutions, other accrediting bodies, practitioners, and employers;

(ii) It has no less than two years' experience as an accrediting agency or association;

(iii) It reflects in the composition of its policy and decision-making bodies the community of interests directly affected by the scope of its accreditation.

(l) Autonomy:

(i) The agency or association performs no function that would be inconsistent with the formation of an independent judgment of the quality of an educational program or institution;

(ii) It provides in its operating procedures for protection against conflict of interest in the rendering of its judgments and decisions.

(2) Inclusion in the current list of accrediting agencies and associations recognized by the United States (~~Commissioner~~) Secretary of Education may be accepted by the council as evidence of compliance with the standards established in subsection (1) of this section: PROVIDED,

(a) That the agency or association grants institutional accreditation, as defined in WAC 250-55-020(5); and

(b) That the council may at any time require such additional evidence and make such additional investigation as in its judgment may be necessary to verify compliance with the standards in subsection (1) of this section for purposes of granting, denying, or discontinuing recognition of an accrediting agency or association under this chapter.

(3) The council shall adopt and maintain an up-to-date (~~a~~) list of those accrediting agencies and associations which are recognized by the council as meeting the requirements of this section.

WSR 81-13-042

PROPOSED RULES

DEPARTMENT OF LICENSING

(Dental Disciplinary Board)

[Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Dental Disciplinary Board intends to adopt, amend, or repeal rules concerning the adoption of chapter 308-38 WAC;

that such agency will at 1:30 p.m., Friday, August 14, 1981, 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 1:30 p.m., Friday, August 14, 1981, in the Vance Airport Inn, Seattle Room, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.32.640.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 14, 1981, and/or orally at 1:30 p.m., Friday, August 14, 1981, Vance Airport Inn, Seattle Room, 18220 Pacific Highway South, Seattle, WA.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 81-02-032, 81-06-015 and 81-10-072 filed with the code reviser's office on January 5, 1981, February 20, 1981, and May 6, 1981.

Dated: June 17, 1981

By: Susan E. Shoblom
Executive Secretary

STATEMENT OF PURPOSE

Agency: Washington State Dental Disciplinary Board.

Purpose: The purpose of new chapter 308-38 WAC is to establish guidelines for delegation of duties by a licensed dentist to individuals who are not licensed to practice dentistry in the State of Washington.

Statutory authority: RCW 18.32.640.

Summary of the rules: WAC 308-38-100 contains the state of the Board's purpose for adopting the chapter. WAC 308-38-110 lists the definitions of terms used in chapter 308-38 WAC. WAC 308-38-120 lists the acts that may be performed by unlicensed persons under the close supervision of a licensed dentist. WAC 308-38-130 lists acts that may not be delegated to unlicensed persons. WAC 308-38-140 lists acts that dental hygienists may be allowed to perform under the general supervision of a licensed dentist. WAC 308-38-150 lists acts that a licensed dental hygienist may be allowed to perform under the close supervision of a licensed dentist. WAC 308-38-160 lists acts which may not be delegated to a dental hygienist by a licensed dentist.

Reason action proposed: Chapter 308-38 WAC is proposed to clarify what acts a licensed dentist may delegate to licensed dental hygienists and to unlicensed persons. It is proposed to assist the Board in administering sections of the Dental Practice Act that deal with aiding and abetting unlicensed practice of dentistry and to assist the Board in investigating complaints.

Responsible departmental personnel: In addition to the members of the Dental Disciplinary Board, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Susan E. Shoblom, Executive Secretary, Third Floor, Highways-Licenses Bldg., Olympia, WA 98504, 754-1867 (Comm), 235-1867 (Scan).

Proponents: These rules were proposed by the Washington State Dental Disciplinary Board.

Agency comments: These rules are promulgated pursuant to the authority contained in RCW 18.32.640.

- 308-38-140 ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER GENERAL SUPERVISION.
- 308-38-150 ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER CLOSE SUPERVISION.
- 308-38-160 ACTS THAT MAY NOT BE PERFORMED BY DENTAL HYGIENISTS.

NEW SECTION

WAC 308-38-100 PURPOSE. The purpose of this chapter is to establish guidelines on delegation of duties to persons who are not licensed to practice dentistry. The dental laws of Washington state authorized the delegation of certain duties to non-dentist personnel and prohibit the delegation of certain other duties. By statute, the duties that may be delegated to a person not licensed to practice dentistry may be performed only under the supervision of a licensed dentist. The degree of supervision required to assure that treatment is appropriate and does not jeopardize the systemic or oral health of the patient varies with, among other considerations, the nature of the procedure and the qualifications of the person to whom the duty is delegated. The dentist is ultimately responsible for the services performed in his office and this responsibility cannot be delegated. The Board therefore, in order to promote the welfare of the state and to protect the health and well-being of the people of this state, finds that it is necessary to adopt the following definitions and regulations.

NEW SECTION

WAC 308-38-110 DEFINITIONS. (1) "Dental Disciplinary Board" shall mean the board created by RCW 18.32.560.

(2) "Dental Examining Board" shall mean the board created by RCW 18.32.035.

(3) "Director" shall mean the director of the Department of Licensing.

(4) "Close Supervision" shall mean that a licensed dentist whose patient is being treated has personally diagnosed the condition to be treated and has personally authorized the procedures to be performed. A dentist shall be physically present in the treatment facility while the procedures are performed. Close supervision does not require a dentist to be physically present in the operatory; however, an attending dentist must be in the treatment facility and be capable of responding immediately in the event of an emergency.

(5) "Treatment Facility" means a dental office or connecting suite of offices, dental clinic, room or area with equipment to provide dental treatment, or the immediately adjacent rooms or areas. A treatment facility does not extend to any other area of a building in which the treatment facility is located.

(6) "General Supervision" means supervision of dental procedures based on instructions given by a licensed dentist but not requiring the physical presence of the supervising dentist in the treatment facility during the performance of those procedures.

(7) "Unlicensed Person" means a person who is neither a dentist duly licensed pursuant to the provisions of chapter 18.32 RCW nor a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW.

(8) "Oral Prophylaxis" means the preventive dental procedure of scaling and polishing which includes complete removal of calculus, soft deposits, plaque, stains and the smoothing of unattached tooth surfaces. The objective of this treatment shall be creation of an environment in which hard and soft tissues can be maintained in good health by the patient.

(9) "Coronal Polishing" means a procedure limited to the removal of plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with rubber cap or brush and a polishing agent.

This procedure shall not be intended to be interpreted as an oral prophylaxis as defined in WAC 308-38-110(8) a procedure specifically reserved to performance by a licensed dentist or dental hygienist. Coronal polishing may, however, be performed by dental assistants under close supervision as a portion of the oral prophylaxis. In all instances, however, a licensed dentist shall determine that the teeth need to be polished and are free of calculus or other extraneous material prior to performance of coronal polishing by a dental assistant.

(10) "Root Planing" means the process of instrumentation by which the unattached surfaces of the root are made smooth by the removal of calculus and/or deposits.

Chapter 308-38 WAC
GUIDELINES FOR DELEGATION OF DUTIES TO PERSONS
NOT LICENSED AS DENTISTS

WAC	
308-38-100	PURPOSE.
308-38-110	DEFINITIONS.
308-38-120	ACTS THAT MAY BE PERFORMED BY UNLICENSED PERSONS.
308-38-130	ACTS THAT MAY NOT BE PERFORMED BY UNLICENSED PERSONS.

(11) "Periodontal Soft Tissue Curettage" means the closed removal of issue lining the periodontal pocket, not involving the reflection of a flap.

(12) "Debridement at the Peridontal Surgical Site" means curettage and/or root planing after reflection of a flap by the supervising dentist. This does not include cutting of osseous tissues.

(13) "Luxation" is defined as an integral part of the surgical procedure of which the end result is extraction of a tooth. Luxation is not a distinct procedure in and of itself. It is the dislocation or displacement of a tooth or of the temporomandibular articulation.

(14) "Incising" is defined as part of the surgical procedure of which the end result is removal of oral tissue. Incising, or the making of an incision, is not a separate and distinct procedure in and of itself.

(15) "Elevating Soft Tissues" is defined as part of a surgical procedure involving the use of the periosteal elevator to raise flaps of soft tissues. Elevating soft tissue is not a separate and distinct procedure in and of itself.

(16) "Suturing" is defined as the readaption of soft tissues by means of stitches as a phase of an oral surgery procedure. Suturing is not a separate and distinct procedure in and of itself.

NEW SECTION

WAC 308-38-120 ACTS THAT MAY BE PERFORMED BY UNLICENSED PERSONS. A dentist may allow an unlicensed person to perform the following acts under the dentist's close supervision:

- (1) Examination when confined to oral inspection, with no diagnosis.
- (2) Patient education in oral hygiene.
- (3) Place and remove the rubber dam.
- (4) Hold in place and remove impression materials after the dentist has placed them.
- (5) Take impressions solely for diagnostic and opposing models.
- (6) Take impressions and wax bites solely for study casts.
- (7) Remove the excess cement after the dentist has placed a permanent or temporary inlay, crown, bridge or appliance, or around orthodontic bands.
- (8) Perform coronal polish.
- (9) Give fluoride treatments.
- (10) Place periodontal packs.
- (11) Remove periodontal packs or sutures.
- (12) Placement of a matrix and wedge for a silver restoration after the dentist has prepared the cavity.
- (13) Place a temporary filling (as ZOE) after diagnosis and examination by the dentist.
- (14) Apply tooth separators as for placement for Class III gold foil.
- (15) Fabricate, place, and remove temporary crowns or temporary bridges.
- (16) Pack and medicate extraction areas.
- (17) Deliver a sedative drug capsule to patient.
- (18) Place topical anesthetics.
- (19) Placement of retraction cord.
- (20) Polish restorations at a subsequent appointment.
- (21) Select denture shade and mold.
- (22) Acid etch.
- (23) Apply sealants.
- (24) Place dental x-ray film and expose and develop the films.
- (25) Take intra-oral and extra-oral photographs.
- (26) Take health histories.
- (27) Take and record blood pressure and vital signs.
- (28) Give preoperative and postoperative instructions.
- (29) Assist in the administration of nitrous oxide analgesia or sedation, but shall not start the administration of the gases and shall not adjust the flow of the gases unless instructed to do so by the dentist. Patients must never be left unattended while nitrous oxide-oxygen analgesia or sedation is administered to them. The dentist must be present at chairside during the entire administration of nitrous oxide and oxygen analgesia or sedation if any other central nervous system depressant has been given to the patient. This regulation shall not be construed to prevent any person from taking appropriate action in the event of a medical emergency.
- (30) Select orthodontic bands for size.
- (31) Place and remove orthodontic separators.
- (32) Prepare teeth for the bonding or orthodontic appliances.
- (33) Fit and adjust headgear.
- (34) Remove fixed orthodontic appliances.
- (35) Remove and replace archwires and orthodontic wires.
- (36) Take a facebow transfer for mounting study casts.

NEW SECTION

WAC 308-38-130 ACTS THAT MAY NOT BE PERFORMED BY UNLICENSED PERSONS: No dentist shall allow an unlicensed person who is in his or her employ or is acting under his or her supervision or direction to perform any of the following procedures. (1) Any removal of or addition to the hard or soft natural tissue of the oral cavity.

(2) Any placing of permanent or semi-permanent restorations in natural teeth.

(3) Any diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structure.

(4) Any administration of general or injected local anesthetic of any nature in connection with a dental operation.

(5) Any oral prophylaxis, except coronal polishing as a part of oral prophylaxis as defined in WAC 308-38-110(9) and 308-38-120(8).

(6) Any scaling procedure.

(7) The taking of any impressions of the teeth or jaws, or the relationships of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliances, or prosthesis. Not prohibited are the taking of impressions solely for diagnostic and opposing models or taking wax bites solely for study casts.

(8) Intra-orally adjust occlusal of inlays, crowns, and bridges.

(9) Intra-orally finish margins of inlays, crowns, and bridges.

(10) Cement or recement, permanently, any cast restoration or stainless steel crown.

(11) Incise gingiva or other soft tissue.

(12) Elevate soft tissue flap.

(13) Luxate teeth.

(14) Curette to sever epithelial attachment.

(15) Suture.

(16) Establish occlusal vertical dimension for dentures.

(17) Try-in of dentures set in wax.

(18) Insertion and post-insertion adjustments of dentures.

(19) Endodontic treatment—open, extirpate pulp, ream and file canals, establish length of tooth, and fill root canal.

NEW SECTION

WAC 308-38-140 ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER GENERAL SUPERVISION. A dentist may allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW to perform the following acts under the dentist's general supervision:

(1) Examination, including measuring periodontal pockets, when confined to oral inspection, with no diagnosis.

(2) Patient education in oral hygiene.

(3) Take intra-oral and extra-oral radiographs.

(4) Apply topical preventive or prophylactic agents.

(5) Polish and smooth restorations.

(6) Oral prophylaxis and removal of deposits and stains from the surfaces of the teeth.

(7) Record health histories.

(8) Take and record blood pressure and vital signs.

A dentist may also allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW to perform the following acts under the dentist's general supervision after examination of the patient and diagnosis by the dentist:

(1) Perform sub-gingival and supra-gingival scaling.

(2) Perform root planing.

(3) Apply sealants.

NEW SECTION

WAC 308-38-150 ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER CLOSE SUPERVISION. In addition to the acts performed under section WAC 308-38-120, a dentist may allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW to perform the following acts under the dentist's close supervision:

(1) Perform soft-tissue curettage.

(2) Give injections of a local anesthetic.

(3) Place restorations into the cavity prepared by the dentist, and therefore could carve, contour, and adjust contacts and occlusion of the restoration.

(4) Administer nitrous oxide analgesia.

NEW SECTION

WAC 308-38-160 ACTS THAT MAY NOT BE PERFORMED BY DENTAL HYGIENISTS. No dentist shall allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW who is in his or her employ or is acting under his or her supervision or direction to perform any of the following procedures:

- (1) Any surgical removal of tissue of the oral cavity, except for soft-tissue curettage, as defined in WAC 308-38-110(11).
- (2) Any prescription of drugs or medications requiring the written order or prescription of a licensed dentist or physician.
- (3) Any diagnosis for treatment or treatment planning.
- (4) The taking of any impressions of the teeth or jaw, or the relationship of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliances, or prosthesis. Not prohibited are the taking of impressions solely for diagnostic and opposing models or taking wax bites solely for study casts.
- (5) Intra-orally adjust occlusal of inlays, crowns, and bridges.
- (6) Intra-orally finish margins of inlays, crowns, and bridges.
- (7) Cement or recement, permanently, any cast restorations or stainless steel crown.
- (8) Incise gingiva or other soft tissue.
- (9) Elevate soft tissue flap.
- (10) Luxate teeth.
- (11) Curette to sever epithelial attachment.
- (12) Suture.
- (13) Establish occlusal vertical dimension for dentures.
- (14) Try-in of dentures set in wax.
- (15) Insertion and post-insertion adjustments of dentures.
- (16) Endodontic treatment—open, extirpate pulp, ream and file canals, establish length of tooth, and fill root canal.

**WSR 81-13-043
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed June 17, 1981]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning chapter 392-140 WAC entitled "Finance—Special allocations, instructions, and requirements";

that such agency will at 9:00 a.m., Tuesday, July 21, 1981, in the State Modular Building, 7510 Armstrong Street S.W., Conference Room A, Tumwater, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 22, 1981, in the State Modular Building, Executive Services Conference Room, 7510 Armstrong Street S.W., Tumwater, WA.

The authority under which these rules are proposed is RCW 28A.41.170.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1981, and/or orally at 9:00 a.m., Tuesday, July 21, 1981, State Modular Building, 7510 Armstrong Street S.W., Conference Room A, Tumwater, WA.

Dated: June 17, 1981
By: Frank B. Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule title: Amendment to Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

Statutory authority: RCW 28A.41.170.

Purpose of the rule(s): To implement the portion of section 92, chapter 340, Laws of 1981 (budget bill) which establishes limits on the amount and/or percentage of salary and compensation limits in school districts.

Summary of the rule(s): The rules set forth the definitions, process, and conditions by which the superintendent of public instruction determines whether a school district has violated the salary-compensation lid established by the legislature and applies the penalty of withholding state apportionment funds.

Reasons which support the proposed action: The legislature has mandated the superintendent of public instruction to police school district compliance and to withhold funds from violators.

Person or organization proposing the rule(s): SPI

Government Private Public
Agency personnel responsible for the drafting, implementation and enforcement of the rule(s):

Drafting and Implementation: Perry G. Keithley, SPI Building, Room 1002, 753-1717.

Enforcement: Chas. A. McNurlin, SPI Building, Room 1000A, 753-6742.

The rule(s) is (are) necessary as the result of federal law, federal court action, or state court action: [No information supplied by agency]

Agency comments, if any, regarding statutory language, implementation, enforcement and fiscal matter pertaining to the rule(s): implements the public policy of the legislature.

NEW SECTION

WAC 392-140-010 1981-83 SALARY-COMPENSATION LID COMPLIANCE—AUTHORITY AND PURPOSES. The provisions of WAC 392-140-010 through 392-140-023 are adopted pursuant to authority vested in the superintendent of public instruction by RCW 28A.41.170 and the provisions of the legislative appropriations act for the common schools, chapter 340, Laws of 1981. The purposes of WAC 392-140-010 through 392-140-023 are (1) to set forth the standards and procedures which the superintendent of public instruction shall use to determine whether or not each school district is in compliance with that portion of section 92, chapter 340, Laws of 1981, the 1981-83 biennial appropriations act, which establishes limits on the amount and/or percentage of salary and compensation increases which school districts may grant to employees in the 1981-82 and 1982-83 school years (hereinafter referred to as the salary-compensation lid), and (2) to determine whether or not a school district is in compliance with the salary-compensation lid.

NEW SECTION

WAC 392-140-011 1981-83 SALARY-COMPENSATION LID COMPLIANCE-DEFINITIONS. As used in WAC 392-140-010 through 392-140-023, the term:

(1) "Basic education certificated staff" shall mean all full time equivalent certificated staff in the following programs as specified in the Accounting Manual for Public School Districts in the State of Washington:

- (a) Basic education, program 00;
- (b) Secondary vocational education, program 30;
- (c) Skill centers, program 45;
- (d) General instructional support, program 94; and
- (e) General support, program 97.

(2) "Basic education classified staff" shall mean all full time equivalent classified staff in the following programs as specified in the Accounting Manual for Public School Districts in the State of Washington:

- (a) Basic education, program 00;
- (b) Secondary vocational education, program 30;
- (c) Skill centers, program 45;
- (d) General instructional support, program 94; and
- (e) General support, program 97.

(3) "Certificated staff salaries" shall mean those moneys which a school district has agreed to pay all basic education certificated staff who are employed as of October 1 of each school year under terms of basic or regular employment contracts between the district and certificated staff, exclusive of those moneys which are to be paid for a certificated employee's summer school or extracurricular duties, regardless of whether such duties are a part of the regular employment contract or a supplemental employment contract as reported to the superintendent of public instruction on Form S-275. Such amount shall include any increases made during the school year pursuant to WAC 392-140-018. Moneys paid to certificated staff hired on an hourly basis are not included in this definition.

(4) "Classified staff salaries" shall mean moneys which a district has agreed to pay, exclusive of overtime pay, to all basic education classified staff who are employed as of November 1 of each school year for employment services to the district for the school year as reported to the superintendent of public instruction on Form S-277. Such amount shall include any increases made during the school year pursuant to WAC 392-140-018.

(5) "Insurance benefits" shall mean the district cost for those items of protection designed to benefit individual employees of the school district and their dependents as set forth in RCW 28A.58.420 which may be selected at the option of the employee or may be negotiated as a part of the collective bargaining process as reported to the superintendent of public instruction for basic education certificated staff on Form S-275 and for basic education classified staff on Form S-277.

(6) "Compensation" shall mean the total dollar amount which a district has agreed to provide basic education staff, directly or indirectly, for employment services to the district for 1981-82 or 1982-83 in the form of salary and insurance benefits as those terms are defined in this section.

(7) "LEAP Document 1" shall mean the table of incremental values to three decimal places established to recognize differences in salary costs of basic education certificated staff attributable to the various levels of educational training and years of professional work experience which was developed by the legislative evaluation and accountability program (LEAP) committee on April 20, 1981 at 11:35 a.m.

(8) "LEAP Document 2" shall mean the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program (LEAP) committee on April 20, 1981 at 2:02 p.m.

(9) "Staff mix factor" shall have the same meaning as that term is defined in WAC 392-121-121.

(10) "District staff mix factor" shall have the same meaning as that term is defined in WAC 392-121-125.

(11) "1981-82 district derived base salary" shall mean the salary amount calculated by:

(a) Dividing a district's certificated staff salaries for basic education for the 1981-82 school year by the district's number of full time equivalent certificated staff for 1981-82 as defined in WAC 392-121-115 to obtain an average salary amount for 1981-82;

(b) The 1981-82 average salary amount is then divided by the district staff mix factor for 1981-82; and

(c) The quotient obtained is the 1981-82 district derived base salary.

(12) "1982-83 district derived base salary" shall mean the salary amount calculated by:

(a) Dividing a district's certificated staff salaries for basic education for the 1982-83 school year by the district's number of full time equivalent certificated staff for 1982-83 as defined in WAC 392-121-115 to obtain an average salary amount for 1982-83;

(b) The 1982-83 average salary amount is then divided by the district staff mix factor for 1982-83; and

(c) The quotient obtained is the 1982-83 district derived base salary.

(13) "1981-82 district average classified salary" shall mean the salary amount calculated by dividing a district's classified staff salaries for basic education for the 1981-82 school year by the district's number of full time equivalent classified staff for 1981-82 as defined in WAC 392-121-115.

(14) "1982-83 district average classified salary" shall mean the salary amount calculated by dividing a district's classified staff salaries for basic education for the 1982-83 school year by the district's number of full time equivalent classified staff for 1982-83 as defined in WAC 392-121-115.

(15) "Form S-275" shall mean the certificated personnel report which is distributed annually by the superintendent of public instruction on or before September 1 and which includes such items as the individual certificated employee's name, educational level, years of professional work experience, contract days, annual salary, fringe benefits and insurance benefits for the year, work, assignment(s) and full-time equivalency. This report serves as the basis for placement of the individual certificated employee on LEAP Document 1 and provides salary and compensation data for each certificated employee.

(16) "Form S-277" shall mean the classified personnel report which is distributed annually by the superintendent of public instruction on or before September 1 and which includes such items as the individual classified employee's name, work assignment, hourly rate of pay, hours worked per day, days worked per year, amount of fringe benefits and health benefits for the year.

(17) "Report 1191" shall mean the monthly statement of a school district's estimated basic education allocation for the current school year calculated by the superintendent of public instruction and distributed to school districts each month.

(18) "Report 1191F" shall mean the end-of-the-year statement of a school district's actual basic education allocation for the school year just completed. This report is calculated by the superintendent of public instruction and distributed to school districts after the close of the school year when all actual data are known.

(19) "Day" shall mean a calendar day. The number of days shall be counted by excluding the first day and including the last day, unless the last day is a holiday or Sunday, and then it is also excluded.

NEW SECTION

WAC 392-140-012 1981-83 SALARY-COMPENSATION LID COMPLIANCE-DETERMINATION BY SUPERINTENDENT OF PUBLIC INSTRUCTION. The superintendent of public instruction shall determine whether or not a district is in compliance with the salary-compensation lid for basic education certificated staff and basic education classified staff for the 1981-82 school year and the 1982-83 school year.

NEW SECTION

WAC 392-140-013 1981-83 SALARY-COMPENSATION LID COMPLIANCE-INITIAL REPORTING CYCLE-GENERAL. Each school district shall provide upon request of the superintendent of public instruction such data as the superintendent of public instruction deems appropriate to serve as the basis for determining whether or not the district is in compliance with the salary-compensation lid. The superintendent of public instruction shall provide each district with the necessary report forms or reporting format and shall advise each district by published bulletin of the due dates established by the superintendent of public instruction for the return of such completed forms.

NEW SECTION

WAC 392-140-014 1981-83 SALARY-COMPENSATION LID COMPLIANCE—INITIAL REPORTING CYCLE—DISTRICT EDIT OF PERSONNEL DATA. The superintendent of public instruction, by December 1, shall return to each school district appropriate personnel data in a standard format including individual staff mix factors for basic education certificated staff and individual salary or compensation amounts for both certificated and classified staff. Each district shall edit such data and return the edited reports to the superintendent of public instruction within twenty days of receipt of such data.

NEW SECTION

WAC 392-140-015 1981-83 SALARY-COMPENSATION LID COMPLIANCE—INITIAL REPORTING CYCLE—DATA ANALYSIS AND DETERMINATION OF NEED FOR ADDITIONAL INFORMATION. Within ten days of receipt of district edited data, the superintendent of public instruction shall review the edited data and make a determination as to whether or not additional information is necessary in order to determine whether or not a district is in violation of the salary-compensation lid pursuant to WAC 392-140-019 and 392-140-020. The superintendent of public instruction shall notify in writing any district where additional information is necessary in order to determine whether or not the district is in violation of the salary-compensation lid.

NEW SECTION

WAC 392-140-016 1981-83 SALARY-COMPENSATION LID COMPLIANCE—INITIAL REPORTING CYCLE—REVIEW OF ADDITIONAL INFORMATION. Any school district for which the superintendent of public instruction has determined additional information is necessary to determine whether or not the district is in violation of the salary-compensation lid may request in writing that the superintendent of public instruction provide an informal review of the district's status regarding such determination: PROVIDED, The superintendent of public instruction receives the request within twenty days from the date the district receives the written notice of the need for additional information. If the superintendent of public instruction does not receive such a timely request, the district shall be notified that five percent of its basic education allocation will be withheld until such time as the district demonstrates compliance pursuant to WAC 392-140-023.

NEW SECTION

WAC 392-140-017 1981-83 SALARY-COMPENSATION LID COMPLIANCE—INITIAL REPORTING CYCLE—DETERMINATION OF VIOLATION AFTER REVIEW. Following the informal review, the superintendent of public instruction shall have ten days to make a determination as to whether or not the district is in violation of the salary-compensation lid. The superintendent of public instruction shall notify any district that is in violation of the salary-compensation lid and shall withhold five percent of the district's annual basic education allocation until such time as the district demonstrates compliance pursuant to WAC 392-140-023.

NEW SECTION

WAC 392-140-018 1981-83 SALARY-COMPENSATION LID COMPLIANCE—FINAL REPORTING CYCLE. In the event a school district increases the salary or compensation of any of its basic education staff during the school year, the district shall notify the superintendent of public instruction in writing of such action within five days of such action. The superintendent of public instruction within five days of such notification shall send the district a report of the most recent appropriate personnel data on file in the superintendent of public instruction's office. The district shall make corrections of appropriate salary or compensation items on the personnel data report and return the corrected report to the superintendent of public instruction within twenty days. Upon receipt of such corrected report the superintendent of public instruction shall take the steps outlined in WAC 392-140-013 through 392-140-017 to determine whether or not the district is in compliance with the salary-compensation lid and promptly notify the district of such determination.

NEW SECTION

WAC 392-140-019 1981-83 SALARY-COMPENSATION LID COMPLIANCE—COMPLIANCE OF AVERAGE CERTIFICATED SALARIES. Unless compliance is demonstrated by the provisions of WAC 392-140-022, compliance with the salary-compensation lid shall be calculated as follows:

(1) For basic education certificated staff, if the 1981-82 district derived base salary exceeds the district's 1980-81 derived base salary shown on LEAP Document 2 improved by the district's percent entitlement shown on LEAP Document 2 for 1981-82, the district shall be considered in violation of the salary-compensation lid for the 1981-82 school year.

(2) For basic education certificated staff, if the 1982-83 district derived base salary exceeds the district's 1980-81 derived base salary shown on LEAP Document 2, improved by the district's percent entitlement shown on LEAP Document 2 for 1981-82, and that amount further improved by the district's percent entitlement shown on LEAP Document 2 for 1982-83, the district shall be considered in violation of the salary-compensation lid for the 1982-83 school year.

NEW SECTION

WAC 392-140-020 1981-83 SALARY-COMPENSATION LID COMPLIANCE—COMPLIANCE OF AVERAGE CLASSIFIED SALARIES. Unless compliance is demonstrated by the provisions of WAC 392-140-022, compliance with the salary-compensation lid shall be calculated as follows:

(1) For basic education classified staff, if the 1981-82 district average classified salary exceeds the district's 1980-81 average classified salary shown on LEAP Document 2 improved by the district's percent entitlement shown on LEAP Document 2 for 1981-82, the district shall be considered in violation of the salary-compensation lid for the 1981-82 school year.

(2) For basic education classified staff, if the 1982-83 district average classified salary exceeds the district's 1980-81 average classified salary shown on LEAP Document 2, improved by the district's percent entitlement shown on LEAP Document 2 for 1981-82, and that amount further improved by the district's percent entitlement for 1982-83, the district shall be considered in violation of the salary-compensation lid for the 1982-83 school year.

NEW SECTION

WAC 392-140-021 1981-83 SALARY-COMPENSATION LID COMPLIANCE—COMPLIANCE OF INSURANCE BENEFITS. Insurance benefit increases granted employees shall constitute a portion of the salary increase specified in LEAP Document 2 whenever a district's contribution to employee insurance benefits will exceed, by virtue of increases provided in 1981-82 or 1982-83, \$121 per full time equivalent staff unit in 1981-82 and \$137 per full time equivalent staff unit in 1982-83.

NEW SECTION

WAC 392-140-022 1981-83 SALARY-COMPENSATION LID COMPLIANCE—IMPACT OF ADDITIONAL INFORMATION. No district shall be found in violation of the salary-compensation lid for 1981-82 or 1982-83 or have basic education funds withheld for the respective year if it meets one of the following conditions:

(1) The district certifies to the superintendent of public instruction that it has entered into either individual contracts of employment or a collective bargaining agreement with one or more of its basic education certificated staff on or before March 20, 1981, which contract(s) fixes the amount of salary or compensation for either the 1981-82 school year or the 1982-83 school year or both years: PROVIDED, That the average salary or compensation increases of certificated staff not covered by a contract for 1981-82 shall not exceed an amount which is equal to the district's 1980-81 derived base salary improved by the district's percent entitlement shown on LEAP Document 2 for certificated staff for 1981-82: PROVIDED FURTHER, That the average salary or compensation increases for certificated staff not covered by a contract for 1982-83 shall not exceed an amount which is equal to the district's 1980-81 derived base salary improved by the district's percent entitlement shown on LEAP Document 2 for certificated staff for 1981-82, and that amount further improved by the district's percent entitlement shown on LEAP Document 2 for certificated staff for 1982-83.

(2) The district certifies to the superintendent of public instruction that it gave no salary or compensation increases as determined pursuant to WAC 392-140-019 to certificated staff for 1981-82 or 1982-83.

(3) The district certifies to the superintendent of public instruction that it has entered into either individual contracts of employment or a collective bargaining agreement with one or more of its classified staff on or before March 20, 1981, which contract(s) fixes the amount of salary or compensation for either the 1981-82 school year or the 1982-83 school year or both years: PROVIDED, That the average salary or compensation increases of classified staff not covered by a contract for 1981-82 shall not exceed an amount which is equal to the district's 1980-81 average classified salary improved by the district's percent entitlement shown on LEAP Document 2 for 1981-82: PROVIDED FURTHER, That the average salary or compensation increases for classified staff not covered by a contract for 1982-83 shall not exceed an amount which is equal to the district's 1980-81 average classified salary improved by the district's percent entitlement shown on LEAP Document 2 for classified staff for 1981-82, and that amount further improved by the district's percent entitlement shown on LEAP Document 2 for classified staff for 1982-83.

(4) The district certifies to the superintendent of public instruction that it gave no salary or compensation increases as determined pursuant to WAC 392-140-020 to the classified staff for 1981-82 or 1982-83.

NEW SECTION

WAC 392-140-023 1981-83 SALARY-COMPENSATION LID COMPLIANCE—WITHHOLDING OF BASIC EDUCATION ALLOCATION. If the superintendent of public instruction finds that a school district has violated the salary-compensation lid pursuant to WAC 392-140-010 through 392-140-022, the superintendent of public instruction shall direct the assistant superintendent of financial services to withhold five percent of the district's annual basic education allocation as shown in item A.8 of Report 1191. The initial amount withheld shall be five percent of the most current estimate of the annual basic education allocation as shown in item A.8 of the district's Report 1191. The actual amount withheld will be based on the annual entitlement shown in item A.8 of the district's Report 1191F.

The amount to be withheld shall be entered as a negative adjustment in the monthly apportionment payment cycle on line C.4 of Report 1191 as soon as possible after the district receives written notification that funds are to be withheld.

The negative adjustment shall remain in place until such time as the district comes into compliance with the salary-compensation lid.

In the event a district increases its salaries or compensation at or near the end of the school year, and the superintendent of public instruction determines that such an increase places the district in violation of the salary-compensation lid, but the determination occurs too late in the current year for the superintendent of public instruction to make a negative adjustment, the superintendent of public instruction shall enter the negative adjustment for the current school year, but withhold the appropriate amount from the district's annual basic education allocation for the following year.

WSR 81-13-044
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the repeal of chapter 392-161 WAC entitled Grants Management—Urban, Rural, Racial, Disadvantaged Education Programs;

that such agency will at 9:00 a.m., Tuesday, July 21, 1981, in the State Modular Building, Conference Room A, 7510 Armstrong Street S.W., Tumwater, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 22, 1981, in the State Modular Building, Executive Services Conference Room, 7510 Armstrong Street S.W., Tumwater, WA.

The authority under which these rules are proposed is RCW 28A.41.250 - .414.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1981, and/or orally at 9:00 a.m., Tuesday, July 21, 1981, State Modular Building, Conference Room A, 7510 Armstrong Street S.W., Tumwater, WA.

Dated: June 17, 1981

By: Frank B. Brouillet

Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule title: Chapter 392-161 WAC entitled "Grants Management—Urban, Rural, Racial, Disadvantaged Education Programs".
Statutory authority: RCW 28A.41.250 through .414.

Purpose of the rule(s): Repeal of chapter 392-161 WAC.

Summary of the rule(s): Repeals chapter.

Reasons which support the proposed action: The 1981 legislature established a block grant rather than categorical procedure for funding programs related to urban, rural, racial, and disadvantaged students and for remediation programs. Therefore, chapter 392-161 WAC which establishes procedures for approval and compliance with categorical funding system is obsolete.

Person or organization proposing the rule(s): SPI.

Government Private Public
Agency personnel responsible for the drafting, implementation and enforcement of the rule(s): Ralph E. Julnes, SPI, Room 1500, 3-2298.

The rule(s) is (are) necessary as the result of federal law, federal court action or state court action: [No information supplied by agency]

Agency comments, if any, regarding statutory language, implementation, enforcement and fiscal matter pertaining to the rule(s): is repealed to reflect legislative intent to abolish categorical funding procedures for URRD and Remediation.

REPEALER

Chapter 392-161 of the Washington Administrative Code is repealed as follows:

- (1) WAC 392-161-005 PURPOSES.
- (2) WAC 392-161-010 DEFINITIONS.
- (3) WAC 392-161-015 ADMINISTRATIVE DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.
- (4) WAC 392-161-020 URRD STATE ADVISORY COMMITTEE.

- (5) WAC 392-161-025 RAP/URRD PROGRAM SUPERVISION.
- (6) WAC 392-161-030 ELIGIBILITY REQUIREMENTS.
- (7) WAC 392-161-035 EVIDENCE OF SCHOOL DISTRICT PROPOSAL REVIEW.
- (8) WAC 392-161-040 REQUIRED DOCUMENTATION.
- (9) WAC 392-161-045 PRIVATE APPLICANT AGENCY REQUIREMENT.
- (10) WAC 392-161-050 AUTHORIZED PROGRAM ACTIVITIES.
- (11) WAC 392-161-055 INTERDISTRICT OR CONSORTIUM PROJECTS.
- (12) WAC 392-161-060 COMPLEMENTARY NATURE OF PRIVATE AGENCY PROJECTS.
- (13) WAC 392-161-065 FISCAL CONSTRAINTS.
- (14) WAC 392-161-070 BASIC PROGRAM THRUST SUMMARIZED.
- (15) WAC 392-161-075 URRD PROGRAM CATEGORIES.
- (16) WAC 392-161-080 DROPOUT PREVENTION PROGRAMS SUMMARY.
- (17) WAC 392-161-085 DROPOUT PREVENTION PROGRAM—EVALUATION OF EFFECTIVENESS.
- (18) WAC 392-161-090 PRESCHOOL EDUCATION PROGRAMS SUMMARY.
- (19) WAC 392-161-095 PRESCHOOL EDUCATION PROGRAMS—EVALUATION OF EFFECTIVENESS.
- (20) WAC 392-161-101 MODEL EDUCATIONAL PROGRAM SUMMARY.
- (21) WAC 392-161-104 MODEL EDUCATIONAL PROGRAMS—EVALUATION OF EFFECTIVENESS.
- (22) WAC 392-161-116 COMMUNITY INVOLVEMENT EDUCATION PROGRAMS SUMMARY.
- (23) WAC 392-161-118 COMMUNITY INVOLVEMENT PROGRAMS—EVALUATION OF EFFECTIVENESS.
- (24) WAC 392-161-120 INDIAN EDUCATION PROGRAMS SUMMARY.
- (25) WAC 392-161-125 INDIAN EDUCATION PROGRAMS—EVALUATION OF EFFECTIVENESS.
- (26) WAC 392-161-130 GENERAL APPLICATION INFORMATION.
- (27) WAC 392-161-135 LEGISLATIVE CONCERNS AND GENERAL GUIDELINES.
- (28) WAC 392-161-140 REVIEW PROCESS DESCRIBED.
- (29) WAC 392-161-145 BASIC SELECTION CRITERIA INFORMATION.
- (30) WAC 392-161-150 ADDITIONAL BASIC SELECTION CRITERIA INFORMATION.
- (31) WAC 392-161-155 URRD APPEALS PROCEDURE SUMMARY.
- (32) WAC 392-161-160 PROGRAM EVALUATION AND BUDGETING PROCEDURES.
- (33) WAC 392-161-165 INTEGRATION POLICY STATEMENT.
- (34) WAC 392-161-170 REMEDIAL ASSISTANCE PROGRAM (RAP)—ELIGIBILITY REQUIREMENTS.
- (35) WAC 392-161-175 REMEDIAL ASSISTANCE PROGRAM (RAP)—APPROVED PROGRAM APPLICATION.
- (36) WAC 392-161-180 REMEDIAL ASSISTANCE PROGRAM (RAP) APPROVAL REQUIREMENTS.
- (37) WAC 392-161-185 REMEDIAL ASSISTANCE PROGRAM (RAP)—FUNDING ADJUSTMENTS TO STATE ALLOCATIONS OF RAP APPROPRIATIONS.

**WSR 81-13-045
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of

Public Instruction intends to adopt, amend, or repeal rules concerning the implementation of the Transitional Bilingual Education Act of 1979;

that such agency will at 9:00 a.m., Tuesday, July 21, 1981, in the State Modular Building, Conference Room A, 7510 Armstrong Street S.W., Tumwater, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 22, 1981, in the State Modular Building, Executive Services Conference Room, 7510 Armstrong Street S.W., Tumwater, WA.

The authority under which these rules are proposed is RCW 28A.58.804.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1981, and/or orally at 9:00 a.m., Tuesday, July 21, 1981, State Modular Building, Conference Room A, 7510 Armstrong Street S.W., Tumwater, WA.

Dated: June 17, 1981

By: Frank B. Brouillet

Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule title: Chapter 392-160 WAC entitled "Transitional Bilingual Instruction".

Statutory authority: RCW 28A.58.804.

Purpose of the rule(s): Implement the Transitional Bilingual Education Act of 1979, chapter 95, Laws of 1979.

Summary of the rule(s): The proposed amendments reflect a change from categorical to block grant funding of the program. The rules continue to establish who is an eligible pupil but eliminates any program approval by SPI. The amendment to WAC 392-160-040 eliminates obsolete language.

Reasons which support the proposed action: The 1981 legislature substituted block grants for categorical funding of the program.

Person or organization proposing the rule(s): SPI.

Government X Private Public

Agency personnel responsible for the drafting, implementation and enforcement:

Drafting: Ralph E. Julnes, SPI, Room 1500, 3-2298.

Implementation: Mona H. Bailey, SPI, Room 1900, 3-2695.

The rule(s) is (are) necessary as the result of federal law, federal court action or state court action: [No information supplied by agency]

Agency comments, if any, regarding statutory language, implementation, enforcement and fiscal matter pertaining to the rule(s): Districts will continue to be required to provide programs to entitled pupils but funding will be local responsibility.

AMENDATORY SECTION (Amending Order 80-21, filed 6/17/80)

WAC 392-160-001 PURPOSE—SUPPLEMENTAL FEDERAL REQUIREMENTS. The purpose of this chapter is to implement "the Transitional Bilingual Instruction of 1979" which is codified as RCW 28A.58.800 through 28A.58.810. The rules ~~((set forth))~~ in this chapter ~~((govern the entitlement of each school district to state funds now or hereafter appropriated by the legislature for))~~ set forth the eligibility criteria for pupil entitlement to transitional bilingual and alternative instruction programs conducted pursuant to the act.

Compliance with this chapter does not necessarily assure full compliance with federal bilingual education program requirements. Therefore, school districts must review pertinent federal requirements and take action ~~((with funds other than funds made available pursuant to this chapter as necessary))~~ to comply with federal program requirements that are above and beyond the ~~((program funded))~~ requirements established pursuant to this chapter.

AMENDATORY SECTION (Amending Order 80-21, filed 6/17/80)

WAC 392-160-010 SCHOOL DISTRICT BOARD OF DIRECTORS DUTIES. Consistent with the provisions of this chapter, every school district board of directors shall ~~((ensure that:~~

~~(1) An approved bilingual instruction or alternative instruction program funded pursuant to this chapter is made available to each eligible pupil who has been identified as such pursuant to the application of an approved test;~~

~~(2) The number of eligible pupils is determined during each school year at a time or times now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts;~~

~~(3) To the extent feasible, communications from the district to parents of pupils enrolled in bilingual instruction or alternative instructional programs are in English and their nonEnglish primary language;~~

~~(4) A program of in-service training is developed and implemented which includes instructional strategies for children of culturally different backgrounds, the use of special curriculum materials, and bilingual program models for teachers, counselors and other school district staff members whose duties involve them in the bilingual instruction or alternative instructional programs of the school district; and~~

~~(5) It complies with instructions and schedules for program and fiscal reporting as now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts)) make available to each eligible pupil a transitional bilingual instruction or an alternative instructional program.~~

AMENDATORY SECTION (Amending Order 80-21, filed 6/17/80)

WAC 392-160-015 IDENTIFICATION OF ELIGIBLE PUPILS. (1) District procedures—Identification of primary language required: Every school district board of directors shall adopt written procedures governing the identification of each pupil's primary language and the determination of which pupils with a primary language other than English are eligible pupils. Such procedures shall include:

(a) Provisions for the identification of a pupil's primary language pursuant to an interview with or a written questionnaire directed to the pupil and the pupil's parent(s) or guardian(s), or a combination of interviews and written questionnaires; and

(b) Provisions for testing pupils as provided for in this section, WAC 392-160-020 and 035.

(2) Deadline for determining eligibility of newly enrolled pupils: The primary language and eligibility of each newly enrolled pupil shall be established no later than the twentieth school day after the date upon which the pupil commences attendance at a particular school district.

(3) Newly enrolled pupils who speak little or no English—Determination of eligibility: The eligibility of a newly enrolled pupil whose eligibility is reasonably apparent by reason of:

(a) The pupil's ability to communicate reasonably well in his or her nonEnglish primary language; and

(b) The pupil's inability to communicate in English to any practical extent shall be determined pursuant to an interview with the pupil. The interview shall be conducted by a person with sufficient skill in both English and the nonEnglish language of the pupil, if a person with such qualifications is reasonably available. If a qualified interviewer is not reasonably available, school personnel shall exercise their best judgment based upon observations of a newly enrolled pupil to determine the pupil's eligibility. No other approved test need be administered if the professional judgment of the school personnel based upon

the interview or observations is that the pupil is eligible as defined in WAC 392-160-005(3).

(4) All other newly enrolled pupils—Determination of eligibility: The eligibility of all newly enrolled pupils:

(a) Who have a primary language other than English; and

(b) Whose eligibility is not reasonably apparent by reason of the standards established by subsection (3) shall be determined pursuant to WAC 392-160-020.

(5) Annual reassessment of all pupils required: ~~((Commencing with the 1980-81))~~ Each school year each pupil who has previously been identified as eligible and admitted to a bilingual instruction or alternative instruction program shall be identified as eligible or ineligible each school year pursuant to the administration of a standardized test as set forth in WAC 392-160-035~~((PROVIDED, That pupils who were identified as eligible prior to the 1980-81 school year by a means that was not in compliance with subsection (3) or (4) of this section shall be reassessed and identified as eligible or ineligible pursuant to subsection (3) or (4) at the commencement of the 1980-81 school year))~~.

AMENDATORY SECTION (Amending Order 80-21, filed 6/17/80)

WAC 392-160-035 THREE YEAR LIMITATION—TESTING—PROGRAM EXIT REQUIREMENTS. (1) No ~~((school district shall continue to report or claim a))~~ pupil ~~((for purposes of state funding pursuant to this chapter))~~ shall continue to be entitled to a transitional bilingual or alternative instructional program after the pupil has received instruction in a transitional bilingual ~~((instruction))~~ or alternative instructional program conducted pursuant to this chapter within any one or more school districts for a period of three school years (i.e., 540 school days or portions thereof): PROVIDED, That each such pupil who is unable to demonstrate an improvement in English language skills that is sufficient to overcome the pupil's learning impairment when taught only in English (i.e., unable to score above the 35th percentile on an approved test) shall ~~((be continued in))~~ continue to be entitled to an approved bilingual instruction or alternative instructional program.

(2) The approved test for measurement of improvement in English language skills for purposes of exit from transitional bilingual ~~((instruction and))~~ or alternative instructional programs ~~((funded pursuant to this chapter))~~ shall be any nationally normed standardized achievement test normally administered by a school district to its pupils.

(3) No pupil shall be ~~((eligible for))~~ entitled to continued enrollment in a transitional bilingual or alternative program ~~((funded pursuant to this chapter))~~ once the pupil has scored above the 35th percentile on the Reading and Language Arts portions of a nationally normed standardized test appropriate for the pupil's age and grade level.

~~((4) It is the duty and responsibility of each school district to remove a pupil from a program funded pursuant to this chapter at any time the pupil is capable of scoring above the 35th percentile in reading and language arts as described in subsection (3), notwithstanding the fact the student may not have been enrolled in a program conducted pursuant to this chapter for a full three school years.))~~

AMENDATORY SECTION (Amending Order 80-21, filed 6/17/80)

WAC 392-160-040 ELIGIBILITY FOR AN OPTIONAL ALTERNATIVE INSTRUCTIONAL PROGRAM. (1) Districts with a limited number of pupils: Each school district with a limited number of eligible pupils may elect to provide such pupils an alternative instructional program. ~~((The prior approval of the superintendent of public instruction need not be obtained in such cases.))~~

(2) Districts with more than a limited number of pupils: School districts with more than a limited number of eligible pupils ~~((must obtain the prior approval of the superintendent of public instruction as a condition to providing))~~ and under the following conditions may elect to provide an alternative instructional program ~~((in lieu of bilingual instruction. Approval of the provisions of English as a second language in lieu of bilingual instruction shall be conditioned upon satisfactory assurances by an applicant school district of one or more of the following grounds for approval))~~:

(a) Necessary instructional materials are unavailable and the district has made reasonable efforts to obtain necessary materials without success; or

(b) The capacity of the district's bilingual instruction program is temporarily exceeded by an unexpected increase in the enrollment of eligible pupils; or

(c) Bilingual instruction cannot be provided affected pupils without substantially impairing their basic education program because of their disbursement throughout many grade levels or schools, or both; or

(d) Teachers who are trained in bilingual education methods and sufficiently skilled in the non-English primary language(s) are unavailable, and the district has made reasonable attempts to obtain the services of such teachers.

~~((Approval by the superintendent of public instruction of an alternative instruction program may be accompanied by further conditions now or hereafter deemed necessary to safeguard the rights of students or to effect the intent of "The Transitional Bilingual Instruction Act of 1979" wherever possible. No school district shall be permitted to utilize any of the options provided for in this subsection, when, in the opinion of the superintendent of public instruction, sufficient justification for exercising such an option has not been provided.))~~

AMENDATORY SECTION (Amending Order 80-21, filed 6/17/80)

~~WAC 392-160-045 HANDICAPPED PUPILS—((PROGRAM FUNDING QUALIFICATION))NO TRANSITIONAL BILINGUAL ENTITLEMENT. Notwithstanding any other provision of this chapter to the contrary, any eligible pupil whose English language skill deficiency is caused primarily by one or more of the handicapping conditions defined in chapter 392-171 WAC, as now or hereafter amended, shall not be eligible for ~~((funding))~~ the entitlement established pursuant to this chapter. ~~((Any bilingual or alternative instruction component of such a student's special education program shall be provided with other funds including excess cost funds.))~~~~

REPEALER

The following sections of chapter 392-160 of the Washington Administrative Code are repealed:

- (1) WAC 392-160-025 PROGRAM APPLICATION AND APPROVAL PROCEDURE.
- (2) WAC 392-160-030 FUNDING PROCEDURE—MONTHLY REPORTS.

WSR 81-13-046
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning chapter 392-137 WAC regarding "Finance—Nonresident attendance";

that such agency will at 9:00 a.m., Tuesday, July 21, 1981, in the State Modular Building, Conference Room A, 7510 Armstrong Street S.W., Tumwater, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 22, 1981, in the State Modular Building, Executive Services Conference Room, 7510 Armstrong Street S.W., Tumwater, WA.

The authority under which these rules are proposed is RCW 28A.58.240 and .242.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1981, and/or orally at 9:00 a.m., Tuesday, July 21, 1981, State Modular Building,

Conference Room A, 7510 Armstrong Street S.W., Tumwater, WA.

Dated: June 17, 1981

By: Frank B. Brouillet

Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule title: Chapter 392-137 WAC entitled "Finance—Nonresident Attendance".

Statutory authority: RCW 28A.58.240 and .242.

Purpose of the rule(s): To clarify final decision making authority where hearing office does not order transfer of student.

Summary of the rule(s): The rule designates the conditions under which the decision of the hearing officer is final and when the decision must be referred to the SPI for concurrence, modification or reversal.

Reasons which support the proposed action: Current practice is for SPI to personally review all decisions. The statute, RCW 28A.58.240, does not require all decisions to be reviewed personally by the SPI and because of the volume of administrative cases it is necessary, where possible, to reduce the personal workload of the SPI. Therefore, it is the policy of the agency to not involve the SPI in the adjudication of individual cases unless the statute requires otherwise.

Person or organization proposing the rule(s): SPI.

Governmental X Private Public
Agency personnel responsible for the drafting, implementation and enforcement: Ralph E. Julnes, SPI, Room 1500, 3-2298.

The rule(s) is (are) necessary as the result of federal law, federal court action or state court action: [No information supplied by agency]

Agency comments, if any, regarding statutory language, implementation, enforcement and fiscal matter pertaining to the rule(s):

The proposed rule is consistent with law.

AMENDATORY SECTION (Amending Order 80-8, filed 4/15/80)

WAC 392-137-060 HEARING. The hearing provided for in WAC 392-137-055(2) shall be conducted in compliance with chapter 392-101 WAC and the state Administrative Procedure Act, chapter 34.04 RCW. The appeal shall be conducted before the superintendent of public instruction or his or her designee, as scheduled by the superintendent of public instruction or his or her designee. In the event the appeal is conducted before the superintendent's designee, the decision of the designee that no special hardship or detrimental condition of a financial, educational, safety or health nature affecting the student or the student's immediate family or custodian resulting from attendance in the resident district exists or that, if such does exist, it is not likely to be significantly alleviated as a result of the transfer prayed for, shall be final and shall terminate the proceeding. If, however, the designee finds that there is good and sufficient evidence to warrant a finding both that such a hardship or condition exists and that the same would likely be significantly alleviated as a result of transfer, the entire record as required by RCW 34.04.090(4) and (5), together with the proposed findings, conclusions and recommendation of the designee, shall be presented to and reviewed by the superintendent of public instruction. The superintendent of public instruction may reject, modify,

or accept any portion or all of the proposed findings, conclusions and recommendation following his or her review of the entire record. The decision of the superintendent, in such cases, shall be final and shall terminate the proceeding.

WSR 81-13-047
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF RETIREMENT SYSTEMS
(PERS/LEOFF Retirement Board)
 [Memorandum—June 17, 1981]

The monthly meetings of the Public Employees' and Law Enforcement Officers' and Fire Fighters' Retirement Board will convene at 10:30 a.m. instead of 9:30 a.m. for the remainder of 1981. The meetings will continue to be held on the third Monday of each month in the Board Room of the Department of Retirement Systems, 1025 East Union, Olympia, WA 98504.

WSR 81-13-048
PROPOSED RULES
THE EVERGREEN
STATE COLLEGE
 [Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120(11), that The Evergreen State College intends to adopt, amend, or repeal rules concerning policy on emergency loan collections, WAC 174-162-305;

that such institution will at 11:00 a.m., Thursday, June 25, 1981, in the Board of Trustees Room, Library 3112, The Evergreen State College, Olympia, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, June 25, 1981, in the Board of Trustees Room, Library Building 3112, The Evergreen State College, Olympia.

The authority under which these rules are proposed is RCW 24B.40.120(11)[28B.40.120(11)].

Interested persons may submit data, views, or arguments to this institution orally at 11:00 a.m., Thursday, June 25, 1981, Board of Trustees Room, Library Building, The Evergreen State College, Olympia.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-10-60 filed with the code reviser's office on May 6, 1981.

Dated: June 11, 1981
 By: Daniel J. Evans
 President

WSR 81-13-049
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Filed June 17, 1981]

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 chapter 356-34 WAC relating to Disciplinary actions—Appeals;

that such agency will at 10:00 a.m., Thursday, July 9, 1981, 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, July 9, 1981, 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 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 7, 1981, and/or orally at 10:00 a.m., Thursday, July 9, 1981, Board Hearing Room, 600 South Franklin, Olympia, WA 98504.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 81-10-045 and 81-11-038 filed with the code reviser's office on April 30, 1981 and May 19, 1981.

Dated: June 16, 1981
 By: Leonard Nord
 Secretary

WSR 81-13-050
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION
 [Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning Cause No. TG-1502, relating to the amending of WAC 480-70-350(2) which relates to reporting requirements for garbage and refuse collection companies;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, July 22, 1981, in the Commission Conference Room, 7th Floor, Highways-Licenses Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 80.01.040(1) and 80.01.040(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to Friday, July 17, 1981, and/or orally at

8:00 a.m., Wednesday, July 22, 1981, Commission Conference Room, 7th Floor, Highways-Licenses Building, Olympia, Washington 98504.

Dated: June 17, 1981

By: David Rees
Secretary

STATEMENT OF PURPOSE

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040(1) and 80.01.040(4) which direct that the commission has authority to implement the provisions of chapter 81.80 RCW. The rule changes proposed by the Washington Utilities and Transportation Commission are designed to change reporting requirements for Garbage and Refuse Collection Companies. The effect of inflation constrains recognition of the fact that the present \$100,000 dividing line for carrier reporting standards does not divide. It acts more to point out those companies who have annual gross revenues above \$100,000. The proposed rule change incorporates the effect of generally increasing business costs.

David Rees, Secretary, Seventh Floor, Highways-Licenses Building, Olympia, Washington (telephone number (206) 753-6512) and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040(1) and 80.01.040(4). The rule changes proposed will affect no economic values. The rule changes proposed are not necessary because of state and federal court action or federal law.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Secretary of the Senate and three copies to the Chief Clerks of the House of Representatives.

AMENDATORY SECTION (Amending Order R-31, filed 10/18/71)

WAC 480-70-350 ACCOUNTS—UNIFORM SYSTEM ADOPTED—REPORTS. (1) Effective January 1, 1962, a "Uniform System of Accounts" is hereby prescribed for use of garbage and/or refuse collection companies in the state of Washington operating under chapter 295, Laws of 1961 [chapter 81.77 RCW].

(2) The various carriers shall be divided into two classes as per average yearly gross revenue according to the following schedule:

Class A - Those carriers having an annual yearly gross revenue of (~~(\$100,000)~~) \$500,000 or over per year.

Class B - Those carriers having an annual yearly gross revenue of less than (~~(\$100,000)~~) \$500,000 per year.

As set forth in the classification of accounts, any carrier may, at its option, place itself in a group higher than the one in which it falls on the basis of its annual gross operating revenue.

(3) Each garbage and/or refuse collection company must secure from the commission a copy of the "Uniform System of Accounts" applicable to its business and keep its accounts and other records in conformity therewith to the end that its records may be kept and the annual report required to be filed by it may be compiled in accordance therewith.

(4) For purposes of rendering annual reports, garbage and/or refuse collection companies shall secure from the commission the proper forms and make and file annual reports as soon after the close of the calendar year as possible, but in no event later than April 1st of the succeeding year. Failure to file such reports will be sufficient cause for the commission, in its discretion, to revoke a certificate.

(5) In the event that a certificate is transferred, or is canceled for any cause, the annual report required by this rule must be filed immediately covering the period from the first of the year to the date on which the garbage and/or refuse collection company ceased operations. Where operations are discontinued prior to the close of the calendar year, or where operations are started during the calendar year, an annual report shall be rendered covering that portion of the calendar year during which the garbage and/or refuse collection company operated and shall show on the face thereof the exact period covered thereby.

(6) Each garbage and/or refuse collection company must maintain complete records of the collection service provided to each customer, showing for each and every customer served the amount billed, the categories and quantity of service provided, the amounts collected, and the balance due. Such customer records must also be maintained in such manner so that the service provided and the rates and charges assessed are easily identifiable in tariff terms contained in the applicable tariff of each carrier. These records must be kept on file in the general office of each company, in alphabetical, address or route order, for a period of three years subject to inspection by the commission so that the commission may ascertain at any time the number of customers served, the amounts being billed and collected, and the balance due from each and every customer. Customers requesting either by letter, telephone or office visit an itemized statement of all charges shall be furnished same.

WSR 81-13-051

EMERGENCY RULES

JAIL COMMISSION

[Order 15—Filed June 17, 1981]

Be it resolved by the Washington State Jail Commission, acting at Auburn, Washington, that it does promulgate and adopt the annexed rules relating to the amending of rules regarding contractor affirmative action plan.

We, the Washington State Jail Commission, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is failure to amend the rule regarding contractor affirmative action plan would result in a costly delay for three governing units who are about to advertise for bids or award contracts for necessary jail construction work.

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

This rule is promulgated pursuant to chapter 70.48 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 12, 1981.

By Nancy B. Cleaves
Administrative Officer

AMENDATORY SECTION (Amending Order 9, filed 1/12/81)

WAC 289-13-170 CONTRACTOR AFFIRMATIVE ACTION PLAN. (1) Each person or firm submitting a bid for jail work shall include with such bid an affirmative action plan which shall (~~include~~) fully meet the requirements of affirmative action guidelines which have been formally adopted by the governing unit in question: PROVIDED, That in all cases where the governing unit calling for bids has not established affirmative action plan guidelines, each person or firm submitting a bid shall include with such bid an affirmative action plan which shall include:

(a) Identification of women and minority group firms available to participate in the jail project and the women and minority group workforce available for employment by the contractor and subcontractors.

(b) The minimum participation by such firms and individuals which can reasonably be achieved in the particular project, which shall be:

(i) in the case of all construction subcontracts, a total dollar amount awarded to minority-owned firms which represents the same proportion of the total construction budget as minority group members represent in the governing unit's population as determined from the 1980 census, and/or the most accurate available information, and, in the case of female-owned firms, no less than fifteen percent of the total subcontracts expressed in dollars; and

(ii) in the case of prime contractor employees, no less minority group employees as a proportion of total employees than minority group members represent in the governing unit's population as determined from the 1980 census and/or the most accurate available information, and, in the case of women, no less than fifteen percent of the total workforce.

(c) A detailed plan for meeting these goals within the construction timetable set forth in the bid.

(2) Approval of such affirmative action plan by a subcommittee of the commission established for such purpose shall be a prerequisite to the director's authority to authorize awarding of a bid to such contractor under WAC 289-13-180(:) in all cases in which the plan submitted with the bid differs in any substantial degree from the governing unit's requirements or the plan requirements outlined above, whichever are applicable.

(3) For purposes of this section, "minority group members" means: Ethnic persons residing in the United

States, including American Indians, Asian Pacific Americans, Black Americans, Mexican Americans and Native Americans, but does not include nonethnic women. The term "women" includes both ethnic and nonethnic women.

WSR 81-13-052

**EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**
[Order 81-11—Filed June 17, 1981]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the Director's office, Olympia, Washington, the annexed rules relating to the adoption of WAC 296-45-660 Tree Trimming; WAC 296-45-66001 Electrical Hazards; WAC 296-45-66003 Tools and Protective Equipment; WAC 296-45-66005 Insulated Tools Used for Tree Trimming; WAC 296-45-66007 Aerial Manlift Equipment; WAC 296-45-66009 All Motor Vehicle and Trailer Operations; and WAC 296-45-66011 Working in Proximity to Electrical Hazards.

I, Sam Kinville, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Electrical Workers Safety rules, chapter 296-45 WAC, does not address tree trimming. These rules are necessary to ensure the safety of persons engaged in tree trimming operations near energized power lines on utility property, governmental and privately owned systems.

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

This rule is promulgated pursuant to RCW 49.17.050 and 49.17.240 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 17, 1981.

By Sam Kinville
Director

NEW SECTION

WAC 296-45-660 TREE TRIMMING. The purpose of this chapter is to make the workplace free from hazard. All sections of this chapter which include WAC 296-45-660 in the section number will apply.

NEW SECTION

WAC 296-45-66001 ELECTRICAL HAZARDS.
(1) This section applies to tree trimming by contractors

under WAC 296-17-506 (Class 1-6), tree trimming near energized power lines on utility property, governmental and privately owned systems.

(2) Definitions applicable to this section.

(a) "Aerial manlift equipment" - all types of equipment such as extended towers, boom-mounted cages or baskets and truck-mounted ladders. This equipment is primarily designed to place personnel and equipment aloft for working.

(b) "Qualified line-clearing tree trimmer" - a tree worker who through related training and on-the-job experience is familiar with the special techniques and hazards involved in line clearing.

(c) "Qualified line-clearing tree-trimmer trainee" - any worker regularly assigned to a line-clearing tree-trimming crew and undergoing related training and on-the-job training who, in the course of such training, has demonstrated his ability to perform his duties safely at his level of training.

(d) "Tree trimming groundman" - a member of crew working on the ground under the direction of foreman or tree trimmer.

(3) First aid. In addition to complying with the first aid provisions as found in WAC 296-24-060 through WAC 296-24-073, all employees whose duties require them to work near energized wires, or climb trees shall take an approved course in controlling bleeding and cardiopulmonary resuscitation, and be capable of aerial or tree rescue and remain proficient in its application.

NEW SECTION

WAC 296-45-66003 TOOLS AND PROTECTIVE EQUIPMENT. All protective hats shall be in accordance with the specifications on ANSI Z89.2-1971 Edition Industrial Protective Helmets for Electrical Workers, Class B, and shall be worn at the jobsite by employees who are exposed to overhead or electrical hazards.

(1) Defective ropes shall not be used and shall be replaced.

(2) Body belts with straps, saddles or lanyards shall be worn by employees working at an elevated position. Body belts, saddles and straps shall be inspected each day for defects before use. Defective body belts, saddles and straps shall not be used.

(3) Body belts, safety straps and saddles shall not be stored with any sharp-edged tools or near sharp objects. When a body belt, saddle, safety strap and climbers are kept in the same container, they shall be stored in such a manner as to avoid cutting or puncturing the material of the body belt, saddle or safety strap with the gaffs or climbers.

NEW SECTION

WAC 296-45-66005 INSULATED TOOLS USED FOR TREE TRIMMING. (1) Only insulated tools having manufacturer's certification of withstanding the following minimum tests shall be used:

(a) 100,000 volts per foot of length for 5 minutes when the tool is made of fiberglass, or

(b) 75,000 volts per foot of length for 3 minutes when the tool is made of wood; or

(c) Other tests which equal or exceed (a) and (b) of this subsection.

(2) All insulated tools shall be visually inspected each day before use. All insulated tools shall be wiped clean before being used.

(3) Defective insulated tools shall not be used and shall be marked as defective and turned in for repair or replacement.

(4) Hand Tools.

(a) All hydraulic tools which are used near energized lines or equipment shall use nonconductive hoses having approved strength for the normal operating pressures. The provisions of WAC 296-155-360(4)(a) and (b) are mandatory.

(b) All pneumatic tools which are used near energized lines or equipment shall:

(i) Have nonconducting hoses having approved strength for the normal operating pressures, and

(ii) Have an accumulator on the compressor to collect moisture.

(5) All tools shall be kept in good working condition and shall be properly stored. Defective tools shall be taken out of service.

(6) Wearing apparel. Goggles, hearing protection, respirators, and other such personal protective devices shall not be interchanged among employees unless they have been sanitized.

NEW SECTION

WAC 296-45-66007 AERIAL MANLIFT EQUIPMENT. This section applies to aerial manlift equipment as defined in WAC 296-45-65005.

(1) A daily visual inspection and operating tests shall be made in accordance with the manufacturer's recommendation by the assigned operator.

(2) Aerial manlift equipment shall be of the type designed and maintained to meet the following safety factors:

(a) Stability Test. All such equipment shall meet or exceed a safety factor of one and one-half to one (1 and 1/2 to 1) in all working positions, based upon the posted working load.

(b) Structural and Mechanical Tests. All such equipment shall meet or exceed a safety factor of 2 to 1 in all working positions, based upon the manufacturer's maximum rated capacity.

(c) The Division of Industrial Safety and Health will accept, in lieu of subdivision (b) of this section, the safety factor test data submitted by the manufacturer by a competent testing laboratory, or by a registered engineering firm. When and if there exists a reasonable doubt as to whether or not the equipment will meet the data required for stability in structural and mechanical testing, the Division may require that such testing be performed on such equipment before it can be used. If the Division in writing requires that the employer test its equipment or have such equipment tested, the employer will have a reasonable time within which to secure such information as is required by this rule.

(3) Employee shall not move any such equipment in the direction of an obstructed view unless the following requirements have been met. (An obstructed view exists even though the operator is able to see to the rear by reason of a system of mirrors or a mirror.)

(a) Vehicle can be backed up only when observer signals that it is safe to do so or the driver makes a walk-around inspection prior to backing up, or

(b) The vehicle has a reverse signal alarm audible above the surrounding noise level.

(4) **Hydraulic Fluids.** All hydraulic fluids used for the insulated section of derrick trucks, aerial lifts, and hydraulic tools which are used around energized lines or equipment shall be of the insulating type.

(5) Mechanical adjustment or repairs shall not be attempted or performed in the field except by a person qualified to perform such work.

(6) Malfunction or needed repairs of manlift equipment shall be reported to the employee responsible for such repairs as soon as is reasonably possible. Use of equipment which is known to be in need of repairs or is malfunctioning is prohibited when such deficiency creates an unsafe operating condition.

(7) No employee shall ride in the basket while traveling to or from jobsites.

(8) When any aerial manlift equipment is parked for operation at the jobsite, the brakes shall be set. Wheel chocks shall be used to prevent accidental movement while parked on an incline. If the aerial manlift equipment has outriggers, the outriggers shall be used in accordance with manufacturer's specifications.

(9) Safety check valves shall be installed in the outrigger hydraulic system which will automatically lock the outrigger in position in case of failure of the hydraulic system except when outriggers are equipped with mechanically self-locking device.

(10) The truck shall not be moved until the boom or ladder is cradled and/or fastened down, the outrigger retracted, and the power take-off disengaged, except for a short move when the truck can be moved with care and under the direction of the employee in the elevated position.

(11) Employees shall not sit or stand on the basket edge, stand on materials placed in or across the basket, or work from a ladder set inside the basket.

(12) The basket shall not be rested on a fixed object(s) so that the weight of the boom is either totally or partially supported by the basket.

(13) Neither the basket, supporting boom or ladder on aerial equipment shall come within the prohibited distance of energized high voltage conductors or equipment as set forth in Table 1 unless protective equipment is installed by a qualified person.

(14) While working in aerial equipment employees shall wear an approved safety belt attached to the boom or basket, in a secure manner.

(15) No component of aerial devices shall be operated from the ground without permission from the employee in the basket except in case of emergency.

(16) Truck driver shall remain at tower controls while workers are working on towers except when the aerial manlift equipment has been properly chocked to prevent

uncontrolled movement. Tower trucks shall be equipped with a reliable signaling device between the employees working on the tower and the truck driver.

(17) Operating levers or controls shall be kept clear of tools, materials or obstructions.

(18) Load limits as recommended by the manufacturer of aerial manlift equipment shall not be exceeded. Shock loading of the equipment is prohibited.

(19) A tree trimmer may climb out of a basket into a tree or from a tree back into the basket so long as he is properly tied into the tree during the entire maneuver.

(20) Employees shall not belt to trees, structures, or equipment while performing work from aerial devices.

(21) Whenever it is necessary to work beyond the guarded traffic work area, extreme care shall be exercised and all precautions taken to ensure the safety of the operation and the employees.

(22) Power tools not in use shall be disconnected from external power sources.

(23) Electrical, hydraulic or air tools shall have safety switches or devices to prevent accidental operation and, in addition, a quick means of disconnecting on electrically operated equipment shall be within easy reach of the operator.

(24) The basket shall be kept clean and all tools not in use shall be secured or removed.

(25) Approved warning light shall be operating when the boom leaves the cradle. This light shall be visible to approaching traffic when the boom is in position over any traveled area.

(26) A braking system, independent of the drive-line braking system, shall be installed on all aerial manlift equipment where, from the engineering standpoint, it is feasible.

(27) Safety check valves shall be installed in the hydraulic system of aerial manlift equipment to automatically lock the boom or ladder in position in case of failure to any part of the hydraulic pressure system.

(28) All aerial manlift equipment shall have both upper and lower controls (except ladder trucks need not have upper controls). The upper controls shall not be capable of rendering the lower controls inoperative. The lower controls should be located at or near the base of the aerial structure.

If the lower controls are used, the operator shall have a view of the elevated employee(s) or there shall be communication between the operator and the employee in the elevated aerial structure: Provided, that no employee shall be raised, lowered, or moved into or from the elevated position in any aerial manlift equipment unless there is another employee, not in the elevated aerial structure, available at the site to operate the lower controls, except as follows:

(a) Where there is a fixed method permanently attached to or part of the equipment which will permit an employee to descend from the elevated position without lowering the elevated structure, or

(b) Where there is a system which will provide operation from the elevated position in the event of failure or malfunction of the primary system.

This section shall not be interpreted as an exception to any other rule in this chapter.

(29) Controls in aerial manlift equipment shall be protected from accidental operation. Controls of the outriggers shall also be protected from accidental operation. Such protection may be by guarding or equivalent means.

(30) The manufacturer's recommended maximum load limit shall be posted at a conspicuous place near each set of controls and shall be kept in a legible condition.

(31) The manufacturer's operator's instruction manual shall be kept on the vehicle.

NEW SECTION

WAC 296-45-66009 ALL MOTOR VEHICLE AND TRAILER OPERATIONS. When motor vehicles and trailers are operated on public right-of-way, highways or similar areas, the equipment shall be operated and maintained in conformance with the Motor Vehicle Code of the State of Washington, chapters 46.04 through 46.61 RCW.

(1) Whenever and wherever such motor vehicle is operated, such equipment shall have a safe functioning brake and an emergency brake. In addition, all motor vehicles and trailers shall have such equipment as is necessary for the safe operation of the vehicle(s).

(2) When traveling, employees must ride inside the vehicle and shall not ride on the sides or on the top, nor shall employees ascend or descend a motor vehicle when such vehicle is in motion.

(3) Warning signs, flares and other protective devices shall be used which shall conform with the requirements for road construction or maintenance as set forth in chapter 46.37 RCW.

NEW SECTION

WAC 296-45-66011 WORKING IN PROXIMITY TO ELECTRICAL HAZARD. (1) Contractors shall ensure that a close inspection is made by the employee and by the foreman or supervisor in charge before climbing, entering, or working around any tree, to determine whether an electrical power conductor passes through the tree, or passes within reaching distance of an employee working in the tree.

(2) Employees engaged in trimming, removing, or clearing trees from lines shall be required to consider all overhead electrical power conductors to be energized until such energized lines have been de-energized and grounded in accordance with the system policy.

(3) Only qualified line-clearing tree trimmer or tree trimming trainee familiar with the special techniques and hazards involved in line clearing, shall be permitted to perform the work if it is found that an electrical hazard exists.

(4) During all tree working operations aloft where an electrical hazard of more than 750 volts exists, there shall be a second employee or trainee qualified in line clearance tree trimming within normal voice communication.

(5) Where tree work is performed by employees qualified in line-clearing tree trimming and trainees qualified

in line-clearing tree trimming, the clearances from energized conductors given in Table 1 shall apply.

TABLE 1

Minimum Working Distances from Energized Conductors For Line-Clearing Tree Trimmers and Line-Clearing Tree Trimmer Trainees

Voltage Range (Phase to Phase) (kilovolts)	Minimum Working Distance
2.1 to 15.0	2 ft. 0 in.
15.1 to 35.0	2 ft. 4 in.
35.1 to 46.0	2 ft. 6 in.
46.1 to 72.5	3 ft. 0 in.
72.6 to 121.0	3 ft. 4 in.
138.0 to 145.0	3 ft. 6 in.
161.0 to 169.0	3 ft. 8 in.
230.0 to 242.0	5 ft. 0 in.
345.0 to 362.0	7 ft. 0 in.
500.0 to 552.0	11 ft. 0 in.
700.0 to 765.0	15 ft. 0 in.

(6) Branches hanging on an energized conductor may only be removed using approved insulated tools by a qualified line-clearing tree trimmer.

WSR 81-13-053
ADOPTED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 81-9—Filed June 17, 1981]

Noted
 296-155-

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the Director's office, Olympia, Washington, the annexed rules relating to the amending of chapter 296-24 WAC, Part A, to clarify the requirements regarding first-aid certification and first-aid rooms; WAC 296-79-140, 296-79-170 and 296-79-220 of the pulp and paper standard are amended for housekeeping purposes and clarification; WAC 296-155-500 through 296-155-5051, Safety standards for construction, identical to federal regulation 29 CFR 1926.500, relating to guarding of low-pitched roof perimeters during the performance of built-up roofing work. Additional amendments to Part N, chapter 296-155 WAC, are for clarification and housekeeping purposes. New sections WAC 296-45-660 through 296-45-66011 are added to the Electrical Workers Safety Standard to address tree trimming.

This action is taken pursuant to Notice Nos. WSR 81-07-027 and 81-07-051 filed with the code reviser on March 13, 1981 and March 18, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED June 17, 1981.

By Sam Kinville
Director

AMENDATORY SECTION (Amending Order 80-20,
filed 11/13/80)

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~~) the crew requires an absence 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 such as occurs in construction, logging, etc. 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.

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 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.

(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) 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.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-070 FIRST-AID ROOM. (1) ~~((Every fixed establishment employing more than 200 persons shall have a first-aid room plainly designated as such, located as close as possible to the heaviest concentrated work area.))~~ A first-aid room meeting the requirements of this section shall be required when:

(a) A fixed establishment employs more than 200 employees at one central location,

EXCEPTION: The department may permit the employer to follow the requirements of WAC 296-24-060, 296-24-065 and 296-24-067 as appropriate when employees would be better served for first-aid purposes and the following conditions are present:

(i) In low hazard occupations such as retail clothing stores, banks, or general office work where exposure to manufacturing processes or heavy materials handling does not exist, and

(ii) Where the 200 or more employees have physically dispersed normal work stations which would result in excessive travel to the first-aid room. (Excessive travel shall mean travel of one quarter mile or more or three or more floors of vertical travel.)

(b) At construction sites which are expected to remain construction sites for six months or more.

(2) First-aid rooms shall be located as close as possible to the heaviest concentrated work area. They shall be identified in such a manner as to be easily recognizable as first-aid rooms.

(3) The first-aid room shall be well lighted and ventilated, kept clean and orderly, provided with hot and cold running water, and maintained in a fully-equipped condition.

(((3))) (4) The first-aid room shall be manned and maintained by:

(a) A licensed physician, or

(b) A licensed or registered nurse, or

(c) An employee who:

(i) Holds a valid advanced first-aid certificate as recognized by the department,

(ii) works in the vicinity of the first-aid room, and

(iii) does not perform other work of the nature that is likely to affect adversely her/his ability to administer first-aid.

(((4))) (5) First-aid rooms shall be equipped with items recommended by the consulting physician or plant medical officer and, as a minimum, should contain an adequate supply of the following:

Antiseptic soap

3/4" or 1" adhesive compresses

Adhesive knuckle bands

2" Bandage compresses

4" Bandage compresses

3" x 3" gauze pads

Assorted sizes of large gauze pads

2" roller bandages

3" roller bandages

4" roller bandages

Assorted adhesive tape rolls

Eye dressings

Ammonia inhalants

Burn ointment

Triangular bandages

Scissors, forceps, razor and blades, medicine droppers

Safety pins

Drinking cups

Rubbing alcohol

Absorbent cotton

Arm and leg splints

Antidotes for specific industrial poisons

Pressure points chart

Stretcher

Wool blankets and clean linen

Hot water bottles

Quick colds or ice bag

Emergency first-aid kit

A method of sterilizing instruments

(((5))) (6) A poster shall be maintained on, or in the cover of, each first-aid cabinet and near each first-aid room phone. Such poster will state phone numbers of available doctors, hospitals, and ambulance services within the employer's district.

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 296-45-660 TREE TRIMMING. The purpose of this chapter is to make the workplace free from

hazard. All sections of this chapter which include WAC 296-45-660 in the section number will apply.

NEW SECTION

WAC 296-45-66001 ELECTRICAL HAZARDS.

(1) This section applies to tree trimming by contractors under WAC 296-17-506 (Class 1-6), tree trimming near energized power lines on utility property, governmental and privately owned systems.

(2) Definitions applicable to this section.

(a) "Aerial manlift equipment" – all types of equipment such as extended towers, boom-mounted cages or baskets and truck-mounted ladders. This equipment is primarily designed to place personnel and equipment aloft for working.

(b) "Qualified line-clearing tree trimmer" – a tree worker who through related training and on-the-job experience is familiar with the special techniques and hazards involved in line clearing.

(c) "Qualified line-clearing tree-trimmer trainee" – any worker regularly assigned to a line-clearing tree-trimming crew and undergoing related training and on-the-job training who, in the course of such training, has demonstrated his ability to perform his duties safely at his level of training.

(d) "Tree trimming groundman" – a member of crew working on the ground under the direction of foreman or tree trimmer.

(3) First aid. In addition to complying with the first aid provisions as found in WAC 296-24-060 through WAC 296-24-073, all employees whose duties require them to work near energized wires, or climb trees shall take an approved course in controlling bleeding and cardiopulmonary resuscitation, and be capable of aerial or tree rescue and remain proficient in its application.

NEW SECTION

WAC 296-45-66003 TOOLS AND PROTECTIVE EQUIPMENT. All protective hats shall be in accordance with the specifications of ANSI Z89.2-1971 Edition Industrial Protective Helmets for Electrical Workers, Class B, and shall be worn at the jobsite by employees who are exposed to overhead or electrical hazards.

(1) Defective ropes shall not be used and shall be replaced.

(2) Body belts with straps, saddles or lanyards shall be worn by employees working at an elevated position. Body belts, saddles and straps shall be inspected each day for defects before use. Defective body belts, saddles and straps shall not be used.

(3) Body belts, safety straps and saddles shall not be stored with any sharp-edged tools or near sharp objects. When a body belt, saddle, safety strap and climbers are kept in the same container, they shall be stored in such a manner as to avoid cutting or puncturing the material of the body belt, saddle or safety strap with the gaffs or climbers.

NEW SECTION

WAC 296-45-66005 INSULATED TOOLS USED FOR TREE TRIMMING. (1) Only insulated tools having manufacturer's certification of withstanding the following minimum tests shall be used:

(a) 100,000 volts per foot of length for 5 minutes when the tool is made of fiberglass; or

(b) 75,000 volts per foot of length for 3 minutes when the tool is made of wood; or

(c) Other tests which equal or exceed (a) and (b) of this subsection.

(2) All insulated tools shall be visually inspected each day before use. All insulated tools shall be wiped clean before being used.

(3) Defective insulated tools shall not be used and shall be marked as defective and turned in for repair or replacement.

(4) Hand Tools.

(a) All hydraulic tools which are used near energized lines or equipment shall use nonconductive hoses having approved strength for the normal operating pressures. The provisions of WAC 296-155-360(4)(a) and (b) are mandatory.

(b) All pneumatic tools which are used near energized lines or equipment shall:

(i) Have nonconducting hoses having approved strength for the normal operating pressures, and

(ii) Have an accumulator on the compressor to collect moisture.

(5) All tools shall be kept in good working condition and shall be properly stored. Defective tools shall be taken out of service.

(6) Wearing apparel. Goggles, hearing protection, respirators, and other such personal protective devices shall not be interchanged among employees unless they have been sanitized.

NEW SECTION

WAC 296-45-66007 AERIAL MANLIFT EQUIPMENT. This section applies to aerial manlift equipment as defined in WAC 296-45-65005.

(1) A daily visual inspection and operating tests shall be made in accordance with the manufacturer's recommendation by the assigned operator.

(2) Aerial manlift equipment shall be of the type designed and maintained to meet the following safety factors:

(a) Stability Test. All such equipment shall meet or exceed a safety factor of one and one-half to one (1 1/2 to 1) in all working positions, based upon the posted working load.

(b) Structural and Mechanical Tests. All such equipment shall meet or exceed a safety factor of 2 to 1 in all working positions, based upon the manufacturer's maximum rated capacity.

(c) The Division of Industrial Safety and Health will accept, in lieu of subdivision (b) of this section, the safety factor test data submitted by the manufacturer by a competent testing laboratory, or by a registered engineering firm. When and if there exists a reasonable doubt as to whether or not the equipment will meet the

data required for stability in structural and mechanical testing, the Division may require that such testing be performed on such equipment before it can be used. If the Division in writing requires that the employer test its equipment or have such equipment tested, the employer will have a reasonable time within which to secure such information as is required by this rule.

(3) Employee shall not move any such equipment in the direction of an obstructed view unless the following requirements have been met. (An obstructed view exists even though the operator is able to see to the rear by reason of a system of mirrors or a mirror.)

(a) Vehicle can be backed up only when observer signals that it is safe to do so or the driver makes a walk-around inspection prior to backing up, or

(b) The vehicle has a reverse signal alarm audible above the surrounding noise level.

(4) Hydraulic Fluids. All hydraulic fluids used for the insulated section of derrick trucks, aerial lifts, and hydraulic tools which are used around energized lines or equipment shall be of the insulating type.

(5) Mechanical adjustment or repairs shall not be attempted or performed in the field except by a person qualified to perform such work.

(6) Malfunction or needed repairs of manlift equipment shall be reported to the employee responsible for such repairs as soon as is reasonably possible. Use of equipment which is known to be in need of repairs or is malfunctioning is prohibited when such deficiency creates an unsafe operating condition.

(7) No employee shall ride in the basket while traveling to or from jobsites.

(8) When any aerial manlift equipment is parked for operation at the jobsite, the brakes shall be set. Wheel chocks shall be used to prevent accidental movement while parked on an incline. If the aerial manlift equipment has outriggers, the outriggers shall be used in accordance with manufacturer's specifications.

(9) Safety check valves shall be installed in the outrigger hydraulic system which will automatically lock the outrigger in position in case of failure of the hydraulic system except when outriggers are equipped with mechanically self-locking device.

(10) The truck shall not be moved until the boom or ladder is cradled and/or fastened down, the outrigger retracted, and the power take-off disengaged, except for a short move when the truck can be moved with care and under the direction of the employee in the elevated position.

(11) Employees shall not sit or stand on the basket edge, stand on materials placed in or across the basket, or work from a ladder set inside the basket.

(12) The basket shall not be rested on a fixed object(s) so that the weight of the boom is either totally or partially supported by the basket.

(13) Neither the basket, supporting boom or ladder on aerial equipment shall come within the prohibited distance of energized high voltage conductors or equipment as set forth in Table 1 unless protective equipment is installed by a qualified person.

(14) While working in aerial equipment employees shall wear an approved safety belt attached to the boom or basket, in a secure manner.

(15) No component of aerial devices shall be operated from the ground without permission from the employee in the basket except in case of emergency.

(16) Truck driver shall remain at tower controls while workers are working on towers except when the aerial manlift equipment has been properly chocked to prevent uncontrolled movement. Tower trucks shall be equipped with a reliable signaling device between the employees working on the tower and the truck driver.

(17) Operating levers or controls shall be kept clear of tools, materials or obstructions.

(18) Load limits as recommended by the manufacturer of aerial manlift equipment shall not be exceeded. Shock loading of the equipment is prohibited.

(19) A tree trimmer may climb out of a basket into a tree or from a tree back into the basket so long as he is properly tied into the tree during the entire maneuver.

(20) Employees shall not belt to trees, structures, or equipment while performing work from aerial devices.

(21) Whenever it is necessary to work beyond the guarded traffic work area, extreme care shall be exercised and all precautions taken to ensure the safety of the operation and the employees.

(22) Power tools not in use shall be disconnected from external power sources.

(23) Electrical, hydraulic or air tools shall have safety switches or devices to prevent accidental operation and, in addition, a quick means of disconnecting on electrically operated equipment shall be within easy reach of the operator.

(24) The basket shall be kept clean and all tools not in use shall be secured or removed.

(25) Approved warning light shall be operating when the boom leaves the cradle. This light shall be visible to approaching traffic when the boom is in position over any traveled area.

(26) A braking system, independent of the drive-line braking system, shall be installed on all aerial manlift equipment where, from the engineering standpoint, it is feasible.

(27) Safety check valves shall be installed in the hydraulic system of aerial manlift equipment to automatically lock the boom or ladder in position in case of failure to any part of the hydraulic pressure system.

(28) All aerial manlift equipment shall have both upper and lower controls (except ladder trucks need not have upper controls). The upper controls shall not be capable of rendering the lower controls inoperative. The lower controls should be located at or near the base of the aerial structure.

If the lower controls are used, the operator shall have a view of the elevated employee(s) or there shall be communication between the operator and the employee in the elevated aerial structure; Provided, that no employee shall be raised, lowered, or moved into or from the elevated position in any aerial manlift equipment unless there is another employee, not in the elevated aerial structure, available at the site to operate the lower controls, except as follows:

(a) Where there is a fixed method permanently attached to or part of the equipment which will permit an employee to descend from the elevated position without lowering the elevated structure, or

(b) Where there is a system which will provide operation from the elevated position in the event of failure or malfunction of the primary system.

This section shall not be interpreted as an exception to any other rule in this chapter.

(29) Controls in aerial manlift equipment shall be protected from accidental operation. Controls of the outriggers shall also be protected from accidental operation. Such protection may be by guarding or equivalent means.

(30) The manufacturer's recommended maximum load limit shall be posted at a conspicuous place near each set of controls and shall be kept in a legible condition.

(31) The manufacturer's operator's instruction manual shall be kept on the vehicle.

NEW SECTION

WAC 296-45-66009 ALL MOTOR VEHICLE AND TRAILER OPERATIONS. When motor vehicles and trailers are operated on public right-of-way, highways or similar areas, the equipment shall be operated and maintained in conformance with the Motor Vehicle Code of the State of Washington, chapters 46.04 through 46.61 RCW.

(1) Whenever and wherever such motor vehicle is operated, such equipment shall have a safe functioning brake and an emergency brake. In addition, all motor vehicles and trailers shall have such equipment as is necessary for the safe operation of the vehicle(s).

(2) When traveling, employees must ride inside the vehicle and shall not ride on the sides or on the top, nor shall employees ascend or descend a motor vehicle when such vehicle is in motion.

(3) Warning signs, flares and other protective devices shall be used which shall conform with the requirements for road construction or maintenance as set forth in chapter 46.37 RCW.

NEW SECTION

WAC 296-45-66011 WORKING IN PROXIMITY TO ELECTRICAL HAZARDS. (1) Contractors shall ensure that a close inspection is made by the employee and by the foreman or supervisor in charge before climbing, entering, or working around any tree, to determine whether an electrical power conductor passes through the tree, or passes within reaching distance of an employee working in the tree.

(2) Employees engaged in trimming, removing, or clearing trees from lines shall be required to consider all overhead electrical power conductors to be energized until such energized lines have been de-energized and grounded in accordance with the system policy.

(3) Only qualified line-clearing tree trimmer or tree trimming trainee familiar with the special techniques and hazards involved in line clearing, shall be permitted

to perform the work if it is found that an electrical hazard exists.

(4) During all tree working operations aloft where an electrical hazard of more than 750 volts exists, there shall be a second employee or trainee qualified in line clearance tree trimming within normal voice communication.

(5) Where tree work is performed by employees qualified in line-clearing tree trimming and trainees qualified in line-clearing tree trimming, the clearances from energized conductors given in Table 1 shall apply.

TABLE 1

Minimum Working Distances from Energized Conductors For Line-Clearing Tree Trimmers and Line-Clearing Tree Trimmer Trainees

Voltage Range (Phase to Phase) (kilovolts)	Minimum Working Distance
2.1 to 15.0	2 ft. 0 in.
15.1 to 35.0	2 ft. 4 in.
35.1 to 46.0	2 ft. 6 in.
46.1 to 72.5	3 ft. 0 in.
72.6 to 121.0	3 ft. 4 in.
138.0 to 145.0	3 ft. 6 in.
161.0 to 169.0	3 ft. 8 in.
230.0 to 242.0	5 ft. 0 in.
345.0 to 362.0	7 ft. 0 in.
500.0 to 552.0	11 ft. 0 in.
700.0 to 765.0	15 ft. 0 in.

(6) Branches hanging on an energized conductor may only be removed using approved insulated tools by a qualified line-clearing tree trimmer.

AMENDATORY SECTION (Amending Order 80-31, filed 1/8/81)

WAC 296-79-140 INSTALLATION, INSPECTION, AND MAINTENANCE OF PIPES, PIPING SYSTEMS, AND HOSES.

(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, or in accordance with a schedule approved by the department.

(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~~)) design criteria requirements for the current service shall be repaired or replaced with component parts and methods which equal the requirements for new installations.

(6) Identification of piping systems.

(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
Sulphur Dioxide	Hazardous gas
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 Chemical Manufacturers Association, Inc., is a valuable guide in respect to supplementary legend.

(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 prominently displayed at each plant. They 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((s)) hoses shall be specifically designed to safely carry steam at any pressures to which they may be subjected.

AMENDATORY SECTION (Amending Order 80-31, filed 1/8/81)

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) Clearance requirements from unprotected electrical transmission and distribution lines.

(a) Except as provided in ((item)) subdivision (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;

(ii) For 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((-));

(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 ((visible)) visibly grounded.

(b) Cranes may be operated within the clearances specified in ((item)) subdivision (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~~)) installation of insulated aerial cable, insulating barriers, not a part of or an attachment to the equipment or machinery, may be erected to prevent physical ((~~contact~~)) contact with the line.

(17) 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.

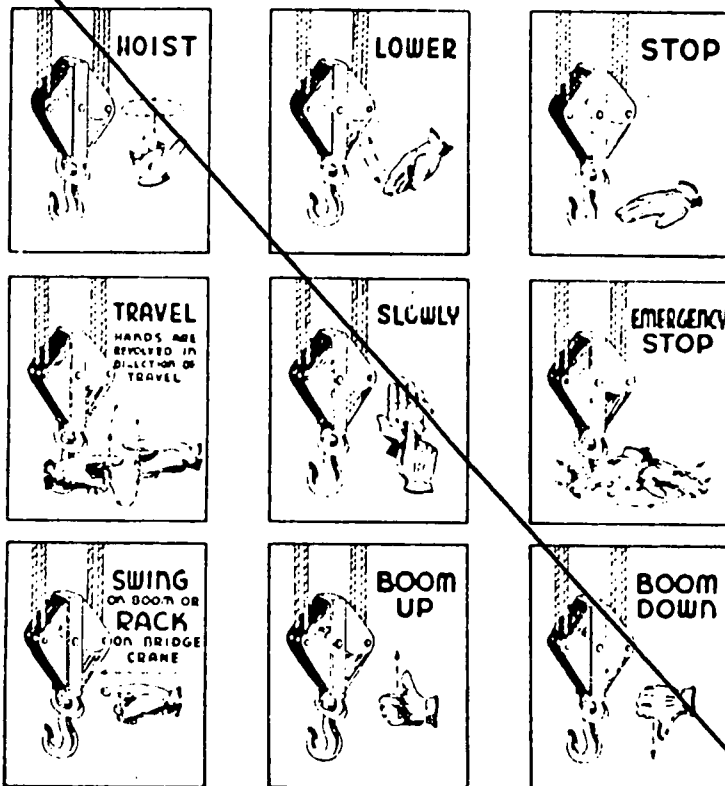
(18) Safe travel across thoroughfares or railroad tracks. When moving across thoroughfares or railroad tracks with cranes, shovels or similar types of equipment, which by its design does not allow the operator clear vision of approaching traffic, a flagperson shall be stationed where he/she can control 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.

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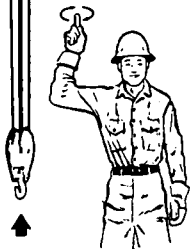
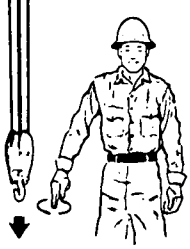
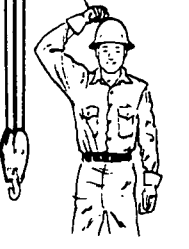

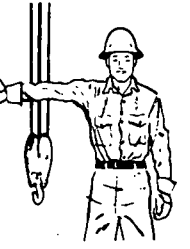
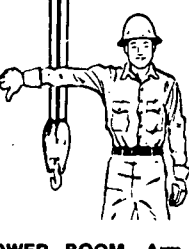
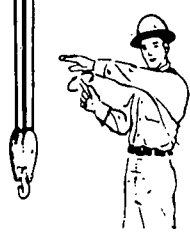
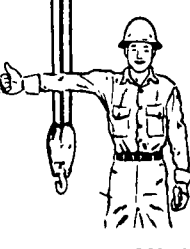
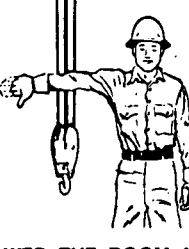
CRANE SIGNALS



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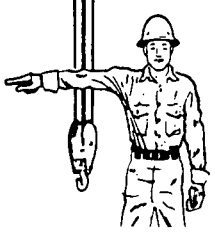
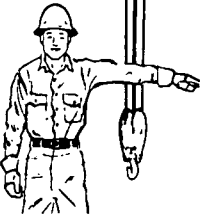
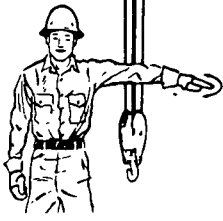
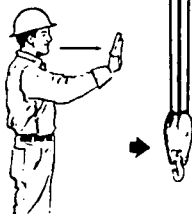
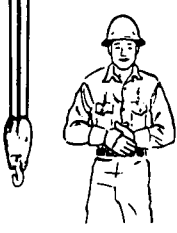
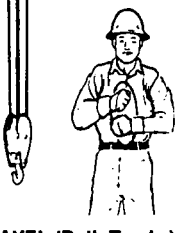
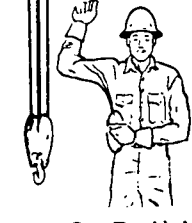
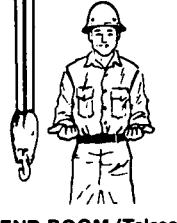
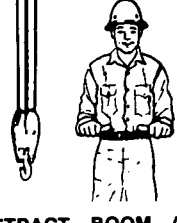
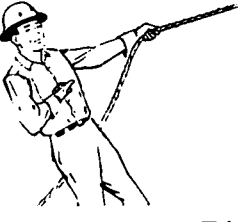
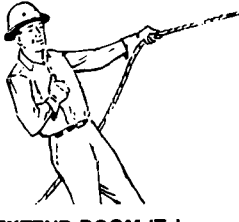
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CRAWLER, LOCOMOTIVE, AND TRUCK CRANES
STANDARD HAND SIGNALS

 <p>HOIST. With forearm vertical, forefinger pointing up, move hand in small horizontal circle.</p>	 <p>LOWER. With arm extended downward, forefinger pointing down, move hand in small horizontal circles.</p>	 <p>USE MAIN HOIST. Tap fist on head; then use regular signals.</p>
 <p>USE WHIPLINE (Auxiliary Hoist). Tap elbow with one hand; then use regular signals.</p>	 <p>RAISE BOOM. Arm extended, fingers closed, thumb pointing upward.</p>	 <p>LOWER BOOM. Arm extended, fingers closed, thumb pointing downward.</p>
 <p>MOVE SLOWLY. Use one hand to give any motion signal and place other hand motionless in front of hand giving the motion signal. (Hoist slowly shown as example.)</p>	 <p>RAISE THE BOOM AND LOWER THE LOAD. With arm extended, thumb pointing up, flex fingers in and out as long as load movement is desired.</p>	 <p>LOWER THE BOOM AND RAISE THE LOAD. With arm extended, thumb pointing down, flex fingers in and out as long as load movement is desired.</p>

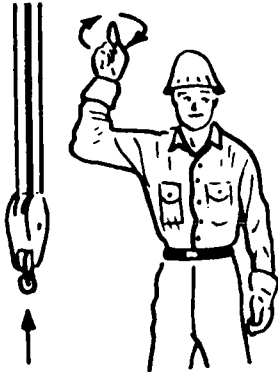
CRAWLER, LOCOMOTIVE, AND TRUCK CRANES (CONTINUED)

To 10/20

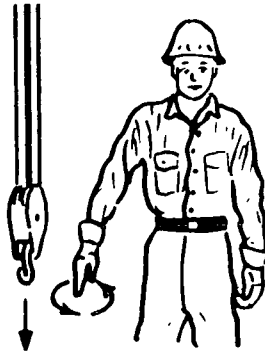
 <p>SWING. Arm extended, point with finger in direction of swing of boom.</p>	 <p>STOP. Arm extended, palm down, hold position rigidly.</p>	 <p>EMERGENCY STOP. Arm extended, palm down, move hand rapidly right and left.</p>
 <p>TRAVEL. Arm extended forward, hand open and slightly raised, make pushing motion in direction of travel.</p>	 <p>DOG EVERYTHING. Clasp hands in front of body.</p>	 <p>TRAVEL (Both Tracks). Use both fists in front of body, making a circular motion about each other, indicating direction of travel; forward or backward. (For crawler cranes only.)</p>
 <p>TRAVEL (One Track). Lock the track on side indicated by raised fist. Travel opposite track in direction indicated by circular motion of other fist, rotated vertically in front of body. (For crawler cranes only.)</p>	 <p>EXTEND BOOM (Telescoping Booms). Both fists in front of body with thumbs pointing outward.</p>	 <p>RETRACT BOOM (Telescoping Booms). Both fists in front of body with thumbs pointing toward each other.</p>
 <p>RETRACT BOOM (Telescoping Boom). One Hand Signal. One fist in front of chest, thumb pointing outward and heel of fist tapping chest.</p>	 <p>EXTEND BOOM (Telescoping Boom). One Hand Signal. One fist in front of chest with thumb tapping chest.</p>	

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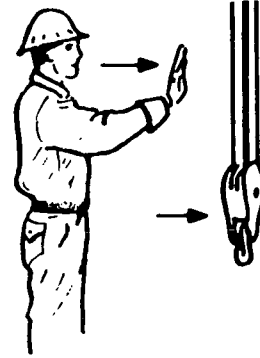
OVERHEAD AND GANTRY CRANES STANDARD HAND SIGNALS



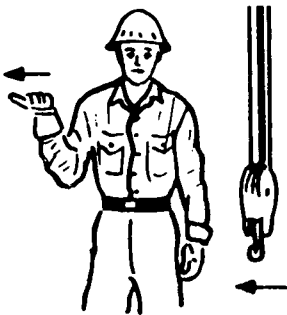
HOIST. With forearm vertical, forefinger pointing up, move hand in small horizontal circle.



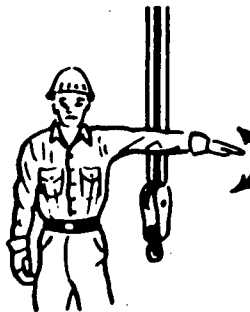
LOWER. With arm extended downward, forefinger pointing down, move hand in small horizontal circles.



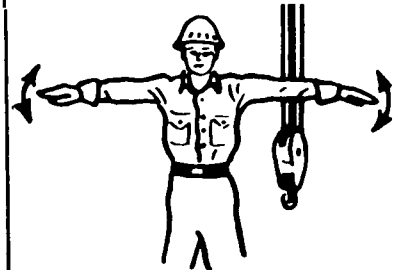
BRIDGE TRAVEL. Arm extended forward, hand open and slightly raised, make pushing motion in direction of travel.



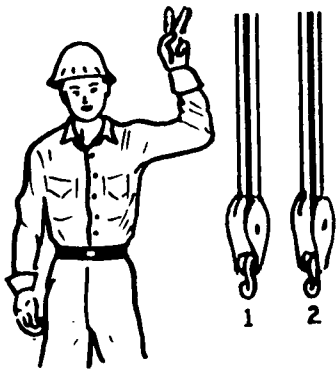
TROLLEY TRAVEL. Palm up, fingers closed, thumb pointing in direction of motion, jerk hand horizontally.



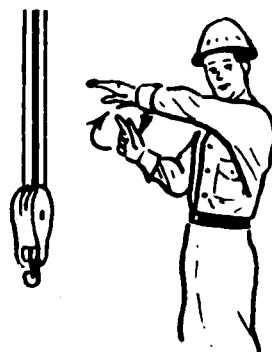
STOP. Arm extended, palm down, move arm back and forth.



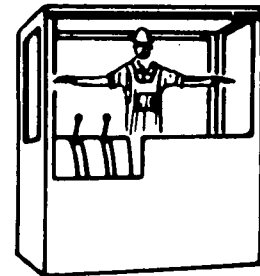
EMERGENCY STOP. Both arms extended, palms down, move arms back and forth.



MULTIPLE TROLLEYS. Hold up one finger for block marked "1" and two fingers for block marked "2". Regular signals follow.



MOVE SLOWLY. Use one hand to give any motion signal and place other hand motionless in front of hand giving the motion signal. (Hoist slowly shown as example.)



MAGNET IS DISCONNECTED. Crane operator spreads both hands apart palms up.

(21) Signals by use of radio frequencies. Class "D" citizen's band radio frequencies shall not be used for ((signalling)) signaling crane operators.

AMENDATORY SECTION (Amending Order 80-31, filed 1/8/81)

WAC 296-79-220 DEACTIVATING AND ((LOCK-OUT)) LOCKOUT REQUIREMENTS. (1)

Tagout or other alternative security procedures shall be phased out by (((±))) one 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 communication((s)) 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.

(a) The employer shall provide and each employee shall use as many padlocks, tags, chains, or devices as required to implement these requirements.

(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 lockout 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.

(6) Testing after lockout or tagout. 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.

(7) Alternate (~~(lock-out)~~) lockout procedure. Before an alternate 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.

(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 subsection (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))~~ or where methods (A), (B) or (C) ~~((in-itself))~~ by themselves 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 ANSI 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 escape-ment from the bleeder valve or weep plug before starting to remove the blank flange.

(c) Where subdivisions (a) or (b) are not possible or, in themselves create a hazard, 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 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-500 DEFINITIONS APPLICABLE TO THIS PART. (1) "Built-up-roofing" means a weatherproofing cover, applied over roof decks, consisting of either a liquid-applied system, a single-ply system, or a multiple-ply system. Liquid-applied systems generally consist of silicone rubber, plastics, or similar material applied by spray or roller equipment. Single-ply systems generally consist of a single layer of synthetic rubber, plastic, or similar material, and a layer of

adhesive. Multiple-ply systems generally consist of layers of felt and bitumen, and may be covered with a layer of mineral aggregate.

(2) "Built-up-roofing work" means the hoisting, storage, application, and removal of built-up roofing materials and equipment, including related insulation, sheet metal, and vapor barrier work, but not including the construction of the roof deck.

(3) "Floor hole" means an opening measuring less than 12 inches but more than 1 inch in its least dimension in any floor, roof, or platform through which materials but not persons may fall, such as a belt hole, pipe opening, or slot opening.

~~((2))~~ (4) "Floor opening" means an opening measuring 12 inches or more in its least dimension in any floor, roof, or platform, through which persons may fall.

~~((3))~~ (5) "Handrail" means a single bar or pipe supported on brackets from a wall or partition, as on a stairway or ramp, to furnish persons with a handhold in case of tripping.

(6) "Low-pitched roof" means a roof having a slope less than or equal to four in twelve.

(7) "Mechanical equipment" means all motor or human propelled wheeled equipment except for wheelbarrows and mopcars.

(8) "MSS systems" (motion-stopping-safety systems) means fall protection using the following equipment singly or in combination: Standard railings (guardrails) as described in WAC 296-155-505(6); scaffolds or platforms with guardrails as described in WAC 296-155-485; safety nets as described in WAC 296-155-230; and safety belt systems as described in WAC 296-155-225.

~~((4))~~ (9) "Nose, nosing" means that portion of a tread projecting beyond the face of the riser immediately below.

~~((5))~~ (10) "Platform" means a working space for persons, elevated above the surrounding floor or ground, such as a balcony or platform for the operation of machinery and equipment.

(11) "Rise" means the vertical distance from the top of a tread to the top of the next higher tread.

(12) "Roof" means the exterior surface on the top of a building. This does not include floors which, because a building has not been completely built, temporarily become the top surface of a building.

~~((6))~~ (13) "Runway" means a passageway for persons, elevated above the surrounding floor or ground level, such as a footwalk along shafting or a walkway between buildings.

~~((7))~~ "Rise" means the vertical distance from the top of a tread to the top of the next higher tread.)

(14) "Safety-monitoring system" means a safety system in which a competent person monitors the safety of all employees in a roofing crew, and warns them when it appears to the monitor that they are unaware of the hazard or are acting in an unsafe manner. The competent person must be on the same roof as and within visual sighting distance of the employees, and must be close enough to verbally communicate with the employees.

~~((8))~~ (15) "Stair platform" means an extended step or landing breaking a continuous run of stairs.

~~((9))~~ (16) "Stair railing" means a vertical barrier erected along exposed sides of a stairway to prevent falls of persons.

~~((10))~~ (17) "Stairs, stairways" means a series of steps leading from one level or floor to another, or leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment that are used more or less continuously or routinely by employees or only occasionally by specific individuals. For the purpose of this part, a series of steps and landings having three or more rises constitutes stairs or stairway.

~~((11))~~ (18) "Standard railing" means a vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of persons.

~~((12))~~ (19) "Standard strength and construction" means any construction of railings, covers, or other guards that meets the requirements of this part.

~~((13))~~ (20) "Toeboard" means a vertical barrier at floor level erected along exposed edges of a floor opening, wall opening, platform, runway, or ramp to prevent falls of materials.

~~((14))~~ (21) "Tread width" means the horizontal distance from front to back of tread, including nosing, when used.

(22) "Unprotected side or edge" means any side or edge of a roof perimeter where there is no wall three feet (.9 meters) or more in height.

~~((15))~~ (23) "Wall opening" means an opening at least 30 inches high and 18 inches wide, in any wall or partition, through which persons may fall, such as an opening for a window, a yard-arm doorway or chute opening.

(24) "Work area" means that portion of a roof where built-up roofing work is being performed.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-505 GUARDRAILS, HANDRAILS, AND COVERS. (1) General provisions. This part shall apply to temporary or emergency conditions where there is danger of employees or materials falling through floor, roof, or wall openings, or from stairways or runways.

(2) Guarding of floor openings and floor holes.

(a) Floor openings shall be guarded by a standard railing and toe boards or cover, as specified in subsection (6) of this section. In general, the railing shall be provided on all exposed sides, except at entrances to stairways. All vehicle service pits shall have a cover or removable type standard guardrail. When not in use, pits shall be covered or guarded. Where vehicle service pits are to be used again immediately, and the service man is within a 50 foot distance of the unguarded pit and also within line of sight of the unguarded pit, the cover or guardrail need not be replaced between uses. Where vehicle service pits are used frequently, the perimeters of the pits shall be delineated by high visibility, luminescent, skid resistant paint. Such painted delineation shall be kept clean and free of extraneous materials.

(b) Ladderway floor openings or platforms shall be guarded by standard railings with standard toe boards on all exposed sides, except at entrance to opening, with the passage through the railing either provided with a swinging gate or so offset that a person cannot walk directly into the opening.

(c) Hatchways and chute floor openings shall be guarded by one of the following:

(i) Hinged covers of standard strength and construction and a standard railing with only one exposed side. When the opening is not in use, the cover shall be closed or the exposed side shall be guarded at both top and intermediate positions by removable standard railings;

(ii) A removable standard railing with toe board on not more than two sides of the opening and fixed standard railings with toe boards on all other exposed sides. The removable railing shall be kept in place when the opening is not in use and shall be hinged or otherwise mounted so as to be conveniently replaceable.

(d) Wherever there is danger of falling through a skylight opening, it shall be guarded by a fixed standard railing on all exposed sides or a cover capable of sustaining the weight of a 200-pound person.

(e) Pits and trap-door floor openings shall be guarded by floor opening covers of standard strength and construction. While the cover is not in place, the pit or trap openings shall be protected on all exposed sides by removable standard railings.

(f) Manhole floor openings shall be guarded by standard covers which need not be hinged in place. While the cover is not in place, the manhole opening shall be protected by standard railings.

(g) Temporary floor openings shall have standard railings.

(h) Floor holes, into which persons can accidentally walk, shall be guarded by either a standard railing with standard toe board on all exposed sides, or a floor hole cover of standard strength and construction that is secured against accidental displacement. While the cover is not in place, the floor hole shall be protected by a standard railing.

(i) Where doors or gates open directly on a stairway, a platform shall be provided, and the swing of the door shall not reduce the effective width of the platform to less than 20 inches.

(3) Guarding of wall openings.

(a) Wall openings, from which there is a drop of more than 4 feet, and the bottom of the opening is less than 3 feet above the working surface, shall be guarded as follows:

(i) When the height and placement of the opening in relation to the working surface is such that either a standard rail or intermediate rail will effectively reduce the danger of falling, one or both shall be provided;

(ii) The bottom of a wall opening, which is less than 4 inches above the working surface, regardless of width, shall be protected by a standard toe board or an enclosing screen either of solid construction or as specified in (6)(g)(ii) of this section.

(b) An extension platform, outside a wall opening, onto which materials can be hoisted for handling shall

have side rails or equivalent guards of standard specifications. One side of an extension platform may have removable railings in order to facilitate handling materials.

(c) When a chute is attached to an opening, the provisions of subdivision (a) of this subsection shall apply, except that a toe board is not required.

(4) Guarding of open-sided floors, platforms, and runways.

(a) Every open-sided floor or platform 6 feet or more above adjacent floor or ground level shall be guarded by a standard railing, or the equivalent, as specified in (6)(a) of this section, on all open sides, except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a standard toe board wherever, beneath the open sides, persons can pass, or there is moving machinery, or there is equipment with which falling materials could create a hazard.

(b) Runways shall be guarded by a standard railing, or the equivalent, as specified in subsection (6) of this section, on all open sides, 4 feet or more above floor or ground level. Wherever tools, machine parts, or materials are likely to be used on the runway, a toe board shall also be provided on each exposed side.

(c) Runways used exclusively for special purposes may have the railing on one side omitted where operating conditions necessitate such omission, providing the falling hazard is minimized by using a runway not less than 18 inches wide.

(d) Where employees entering upon runways become thereby exposed to machinery, electrical equipment, or other danger not a falling hazard, additional guarding shall be provided.

(e) Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards, shall be guarded with a standard railing and toe board.

(5) Stairway railings and guards.

(a) Every flight of stairs having four or more risers shall be equipped with standard stair railings or standard handrails as specified below, the width of the stair to be measured clear of all obstructions except handrails:

(i) On stairways less than 44 inches wide having both sides enclosed, at least one handrail, preferably on the right side descending;

(ii) On stairways less than 44 inches wide having one side open, at least one stair railing on the open side;

(iii) On stairways less than 44 inches wide having both sides open, one stair railing on each side;

(iv) On stairways more than 44 inches wide but less than 88 inches wide, one handrail on each enclosed side and one stair railing on each open side;

(v) On stairways 88 or more inches wide, one handrail on each enclosed side, one stair railing on each open side, and one intermediate stair railing located approximately midway of the width.

(b) Winding stairs shall be equipped with a handrail offset to prevent walking on all portions of the treads having width less than 6 inches.

(6) Standard specifications.

(a) A standard railing shall consist of top rail, intermediate rail, toe board, and posts, and shall have a vertical height of 36 inches to 42 inches from upper surface of top rail to floor, platform, runway, or ramp level. Each length of lumber shall be smooth-surfaced throughout the length of the railing. The intermediate rail shall be halfway between the top rail and the floor, platform, runway, or ramp. The ends of the rails shall not overhang the terminal posts except where such overhang does not constitute a projection hazard. Minimum requirements for standard railings under various types of construction are specified in the following items:

(i) For wood railings, the posts shall be of at least 2-inch by 4-inch stock spaced not to exceed 8 feet; the top rail shall be of at least 2-inch by 4-inch stock; the intermediate rail shall be of at least 1-inch by 6-inch stock.

(ii) For pipe railings, posts and top and intermediate railings shall be at least 1 1/2 inches nominal OD diameter with posts spaced not more than 8 feet on centers.

(iii) For structural steel railings, posts and top and intermediate rails shall be of 2-inch by 2-inch by 3/8-inch angles or other metal shapes of equivalent bending strength, with posts spaced not more than 8 feet on centers.

(iv) For wire rope railings, the top and intermediate railings shall be at least 1/2-inch fibre core rope, or the equivalent, with posts spaced not more than 8 feet on centers. The rope shall be stretched taut, so as to present a minimum deflection.

(v) The anchoring of posts and framing of members for railings of all types shall be of such construction that the completed structure shall be capable of withstanding a load of at least 200 pounds applied in any direction at any point on the top rail, with a minimum of deflection.

(vi) Railings receiving heavy stresses from employees trucking or handling materials shall be provided additional strength by the use of heavier stock, closer spacing of posts, bracing, or by other means.

(vii) Other types, sizes, and arrangements of railing construction are acceptable, provided they meet the following conditions:

(A) A smooth-surfaced top rail at a height above floor, platform, runway, or ramp level of between 36 inches and 42 inches;

(B) A strength to withstand at least the minimum requirement of 200 pounds top rail pressure with a minimum of deflection;

(C) Protection between top rail and floor, platform, runway, ramp, or stair treads, equivalent at least to that afforded by a standard intermediate rail;

(D) Elimination of overhang of rail ends unless such overhang does not constitute a hazard.

(b) A stair railing shall be of construction similar to a standard railing, but the vertical height shall be not more than 34 inches nor less than 30 inches from upper surface to top rail to surface of tread in line with face of riser at forward edge of tread.

(c) (i) A standard toe board shall be 4 inches minimum in vertical height from its top edge to the level of the floor, platform, runway, or ramp. It shall be securely

fastened in place and have not more than 1/4-inch clearance above floor level. It may be made of any substantial material, either solid, or with openings not over 1 inch in greatest dimension.

(ii) Where material is piled to such height that a standard toe board does not provide protection, paneling, or screening from floor to intermediate rail or to top rail shall be provided.

(d) (i) A standard handrail shall be of construction similar to a standard railing except that it is mounted on a wall or partition, and does not include an intermediate rail. It shall have a smooth surface along the top and both sides of the handrail. The handrail shall have an adequate handhold for any one grasping it to avoid falling. Ends of the handrail shall be constructed so as not to constitute a projection hazard.

(ii) The height of handrails shall be not more than 34 inches nor less than 30 inches from upper surface of handrail to surface of tread, in line with face of riser or to surface of ramp.

(iii) All handrails and railings shall be provided with a clearance of approximately 3 inches between the handrail or railing and any other object.

(e) Floor opening covers shall be of any material that meets the following strength requirements:

(i) Conduits, trenches, and manhole covers and their supports, when located in roadways, and vehicular aisles shall be designed to carry a truck rear-axle load of at least 2 times the maximum intended load;

(ii) The floor opening cover shall be capable of supporting the maximum intended load and so installed as to prevent accidental displacement.

(f) Skylight openings that create a falling hazard shall be guarded with a standard railing, or covered in accordance with (e)(ii) of this subsection.

(g) Wall opening protection shall meet the following requirements:

(i) Barriers shall be of such construction and mounting that, when in place at the opening, the barrier is capable of withstanding a load of at least 200 pounds applied in any direction (except upward), with a minimum of deflection at any point on the top rail or corresponding member.

(ii) Screens shall be of such construction and mounting that they are capable of withstanding a load of at least 200 pounds applied horizontally at any point on the near side of the screen. They may be of solid construction, of grill work with openings not more than 8 inches long, or of slat work with openings not more than 4 inches wide with length unrestricted.

(7) Guarding of low-pitched roof perimeters during the performance of built-up roofing work.

(a) General provisions. During the performance of built-up roofing work on low-pitched roofs with a ground to eave height greater than 16 feet (4.9 meters), employees engaged in such work shall be protected from falling from all unprotected sides and edges of the roof as follows:

(i) By the use of a motion-stopping-safety system (MSS system); or

(ii) By the use of a warning line system erected and maintained as provided in subdivision (7)(c) of this section and supplemented for employees working between the warning line and the roof edge by the use of either an MSS system or, where mechanical equipment is not being used or stored, by the use of a safety monitoring system; or

(iii) By the use of a safety monitoring system on roofs 50 feet (15.25 meters) or less in width (see WAC 296-155-50501 Appendix—Roofs), where mechanical equipment is not being used or stored.

(b) Exception. The provisions of (7)(a) of this section do not apply at points of access such as stairways, ladders, and ramps, or when employees are on the roof only to inspect, investigate, or estimate roof level conditions. Roof edge materials handling areas and materials storage areas shall be guarded as provided in subdivision (7)(e) of this section.

(c) Warning lines.

(i) Warning lines shall be erected around all sides of the work area.

(A) When mechanical equipment is not being used, the warning line shall be erected not less than six feet (1.8 meters) from the roof edge;

(B) When mechanical equipment is being used, the warning line shall be erected not less than six feet (1.8 meters) from the roof edge which is parallel to the direction of mechanical equipment operation, and not less than 10 feet (3.1 meters) from the roof edge which is perpendicular to the direction of mechanical equipment operation.

(ii) The warning line shall consist of a rope, wire, or chain, and supporting stanchions erected as follows:

(A) The rope, wire, or chain shall be flagged at not more than six foot (1.8 meters) intervals with high-visibility material;

(B) The rope, wire, or chain shall be rigged and supported in such a way that its lowest point (including sag) is no less than 34 inches (.86 meters) from the roof surface and its highest point is no more than 39 inches (1 meter) from the roof surface;

(C) After being erected, with the rope, wire, or chain attached, stanchions shall be capable of resisting, without tipping over, a force of at least 16 pounds (71 Newtons) applied horizontally against the stanchion, 30 inches (0.76 meters) above the roof surface, perpendicular to the warning line, and in the direction of the roof edge;

(D) The rope, wire, or chain shall have a minimum tensile strength of 500 pounds (227 Kilograms), and after being attached to the stanchions, shall be capable of supporting, without breaking, the loads applied to the stanchions as prescribed in subitem (7)(c)(ii)(C) of this section; and

(E) The line shall be attached at each stanchion in such a way that pulling on one section of the line between stanchions will not result in slack being taken up in adjacent sections before the stanchion tips over.

(iii) Access paths shall be erected as follows:

(A) Points of access, materials handling areas and storage areas shall be connected to the work area by a clear access path formed by two warning lines.

(B) When the path to a point of access is not in use, a rope, wire, or chain, equal in strength and height to the warning line, shall be placed across the path at the point where the path intersects the warning line erected around the work area.

(d) Mechanical equipment. Mechanical equipment may be used or stored only in areas where employees are being protected by either a warning line or an MSS system. Mechanical equipment may not be used or stored between the warning line and the roof edge unless the employees are being protected by an MSS system. Mechanical equipment may not be used or stored where the only protection provided is by a safety monitoring system.

(e) Roof edge materials handling areas and materials storage. Employees working in a roof edge materials handling or materials storage area located on a low-pitched roof with a ground to eave height greater than 16 feet (4.9 meters) shall be protected from falling by the use of an MSS system along all unprotected roof sides and edges of the area.

(i) When guardrails are used at hoisting areas, a minimum of four feet of guardrail shall be erected on each side of the access point through which materials are hoisted.

(ii) A chain or gate shall be placed across the opening between the guardrail sections when hoisting operations are not taking place.

(iii) When guardrails are used at bitumen pipe outlets, a minimum of four feet of guardrail shall be erected on each side of the pipe.

(iv) When safety belt systems are used, they shall not be attached to the hoist.

(v) When safety belt systems are used, they shall be rigged to allow the movement of employees only as far as the roof edge.

(vi) Materials may not be stored within six feet of the roof edge unless guardrails are erected at the roof edge.

(vii) Materials which are piled, grouped, or stacked shall be stable and self-supporting.

(f) Training.

(i) The employer shall provide a training program for all employees engaged in built-up roofing work so that they are able to recognize and deal with the hazards of falling associated with working near a roof perimeter. The employees shall also be trained in the safety procedures to be followed in order to prevent such falls.

(ii) The employer shall assure that employees engaged in built-up roofing work have been trained and instructed in the following areas:

(A) The nature of fall hazards in the work area near a roof edge;

(B) The function, use, and operation of the MSS system, warning line, and safety monitoring systems to be used;

(C) The correct procedures for erecting, maintaining, and disassembling the systems to be used;

(D) The role of each employee in the safety monitoring system when this system is used;

(E) The limitations on the use of mechanical equipment; and

(F) The correct procedures for the handling and storage of equipment and materials.

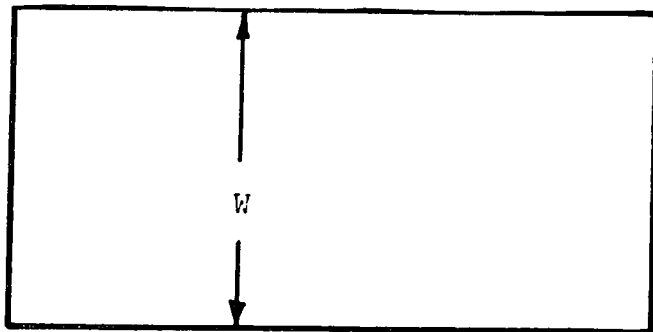
(iii) Training shall be provided for each newly hired employee, and for all other employees as necessary, to assure that employees maintain proficiency in the areas listed in item (7)(f)(ii) of this section.

NEW SECTION

WAC 296-155-50501 APPENDIX—ROOFS. This appendix serves as a guideline to assist employers in complying with the appropriate requirements of WAC 296-155-505(7)(a). Each example shows a roof plan or plans and indicates where each roof or roof area is to be measured to determine its width. Section views or elevation views are shown where appropriate. Some examples show "correct" and "incorrect" subdivisions of irregularly shaped roofs into smaller regularly shaped areas. In all examples, the dimension selected to be the width of an area is the lesser of the two primary dimensions of the area. Example A shows that on a simple rectangular roof, width is the lesser of the two primary overall dimensions. This is also the case with roofs which are sloped toward or away from the roof center, as shown in Example B.

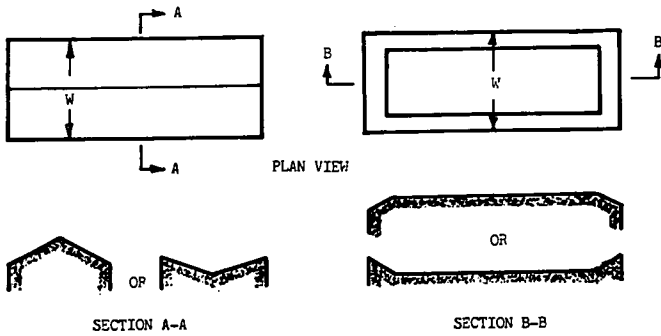
Many roofs are not simple rectangles. Such roofs may be broken down into subareas as shown in Example C. The process of dividing a roof area can produce many different configurations. Example C gives the general rule of using dividing lines of minimum length to minimize the size and number of the areas which are potentially less than 50 feet wide. The intent is to minimize the number of roof areas where WAC 296-155-505(7)(a)(iii) can be applied.

Roofs which are comprised of several separate, non-continuous roof areas, as in Example D, may be considered as a series of individual roofs. Some roofs have penthouses, additional floors, courtyard openings, or similar architectural features; Example E shows how the rule for dividing roofs into subareas is applied to such configurations. Irregular, nonrectangular roofs must be considered on an individual basis, as shown in Example F.



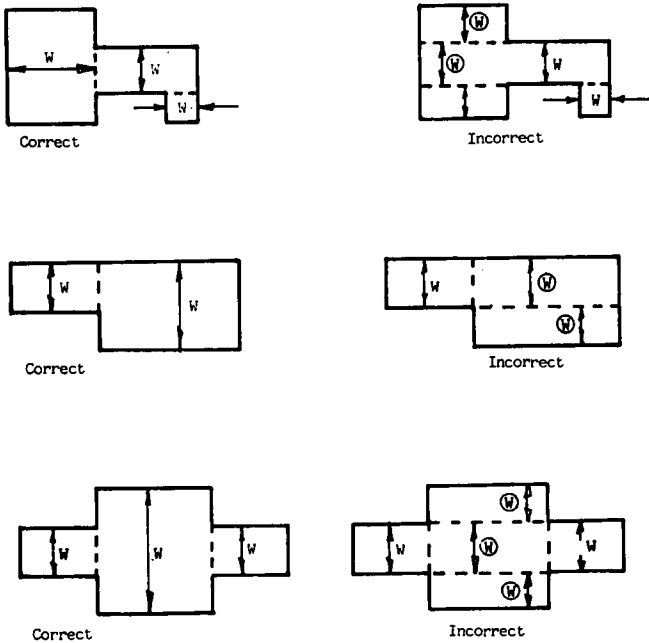
PLAN VIEW

Example B.
SLOPED RECTANGULAR SHAPED ROOFS

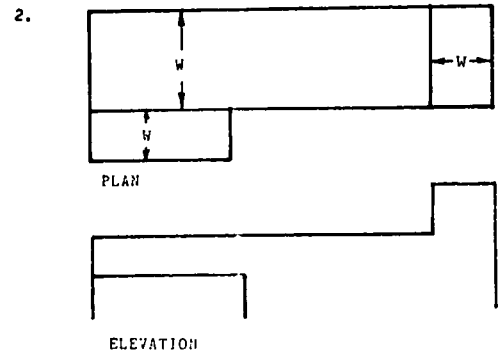
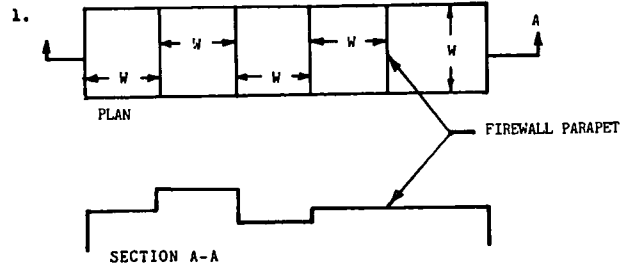


Example C.
IRREGULARLY SHAPED ROOFS WITH RECTANGULAR SHAPED SECTIONS

Such roofs are to be divided into subareas by using dividing lines of minimum length to minimize the size and number of the areas which are potentially less than or equal to 50 feet (15.25 meters) in width, in order to limit the size of roof areas where WAC 296-155-505(7)(a)(iii) can be applied. Dotted lines are used in the examples to show the location of dividing lines. X denotes incorrect measurements of width.



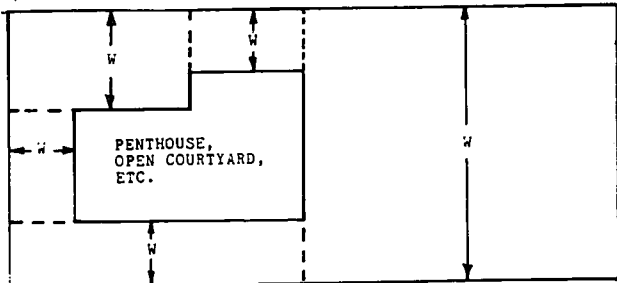
Example D.
SEPARATE, NONCONTIGUOUS ROOF AREAS



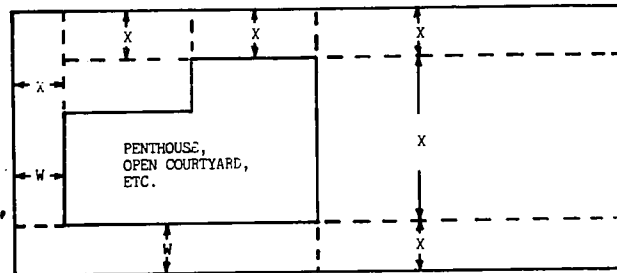
Example E.
ROOFS WITH PENTHOUSES, OPEN COURTYARDS, ADDITIONAL FLOORS, ETC.

Such roofs are to be divided into subareas by using dividing lines of minimum length to minimize the size and number of the areas which are potentially less than or equal to 50 feet (15.25 meters) in width, in order to limit the size of roof areas where WAC 296-155-505(7)(a)(iii) can be applied. Dotted lines are used in

the examples to show the location of dividing lines. X denotes incorrect measurements of width.

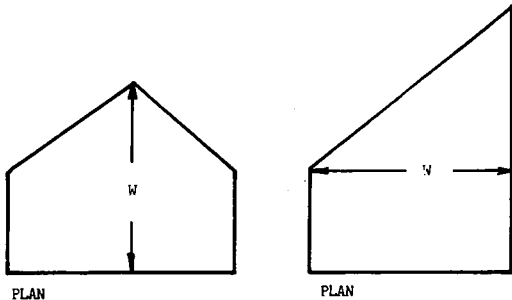


Correct



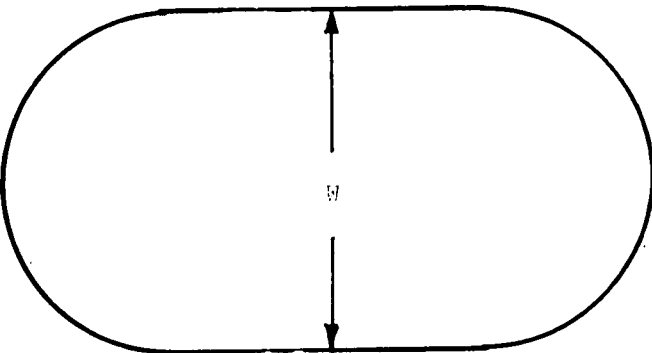
Incorrect

**Example F.
IRREGULAR, NONRECTANGULAR SHAPED
ROOFS**



PLAN

PLAN



PLAN

practices which are compatible with standards required by a registered architect, a registered professional engineer, or other duly licensed or recognized authority.

(2) "Angle of repose" means the greatest angle above the horizontal plane at which a material will lie without sliding or rolling.

(3) "Bank" means a mass of soil rising above a digging level.

(4) "Belled excavation" means a part of a shaft or footing excavation, usually near the bottom and bell-shaped; i.e., an enlargement of the cross section above.

(5) "Braces (trench)" means the horizontal members of the shoring system whose ends bear against the uprights or stringers.

(6) "Cofferdam" means a watertight chamber used to exclude water or other fluid or semi-fluid material during excavation for foundations and the construction of subsurface structures.

(7) "Compact shale" means a type of hardened clay that has not yet split into thin layers.

(8) "Competent person" means one who is capable of identifying hazards in the surroundings or working conditions which are unsanitary, hazardous or dangerous.

(9) "Equipment" means ladders, scaffolds, ramps, runways, railings, barricades, sheet piling, shoring, bracing and any such safeguards, protective construction and devices used in affording protection to the workers engaged in excavating work.

~~((+8))~~ (10) "Excavation" means any manmade cavity or depression in the earth's surface, including its sides, walls, or faces, formed by earth removal and producing unsupported earth conditions by reasons of the excavation. If installed forms or similar structures reduce the depth-to-width relationship, an excavation may become a trench.

~~((+9))~~ (11) "Faces" See ~~((+5))~~ (19) of this section.

~~((+10))~~ (12) "Hard compact soil" means all earth materials not classified as running or unstable.

~~((+11))~~ (13) "Kickouts" means accidental release or failure of a shore or brace.

(14) "Moving ground" means any ground, which for any reason, will not remain in its original location.

~~((+12))~~ (15) "Ramp" means an inclined runway.

~~((+13))~~ (16) "Runway" means any planked-over walkway or drive constructed and maintained as a passageway for workers or rolling equipment.

~~((+14))~~ (17) "Sheet pile" means a pile, or sheeting, that may form one of a continuous interlocking line, or a row of timber, concrete, or steel piles, driven in close contact to provide a tight wall to resist the lateral pressure of water, adjacent earth, or other materials.

(18) "Shoring system" means any assembly of equipment or material used to prevent the ground or earth from moving.

~~((+15))~~ (19) "Sides", "Walls"((-:)), or "Faces" means the vertical or inclined earth surfaces formed as a result of excavation work.

~~((+16))~~ (20) "Slope" means the angle with the horizontal at which a particular earth material will stand indefinitely without movement.

~~((+17))~~ (21) "Stringers" (wales) means the horizontal members of a shoring system whose sides bear

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-650 DEFINITIONS APPLICABLE TO THIS PART. (1) "Accepted engineering requirements (or practices)" means those requirements or

against the uprights or earth.

~~((18))~~ (22) "Structural construction" means any activity or process required in the actual construction of any type of structure, pipeline or conduit exclusive of the excavation.

~~((19))~~ (23) "Trench" means a narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than 15 feet.

~~((20))~~ (24) "Trench jack" means screw or hydraulic type jacks used as cross bracing in a trench shoring system.

~~((21))~~ (25) "Trench shield" means a shoring system composed of steel plates and bracing, welded or bolted together, which support the walls of a trench from the ground level to the trench bottom and which can be moved along as work progresses.

~~((22))~~ (26) "Unstable soil" means earth material, other than running that because of its nature or the influence of related conditions, cannot be depended upon to remain in place without extra support, such as would be furnished by a system of shoring.

~~((23))~~ (27) "Uprights" means the vertical members of a shoring system.

~~((24))~~ (28) "Wales" See subsection ~~((17))~~ (21) of this section.

~~((25))~~ (29) "Walls" See subsection ~~((15))~~ (19) of this section.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-655 GENERAL PROTECTION REQUIREMENTS. (1) This part on "excavation work" and "trenching" is intended to provide for the protection of all employees during all excavation work or trenching in connection with all construction work relating thereto, such as trenches, underpinning, shoring and bracing, and in connection with the construction of footings, foundations, retaining walls and other construction work below ground level.

(2) Any safety device or equipment needed in connection with excavation work or trenching shall be inspected, erected, and maintained in a safe condition, for the duration of the operation, by the owner, contractor, or person in direct charge and authority.

(3) Federal or state codes, rules, regulations and ordinances governing any and all phases of excavation work and trenching shall be observed at all times.

(4) Walkways, runways, and sidewalks shall be kept clear of excavated material or other obstructions and no sidewalks shall be undermined unless shored to carry a minimum live load of one hundred and twenty-five ~~((125))~~ pounds per square foot.

(5) If planks are used for raised walkways, runways, or sidewalks, they shall be laid parallel to the length of the walk and fastened together against displacement.

(6) Planks shall be uniform in thickness and all exposed ends shall be provided with beveled cleats to prevent tripping.

(7) Raised walkways, runways, and sidewalks shall be provided with plank steps on strong stringers. Ramps,

used in lieu of steps, shall be provided with cleats to insure a safe walking surface.

(8) All employees shall be protected with personal protective equipment for the protection of the head, eyes, respiratory organs, hands, feet, and other parts of the body as set forth in Part C of this chapter.

(9) Employees exposed to vehicular traffic shall wear hard hats and warning vests marked with or made of reflectorized or high visibility material.

(10) Employees subjected to hazardous dusts, gases, vapors, fumes, mists, or atmospheres deficient in oxygen, shall be protected with approved respiratory protection as set forth in Part B of this chapter.

(11) No person shall be permitted under loads handled by power shovels, derricks, ~~((or))~~ hoists, or front end loaders. To avoid any injury from spillage; employees, including the driver, unless he is protected adequately by the cab, shall be required to stand away from any vehicle being loaded.

(12) Inspections of excavations and trenches shall be made prior to each work shift by a competent person. If evidence of possible cave-ins or slides is apparent, all work in the excavation or trench shall cease until the necessary precautions have been taken to safeguard the employees.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-660 SPECIFIC EXCAVATION REQUIREMENTS. (1) Prior to opening an excavation, effort shall be made to determine whether underground installations; i.e., sewer, telephone, water, fuel, electric lines, etc., will be encountered, and if so, where such underground installations are located. When the excavation approaches the estimated location of such an installation, the exact location shall be determined, and when it is uncovered, proper supports shall be provided for the existing installation. Utility companies shall be contacted and advised of proposed work prior to the start of actual excavation.

(2) Trees, boulders, and other surface encumbrances, located so as to create a hazard to employees involved in excavation work or in the vicinity thereof at any time during operations, shall be removed or made safe before excavating is begun or continued.

(3) The walls and faces of all excavations in which employees are exposed to danger from moving ground, falling rocks, sluffing or sliding earth shall be guarded by a shoring system, sloping of the ground, or some other equivalent means. Sloping of the ground or the shoring system shall extend to the bottom of the excavation.

(4) Excavations shall be inspected by a competent person after every rainstorm or other hazard-increasing occurrence, and the protection against slides and cave-ins shall be increased if necessary.

(5) The determination of the angle of repose and design of the supporting system shall be based on careful evaluation of pertinent factors such as: Depth of cut; possible variation in water content of the material while the excavation is open; anticipated changes in materials from exposure to air, sun, water, or freezing; loading imposed by structures, equipment, overlying material, or

stored material; and vibration from equipment, blasting, traffic or other sources.

(6) Supporting systems; i.e., piling, cribbing, shoring, etc., shall be designed by a qualified person and meet accepted engineering requirements. When tie rods are used to restrain the top of sheeting or other retaining systems, the rods shall be securely anchored well back of the angle of repose. When tight sheeting or sheet piling is used, full loading due to ground water table shall be assumed, unless prevented by weep holes or drains or other means. Additional stringers, ties, and bracing shall be provided to allow for any necessary temporary removal of individual supports. Excavation and lagging done in conjunction with soldier piles shall be completed in not more than eight foot lifts.

(7) All slopes shall be excavated to at least the angle of repose except for areas where solid rock allows for line drilling or presplitting. (Refer to Tables N-1 and N-5.)

(8) The angle of repose shall be flattened when an excavation has water conditions, silty materials, loose boulders, and areas where erosion, deep frost action, and slide planes appear.

(9)(a) In excavations which employees may be required to enter, excavated or other material shall be effectively stored and retained at least 2-feet or more from the edge of the excavation.

(b) As an alternative to the clearance prescribed in (a) of this subsection, the employer may use effective barriers or other effective retaining devices in lieu thereof in order to prevent excavated or other materials from falling into the excavation.

(10) Sides, slopes, and faces of all excavations shall meet accepted engineering requirements by scaling, benching, barricading, rock bolting, wire meshing, or other equally effective means. Special attention shall be given to slopes which may be adversely affected by weather or moisture content.

(11) Support systems shall be planned and designed by a qualified person when excavation is in excess of 20 feet in depth, adjacent to structures or improvements, or subject to vibration or ground water.

(12) Materials used for sheeting, sheet piling, cribbing, bracing, shoring, and underpinning shall be in good serviceable condition, and timbers shall be sound, free from large or loose knots, and of proper dimensions.

(13) Special precautions shall be taken in sloping or shoring the sides of excavations adjacent to a previously backfilled excavation or a fill, particularly when the separation is less than the depth of the excavation. Particular attention also shall be paid to joints and seams of material comprising a face and the slope of such seams and joints.

(14) The sides of every excavation four (~~(4)~~) feet or more in depth, shall be supported by substantial sheet piling and bracing, or other effective means, or the sides of the excavation sloped to the angle of repose of the material being excavated. (In accordance with Tables N-1, N-2, N-3, N-4 and N-5.)

(15) Temporary sheet piling which has been installed to permit the construction of a retaining wall shall not be removed until such wall has acquired its full strength.

(16) Where workers are employed adjacent to an excavation on work other than that directly connected with the excavation, protection such as standard guardrails or other equivalent protection to prevent their falling into the excavation shall be provided for such workers as well as for the workers in the excavation.

(17) Except in hard rock, excavations below the level of the base of footing of any foundation or retaining wall shall not be permitted, unless the wall is underpinned and all other precautions taken to insure the stability of the adjacent walls for the protection of employees involved in excavation work or in the vicinity thereof.

(18) If the stability of adjoining buildings or walls is endangered by excavations or trenches, shoring, bracing, or underpinning shall be provided as necessary to insure their safety. Such shoring, bracing, or underpinning shall be inspected daily or more often, as conditions warrant, by a competent person and the protection effectively maintained.

(19) Diversion ditches, dikes, or other suitable means shall be used to prevent surface water from entering an excavation or trench and to provide adequate drainage of the area adjacent to the excavation or trench. If necessary, pumps shall be used to minimize water from accumulating in the excavation or trench.

(20) If it is necessary to place or operate power shovels, derricks, trucks, materials, or other heavy objects on a level above and near an excavation or trench, the side of the excavation or trench shall be sheet-piled, shored, or braced as necessary to resist the extra pressure due to such superimposed loads.

(21) Blasting and the use of explosives shall be performed in accordance with chapter 296-52 WAC.

(22) When mobile equipment is utilized or allowed adjacent to excavations or trenches, substantial stop logs or barricades shall be installed, except excavating and backfill equipment used during actual excavating or backfill operations.

(23) Adequate barrier physical protection shall be provided at all remotely located excavations or trenches. All wells, pits, shafts, etc., shall be barricaded or covered. Upon completion of exploration and similar operations, temporary wells, pits, shafts, etc., shall be backfilled.

(24) Dust conditions shall be kept to a minimum by the use of water, salt, calcium chloride, oil, or other means.

(25)(a) In locations where oxygen deficiency or gaseous conditions are possible, air in the excavation or trench shall be tested. Controls, as set forth in Parts B and C of this chapter, shall be established to assure acceptable atmospheric conditions. When flammable gases are present, adequate ventilation shall be provided and sources of ignition shall be eliminated. Attended emergency rescue equipment, such as breathing apparatus, a safety harness and line, basket stretcher, etc., shall be readily available where adverse atmospheric conditions may exist or develop in an excavation or trench. During these conditions a competent top person shall be in constant attendance.

(b) During the conditions stated in item (a) above, the top person shall maintain voice or visual contact with the

person in the excavation or trench. It shall be the employer's responsibility to ensure that a top person remains in constant attention until such time as the aforementioned condition no longer exists.

(26) Where employees or equipment are required or permitted to cross over excavations or trenches, walkways or bridges with standard guardrails shall be provided.

(27) Where ramps are used for employees or equipment, they shall be designed and constructed by qualified persons in accordance with accepted engineering requirements.

(28) All ladders used on excavation or trenching operations shall be in accordance with the requirements of this chapter.

(29) Ramps or runways used for vehicles shall have a width of not less than four feet wider than the vehicle used and provided with timber guards not less than eight inches by eight inches, placed parallel to and secured to the sides of the runway as a protection to trucks or other equivalent protection shall be provided.

(30) All ramps and runways shall receive frequent inspection, and shall be maintained in a safe and serviceable condition.

(31) Workers shall be instructed to stay off ramps and runways when trucks are passing over them.

(32) When ramps and runways as referenced in subsection (29) of this section, are formed on hard ground without the use of planking, all ruts and holes shall be filled in, humps leveled off and the runway made as smooth as possible.

(33) Blocks used for pulling trucks up ramps shall be well anchored.

AMENDATORY SECTION (Amending Order 77-12, filed 7/11/77)

WAC 296-155-665 SPECIFIC TRENCHING REQUIREMENTS. (1) As trench construction is a hazardous operation, particular attention shall be given to the protection of the worker, the protection to be governed by the nature of the ground.

(2) No one person shall be allowed to work alone in a trench over four feet in depth unless there is a top person in constant attendance. The top person shall be in addition to the equipment operator when the person in the trench is not in constant view of the equipment operator.

(3) Except in solid rock and compact shale, the sides of all trenches, including embankments, 4 feet or more in depth and 6 feet or more in length, shall be shored, sheeted, braced, sloped or otherwise supported by means of sufficient strength to protect the employees working within them. (See Tables N-1, N-2, N-3, N-4 and N-5.) Trenches less than 4 feet in depth and 6 feet or more in length, shall also be effectively protected when the ground indicates that hazardous ground movement is possible. (See Tables N-1, N-2, N-3, N-4 and N-5.)

(4) When the sloping to the angle of repose does not extend to the bottom of the trench, shoring shall be required to support the vertical part of the trench. The

shoring shall extend above the bottom of the slope a minimum of 12 inches to prevent material from sliding into the trench.

(5) The surface of the slope shall be cleaned of boulders, stumps, or other hard masses of earth (~~from the angle of repose slope~~) on the angle of repose slope to eliminate the danger of (~~their~~ ~~any such materials~~) any such materials sliding or rolling into the trench.

(6) In hard or compact soil, when the outside diameter of the pipe to be laid is 6 feet or larger, the sides of the trench can be vertical at the bottom 4 feet of the trench, providing a 4 foot bench is provided immediately above the vertical portion, and the remaining portion of the trench above the bench is sloped to the angle of repose. (See Table N-4.)

(7) Materials used for sheeting and sheet piling, bracing, shoring, and underpinning, shall be in good serviceable condition, and timbers used shall be sound and free from large or loose knots, and shall be designed and installed so as to provide adequate personnel protection to the bottom of the excavation.

(8) Additional precautions by way of shoring and bracing shall be taken to prevent slides or cave-ins when excavations or trenches are made in locations adjacent to backfilled excavations or trenches, or where excavations or trenches are subjected to vibrations from railroad or highway traffic, the operation of machinery, or any other source.

(9) Where a mechanical digger is used, the bracing shall be placed as close as possible to the lower end of the boom.

(10) When trenches are undercut, they shall be shored as necessary to safely support the overhanging material.

(11) If for any reason prior to, during or subsequent to the placement of the trench bracing system, voids should form in the sides or face of excavation or trench, such voids shall be promptly filled with compacted material or blocking, as required to distribute the load uniformly onto the bracing system.

(12) If a trench is cut alongside an existing structure and the footings of the structure are nearer to the trench than the plane of repose for the soil, they shall be underpinned or the side wall of the trench rigidly supported.

(13) Excavations or trenches made in ledge rock or compact shale shall not require bracing or shoring but shall be inspected by a competent representative of the employer before each shift of work, at which time all loose, shattered or disintegrated rock shall be removed from sides and face of excavation or trench.

(14) Excavated material and superimposed loads shall not be placed nearer than two feet to the sides of the trench, unless bracing has been designed and installed to withstand the load.

(15) Employees entering bell-bottom pier holes shall be protected by the installation of a removable-type casing of sufficient strength to resist shifting of the surrounding earth. Such temporary protection shall be provided for the full depth of that part of each pier hole which is above the bell.

(16) A means of emergency egress shall be decided prior to personnel entering bell-bottom pier holes. Employees expected to enter bell-bottom pier holes shall be instructed as to the hazards of their respective jobs, and in the means of emergency egress.

NOTE: Example of protection: A lifeline, suitable for instant rescue and securely fastened to a shoulder harness, may be worn by each employee entering the shafts. This lifeline could be individually manned and separate from any line used to remove materials excavated from the bell footing.

(17)(a) Minimum requirements for trench timbering shall be in accordance with Table N-3.

(b) Braces and diagonal shores in a wood shoring system shall not be subjected to compressive stress in excess of values given by the following formula:

$$s = 1300 - \frac{20L}{D}$$

$$\text{Maximum ratio } \frac{L}{D} = 50$$

Where:

L = Length, unsupported, in inches.

D = Least side of the timber in inches.

S = Allowable stress in pounds per square inch of cross-section.

(18) When employees are required to be in trenches 4 feet deep or more, an adequate means of exit, such as a ladder or steps, shall be provided and located so as to require no more than 25 feet of lateral travel. An earth ramp is acceptable providing: (a) The stability of the earth is adequate for good footing. (b) The total travel distance does not exceed 25 feet. (c) The trench depth does not exceed 15 feet. (d) Adequate shoring or equivalent protection is provided for the entire escape route.

(19) Bracing or shoring of trenches shall be carried along with the excavation.

(20) Cross braces or trench jacks shall be placed in true horizontal position, be spaced vertically, and be secured to prevent sliding, falling, or kickouts.

(21) Portable trench boxes or sliding trench shields may be used for the protection of personnel in lieu of a shoring system or sloping. Where such trench boxes or shields are used, they shall be designed, constructed, and maintained in a manner which will provide protection equal to or greater than the sheeting or shoring required for the trench.

(22) Backfilling and removal of trench supports shall progress together from the bottom of the trench. Jacks or braces shall be released slowly and, in unstable soil, ropes shall be used to pull out the jacks or braces from above after employees have cleared the trench.

(23) ~~((Signalman))~~ Signalpersons shall be employed to direct ~~((trucks))~~ equipment when backfilling.

(24) The construction of temporary shoring work shall be done, or supervised, by a competent person, who shall make frequent inspections and issue instructions for its removal.

(25) Workers shall be instructed to immediately report any signs or indications of weakness of shoring or bracing.

(26) Trenching machines (ladder and rotary type). (a) Trenching machine operators shall not get on or off machine while in operation.

(b) Workers shall not work at sloping top of ditch near bucket line.

(c) Excavated material shall be conveyed to pile not closer than within 2 feet of edge of trench.

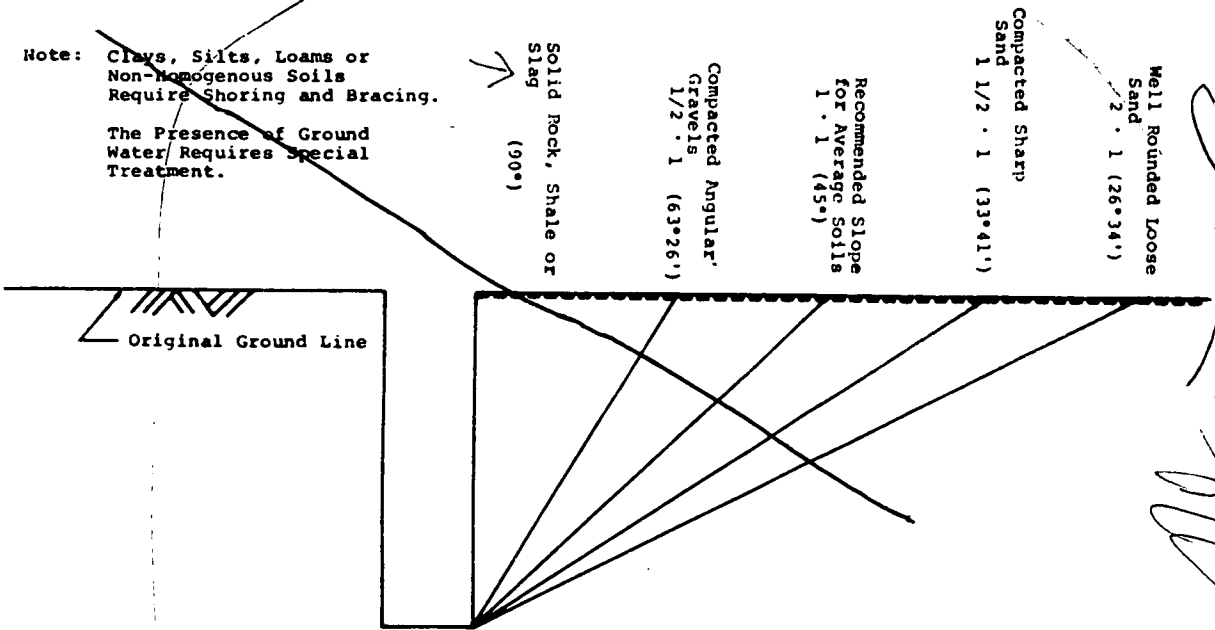
(d) Trucks hauling excavated material away from trenching machine shall not approach closer to the edge of trench than the trench depth from the surface of ground.

(e) Where side cutters are installed it will be mandatory that persons stay clear of bucket line.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-66501 TABLE N-1. ((-

Note: Clays, Silts, Loams or Non-homogenous Soils Require Shoring and Bracing.
The Presence of Ground Water Requires Special Treatment.



Note: Clays, Silts, Loams or Non-homogenous Soils Require Shoring and Bracing.
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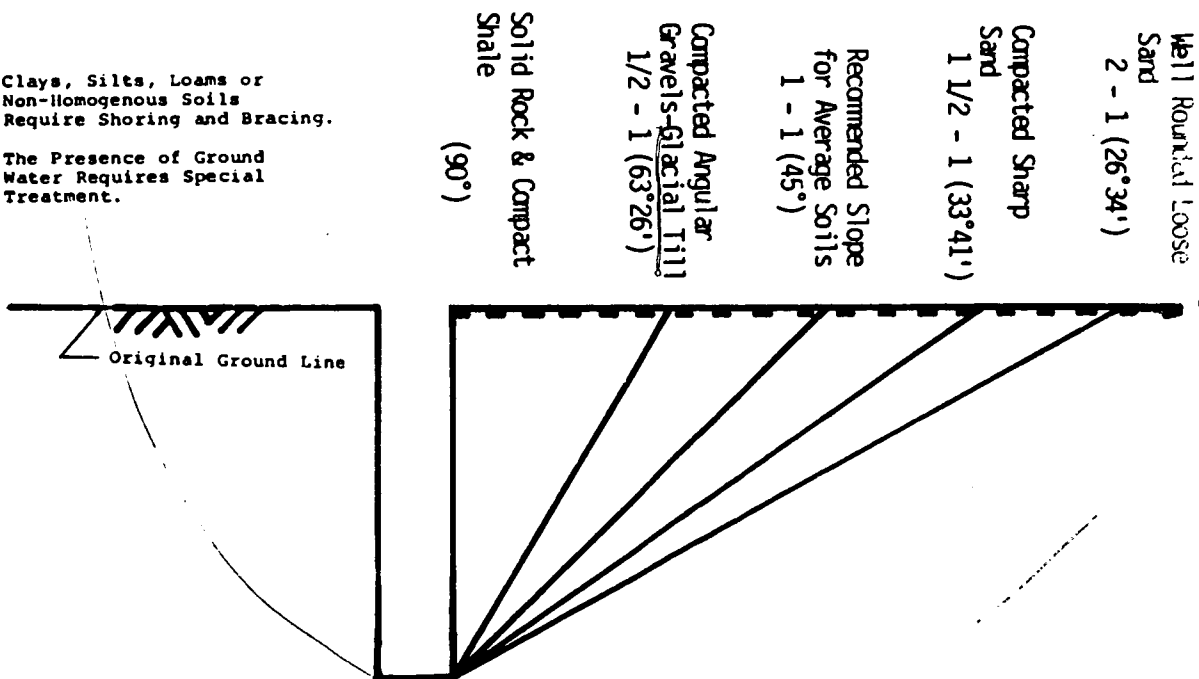


TABLE N-1
MINIMUM ANGLE OF REPOSE
For Sloping of Sides of Excavation and/or Trenches

NOTE: Clays, Silts, Loams or Non(=)homogenous Soils Require Shoring and Bracing.
The Presence of Ground Water Requires Special Treatment.

AMENDATORY SECTION (Amending Order 76-29,
filed 9/30/76)

WAC 296-155-66505 TABLE N-5.

TABLE N-5
EXCAVATION AND TRENCH SHORING
MINIMUM REQUIREMENTS

TABLE N-5—Part I

Depth of trench or excavation & Kind or condition of earth	Size and spacing of members			
	Uprights		Stringers	
	Minimum dimension	Maximum spacing	Min. dim.	Max. sp.
Feet	Inches	Feet	In.	Ft.
4 to 10				
Hard, compact	3x4 or 2x6	6		
Likely to crack	3x4 or 2x6	3	4x6	4
		Close sheeting	4x6	4
Soft, sandy, or filled	3x4 or 2x6	Close sheeting	4x6	4
Hydrostatic pressure	3x4 or 2x6	Close sheeting	6x8	4
10 to 15				
Hard	3x4 or 2x6	4	4x6	4
Likely to crack	3x4 or 2x6	2	4x6	4
		Close sheeting	4x6	4
Soft, sandy, or filled	3x4 or 2x6	Close sheeting	4x6	4
Hydrostatic pressure	3x6	Close sheeting	8x10	4
15 to 20				
All kinds or conditions	3x6	Close sheeting	4x12	4
Over 20				
All kinds or conditions	3x6	Close sheeting	6x8	4

TABLE N-5—Part II

Depth of trench or excavation & Kind or condition of earth	Size and spacing of members						
	Cross braces ¹						Maximum spacing
	Width of trench					Vert.	
Feet	Up to 3 ft.	3-6 ft.	6-9 ft.	9-12 ft.	12-15 ft.		
	In.	In.	In.	In.	In.	Ft.	Ft.
4 to 10							
Hard, compact	2x6	4x4	4x6	6x6	6x8	4	6
Likely to crack	2x6	4x4	4x6	6x6	6x8	4	6
Soft, sandy, or filled	4x4	4x6	6x6	6x8	8x8	4	6
Hydrostatic pressure	4x4	4x6	6x6	6x8	8x8	4	6
10 to 15							
Hard	4x4	4x6	6x6	6x8	8x8	4	6
Likely to crack	4x4	4x6	6x6	6x8	8x8	4	6
Soft, sandy, or filled	4x6	6x6	6x8	8x8	8x10	4	6
Hydrostatic pressure	4x6	6x6	6x8	8x8	8x10	4	6

TABLE N-5—Part II

Depth of trench or excavation & Kind or condition of earth	Size and spacing of members						
	Cross braces ¹						Maximum spacing
	Width of trench					Vert.	
Feet	Up to 3 ft.	3-6 ft.	6-9 ft.	9-12 ft.	12-15 ft.		
	In.	In.	In.	In.	In.	Ft.	Ft.
15 to 20							
All kinds or conditions	4x12	6x8	8x8	8x10	10x10	4	6
Over 20							
All kinds or conditions	4x12	8x8	8x10	10x10	10x12	4	6

¹Trench jacks may be used in lieu of, or in combination with, cross braces. Shoring is not necessarily required in solid rock, hard shale, or hard slag. Where desirable, steel sheet piling and bracing of equal strength may be substituted for wood.

NOTE: In excavations over 15 feet in width, cross bracing shall be designed by a qualified person.

WSR 81-13-054
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed June 17, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning vehicle trip permits, conforming chapter 308-97 WAC to chapter 318, Laws of 1981. A copy of the proposed rules are shown below; however, the director reserves the right to modify the same after receiving public testimony at the hearing;

that such agency will at 10 a.m., Wednesday, July 22, 1981, in the 2nd Floor Conference Room, Highways-Licenses Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Wednesday, July 22, 1981, in the 2nd Floor Conference Room, Highways-Licenses Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 46.16.160.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1981, and/or orally at 10 a.m.,

Wednesday, July 22, 1981, 2nd Floor Conference Room,
Highways-Licenses Building, Olympia, Washington.

Dated: June 17, 1981
By: Wesley L. Barclift
Sr. Assistant Director

STATEMENT OF PURPOSE

Title: Vehicle Trip Permit.

Description of purpose: The purpose of these rules is to bring chapter 308-97 WAC into conformance with and implement the provisions of chapter 318, Laws of 1981, and RCW 46.16.160 which eliminates the Vehicle License Interstate and Intransit Permit and establishes a Vehicle Trip Permit.

Statutory authority: These rules are promulgated under the general rule-making authority of the Department of Licensing as authorized in chapter 318, Laws of 1981, and RCW 46.16.160.

Summary of rules: New Sections: WAC 308-97-060 Duration, weight limit and converter gear. Clarifies the duration of the trip permit, weight limit of vehicles operating under authority of trip permits and describes when a converter gear is considered to be a separate vehicle for the purpose of trip permits. WAC 308-97-090 Completing trip permits. Describes procedures to be followed in completing trip permits. WAC 308-97-125 Display of trip permits. Describes locations for displaying trip permits for various types of vehicles. WAC 308-97-175 Bulk purchase of trip permits. Prescribes location and procedures for making bulk purchases of trip permits. WAC 308-97-205 Design of trip permits. The Department of Licensing is designated to design the trip permit and is authorized to prescribe other forms of the permit to be used in issuing trip permits via electronic transmission. Amendatory Section: WAC 308-97-230 Appointment of vehicle trip permit agents. Brings section into conformance with chapter 318, Laws of 1981, and RCW 46.16.160. Establishes the terms, conditions and procedures for appointment of vehicle trip permit agents by the Director of the Department of Licensing or the director's designee, and terms, conditions and procedures applicable to operation as a permit agent. Provides for specifically authorized agents to issue permits via electronic transmission and collect an additional fee for such transmission.

Agency personnel responsible for drafting, implementing and enforcing the rules: In addition to the director, the following agency personnel have knowledge of and have responsibility for drafting, implementing and enforcing these rules: Merle Steffenson, Administrator, 2nd Floor, Licenses Bldg.,

Olympia, WA 98504, 234-4565 (Scan) 753-4565 (Comm) and Paul Downey, Asst. Administrator, 2nd Floor, Licenses Bldg., Olympia, WA 98504, 234-6993 (Scan) 753-6993 (Comm).

Name of person or organization proposing rule, and whether public, private or governmental: These rules are proposed by the Department of Licensing, a governmental agency.

Agency comments: None.

Whether the rules are necessary as a result of federal law or federal or state court action: These rules were not made necessary as the result of federal law or federal or state court action.

NEW SECTION

WAC 308-97-060 DURATION, WEIGHT LIMIT AND CONVERTER GEAR. A trip permit is valid for:

- (1) three consecutive calendar days beginning with the first day of operation on Washington highways; and
- (2) for the maximum legal weight of the vehicle as provided under RCW 46.44.041, RCW 46.44.042 and RCW 46.44.050;
- (3) a converter gear actually being utilized to convert a semi-trailer to a full trailer is considered to be an integral part of the trailer. A converter gear being towed that is not supporting a semi-trailer is considered to be a separate vehicle for the purpose of trip permits.

NEW SECTION

WAC 308-97-090 COMPLETING TRIP PERMITS. The vehicle operator or designee shall use permanent ink or typewriter to fill in the required information on a trip permit.

Located at the top of the trip permit are blocks containing months of the year and blocks of number indicating days of the month. The blocks containing the appropriate month(s) and three consecutive days for which the permit is to be used shall be blotted out (obliterated) with permanent ink. The dates so indicated will be the period for which the permit shall be valid. All blanks on the permit indicate required information or signature and must be completed prior to operation of the vehicle on Washington highways.

NEW SECTION

WAC 308-97-125 DISPLAY OF TRIP PERMITS. The vehicle copy of the trip permit shall be displayed as indicated below. Locations for display are indicated in relation to the vehicle driver when seated in the vehicle.

- (1) Passenger cars, and small trucks: affix permit to the inside lower left corner of the rear window.
- (2) Trucks, truck tractors and motor homes: affix permit to the inside lower right corner of the windshield.
- (3) Trailers, semi-trailers, converter gears, motorcycles and mopeds: permit must be in possession of the vehicle operator (driver) or driver of the power unit pulling it.

NOTE: If display of the permit as prescribed above would obstruct the operator's vision, the permit will be displayed in an alternate location which is visible from outside the vehicle and does not obstruct the operator's view.

NEW SECTION

WAC 308-97-175 BULK PURCHASE OF TRIP PERMITS. Trip permits may be purchased in bulk from the Prorate and Fuel Tax Division, Highways-Licenses Bldg., Olympia, WA 98504. Orders must be accompanied by a money order, cashier's or certified check in an amount equal to ten dollars for each permit ordered. The permits may be picked-up in Olympia or will be shipped with delivery charges collect. Street address must be provided for all shipments.

NEW SECTION

WAC 308-97-205 DESIGN OF TRIP PERMIT. The department shall design the trip permit and insure that an adequate supply of the permits is maintained to meet the needs of the public. Other forms of the permit may be prescribed by the department for issuance via electronic transmission by agents of the department authorized to provide this service to the public.

AMENDATORY SECTION (Amending Order 591 DOL, filed 9/4/80)

WAC 308-97-230 APPOINTMENT OF VEHICLE ((~~LICENSE~~)) TRIP PERMIT AGENTS. The director of the department of licensing or the director's designee may appoint the county auditors or other agents as his or her agent for the purpose of selling vehicle ((~~license~~)) trip permits to the public.

(1) Any person or entity, other than a county auditor or other state agency, desiring to become an agent of the department for the purpose of issuing vehicle ((~~license interstate and intransit~~)) trip permits under the provisions of RCW 46.16.160 ((~~or special fuel tax trip permits under RCW 82.38.100~~)) shall make application to the department on forms to be furnished by the department.

(2) Before appointment of any agent, other than the county auditors or other state agencies of the state of Washington, the department shall require the applicant for appointment as the director's permit agent to execute an agreement with the department to faithfully abide by the requirements of this chapter(;) and RCW 46.16.160 ((~~and RCW 82.38.100~~)); to timely account and pay all permit fees; to subject their books and records to such periodic audit as may be deemed necessary or appropriate by the director or the director's designee; and to pay interest and penalties upon any deficiency disclosed therein. Further, said applicant shall file with the department a surety bond executed by the applicant as principal, with a corporate surety qualified under the provisions of chapter 48.28 RCW, which bond shall be payable to the state conditioned upon the faithful performance of all the requirements of this chapter, RCW 46.16.160, ((~~RCW 82.38.100~~)) and payment of any and all permit fees, payment of audit assessments, interest and penalties due and to become due thereunder. The bond shall be on a form to be provided by the department. The total amount of the bond or bonds required shall be equivalent to the ((~~estimated monthly~~)) monetary value of vehicle ((~~license~~)) trip permits ((~~sold by~~)) issued to such agent as determined by the department(:(;)). ((~~Provided, That the total amount of the bond or bonds shall never be less than five hundred dollars and no more than fifty thousand dollars.~~))

(3) The ((~~one dollar~~)) filing fee collected for each ((~~type of vehicle license~~)) permit ((~~interstate, intransit, and special fuel tax trip permits~~)) by an agent pursuant to RCW 46.01.140 shall be used by such agent to defray expenses incurred in handling and issuing said permits: PROVIDED, That in the event such fee is collected by an agency of the state of Washington, as agent for the director, the fee so collected shall be certified to the state treasurer and deposited as provided by RCW 46.01.140.

(4) As a convenience to the public, issuance of vehicle ((~~license~~)) trip permits ((~~interstate, intransit, and special fuel tax trip permits~~)) may be requested by the permit applicant to be received via ((~~collect wire or~~)) collect facsimile or other electronic transmission from an agent specifically authorized by the director or the director's designee to provide such service. When issuance of vehicle ((~~license~~)) trip permits via collect ((~~wire or~~)) facsimile or other electronic transmission has been so requested, such agency may collect from the requestor, upon delivery of such ((~~wire or~~)) facsimile or other electronic transmission, transmission fees in addition to the statutory fees prescribed in RCW 46.16.160((~~RCW 46.01.140 and/or RCW 82.38.100~~)). Such transmission fees shall not exceed fees shown on the fee schedule filed with the department by each agent authorized to provide this service. No other fees may be charged by any agent.

(5) Agents will maintain records of transmittals for a period of four calendar years and make these records available to the department or its representatives during business hours at the agent's office.

(6) Agent's accounts are subject to audit by the department of licensing. Vehicle ((~~license~~)) trip permits issued to agents which are found to be missing, lost, or otherwise unaccounted for, will result in an assessment against said agent in an amount equal to the ((~~average values of permits issued during the six-month period ending with the~~

month in which the permit numbered immediately preceding the permit in question was issued, together with penalties and interest)) administrative fee and excise tax of such permit(s).

(7) Agents shall mail or deliver weekly transmittals to the department by Friday of each week for the seven-day period immediately preceding. Such transmittals shall be accompanied by the appropriate fees and such substantiating documents as may be required by the department.

(8) The director or director's designee may, in the exercise of discretion and after notice, served personally or by certified mail, revoke the appointment of any agent who has failed to comply with, or has violated any of the provisions of RCW 46.16.160, ((~~RCW 82.38.100~~)) WAC chapter 308-97, or published procedure, or who shall breach the agreement of appointment. Upon notice of revocation of the agent's appointment, the director or director's designee, shall require the return to the department of any vehicle ((~~license~~)) trip permits then outstanding.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-97-050	"GROSS WEIGHT" DEFINED.
WAC 308-97-080	"INTERSTATE OPERATION" DEFINED.
WAC 308-97-100	PREREQUISITES AND CONDITIONS FOR INTERSTATE PERMITS. ISSUED UNDER RCW 46.16.160.
WAC 308-97-150	PREREQUISITES AND CONDITIONS FOR INTRANSIT PERMITS. ISSUED PURSUANT TO RCW 46.16.160.
WAC 308-97-200	FEES — BOTH INTERSTATE AND INTRANSIT PERMITS.
WAC 308-97-210	INTRANSIT PERMITS.
WAC 308-97-250	ISSUANCE OF PERMIT BOOKS TO AUTHORIZED USERS.
WAC 308-97-270	USE OF PERMIT BOOKS RESTRICTED.
WAC 308-97-290	MISUSE OF PERMITS BY AUTHORIZED USER.
WAC 308-97-330	PAYMENT OF PERMIT FEES.
WAC 308-97-370	MAINTENANCE OF RECORDS BY AUTHORIZED PERMIT USERS.
WAC 308-97-410	DIRECTOR MAY DECLINE TO ISSUE PERMIT BOOKS.

WSR 81-13-055**ADOPTED RULES****DEPARTMENT OF ECOLOGY**

[Order DE 81-14—Filed June 17, 1981]

I, John F. Spencer, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Grant County, amending WAC 173-19-210.

This action is taken pursuant to Notice No. WSR 81-09-079 filed with the code reviser on April 22, 1981. 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 June 11, 1981.

By John F. Spencer
Deputy Director

contact Nick Turnbull, Local Government Services, Planning and Community Affairs Agency, 400 Capitol Center Building, Olympia, Washington 98504, telephone (206) 753-2223 or Scan 234-2223.

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

WAC 173-19-210 GRANT COUNTY. Grant County master program approved September 16, 1975. Revision approved June 11, 1981.

WSR 81-13-056

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY**

[Memorandum—June 17, 1981]

The Washington Department of Ecology (WDOE), the Washington Department of Social and Health Services (DSHS), the Washington Department of Agriculture (WDA), and the U.S. Environmental Protection Agency, Region X (EPA) are requesting public review and comment on proposed environmental programs to be included in a formal agreement between these agencies for fiscal year 1982 (October 1, 1981 - September 30, 1982).

The State/EPA Agreement (SEA) contains priorities for water quality, drinking water, solid and hazardous waste, air quality, and pesticide programs. The SEA identifies environmental problems and outlines specific program commitments for resolving the problems. Approximately \$10.6 million in State and Federal program funds will be allocated to help resolve these problems.

A public meeting will be held to discuss the SEA and receive public comments:

July 30, 1981, 7:00 p.m.
Department of Ecology, Rowesix
Hearing Room
4224 - 6th Avenue S.E.
Lacey, WA

The draft SEA or other information about the SEA can be obtained by contacting Philip Miller, Department of Ecology, MS PV-11, Olympia, Washington 98504, phone: (206) 753-6866. Written comments on the SEA should be sent to the same address. All comments should be received by August 7, 1981.

WSR 81-13-057

**NOTICE OF PUBLIC MEETINGS
PLANNING AND COMMUNITY AFFAIRS
AGENCY ADVISORY COMMITTEE**

[Memorandum—June 17, 1981]

The Planning and Community Affairs Advisory Committee will meet on July 1, 1981, at the Marriott Hotel at Sea-Tac. The meeting is scheduled from 10:00 a.m. to 3:30 p.m. in Salon A. For more information, please

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
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- REVIEW = Review of previously adopted rule

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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106-116-050	AMD 81-08-010	118-03-290	NEW-P 81-11-067	132B-12-087	REP 81-10-008
106-116-102	AMD-P 81-04-050	118-03-310	NEW-E 81-09-051	132B-12-090	REP-P 81-04-005
106-116-102	AMD 81-08-010	118-03-310	NEW-P 81-11-067	132B-12-090	REP 81-10-008
106-116-201	AMD-P 81-04-050	118-03-330	NEW-E 81-09-051	132B-12-093	REP-P 81-04-005
106-116-201	AMD 81-08-010	118-03-330	NEW-P 81-11-067	132B-12-093	REP 81-10-008
106-116-204	AMD-P 81-04-050	118-10-010	NEW-P 81-10-040	132B-12-096	REP-P 81-04-005
106-116-204	AMD 81-08-010	118-10-010	NEW-P 81-13-007	132B-12-096	REP 81-10-008
106-116-205	AMD-P 81-04-050	118-10-020	NEW-P 81-10-040	132B-12-099	REP-P 81-04-005
106-116-205	AMD 81-08-010	118-10-020	NEW-P 81-13-007	132B-12-099	REP 81-10-008
106-116-304	AMD-P 81-04-050	118-10-030	NEW-P 81-10-040	132B-12-102	REP-P 81-04-005
106-116-304	AMD 81-08-010	118-10-030	NEW-P 81-13-007	132B-12-102	REP 81-10-008
106-116-305	AMD-P 81-04-050	131-32-010	NEW-P 81-11-062	132B-12-105	REP-P 81-04-005
106-116-305	AMD 81-08-010	131-32-010	NEW-E 81-12-006	132B-12-105	REP 81-10-008
106-116-306	AMD-P 81-04-050	131-32-020	NEW-P 81-11-062	132B-12-108	REP-P 81-04-005
106-116-306	AMD 81-08-010	131-32-020	NEW-E 81-12-006	132B-12-108	REP 81-10-008
106-116-403	AMD-P 81-04-050	132A-104-005	REP-P 81-06-031	132B-12-111	REP-P 81-04-005
106-116-403	AMD 81-08-010	132A-104-005	REP 81-10-039	132B-12-111	REP 81-10-008
106-116-513	AMD-P 81-04-050	132B-12-003	REP-P 81-04-005	132B-12-114	REP-P 81-04-005
106-116-513	AMD 81-08-010	132B-12-003	REP 81-10-008	132B-12-114	REP 81-10-008

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132B-12-117	REP 81-10-008	132B-12-228	REP 81-10-008	132B-12-339	REP 81-10-008
132B-12-120	REP-P 81-04-005	132B-12-231	REP-P 81-04-005	132B-12-342	REP-P 81-04-005
132B-12-120	REP 81-10-008	132B-12-231	REP 81-10-008	132B-12-342	REP 81-10-008
132B-12-123	REP-P 81-04-005	132B-12-234	REP-P 81-04-005	132B-12-345	REP-P 81-04-005
132B-12-123	REP 81-10-008	132B-12-234	REP 81-10-008	132B-12-345	REP 81-10-008
132B-12-126	REP-P 81-04-005	132B-12-237	REP-P 81-04-005	132B-12-348	REP-P 81-04-005
132B-12-126	REP 81-10-008	132B-12-237	REP 81-10-008	132B-12-348	REP 81-10-008
132B-12-129	REP-P 81-04-005	132B-12-240	REP-P 81-04-005	132B-12-351	REP-P 81-04-005
132B-12-129	REP 81-10-008	132B-12-240	REP 81-10-008	132B-12-351	REP 81-10-008
132B-12-132	REP-P 81-04-005	132B-12-243	REP-P 81-04-005	132B-12-354	REP-P 81-04-005
132B-12-132	REP 81-10-008	132B-12-243	REP 81-10-008	132B-12-354	REP 81-10-008
132B-12-135	REP-P 81-04-005	132B-12-246	REP-P 81-04-005	132B-12-357	REP-P 81-04-005
132B-12-135	REP 81-10-008	132B-12-246	REP 81-10-008	132B-12-357	REP 81-10-008
132B-12-138	REP-P 81-04-005	132B-12-249	REP-P 81-04-005	132B-12-360	REP-P 81-04-005
132B-12-138	REP 81-10-008	132B-12-249	REP 81-10-008	132B-12-360	REP 81-10-008
132B-12-141	REP-P 81-04-005	132B-12-252	REP-P 81-04-005	132B-12-363	REP-P 81-04-005
132B-12-141	REP 81-10-008	132B-12-252	REP 81-10-008	132B-12-363	REP 81-10-008
132B-12-144	REP-P 81-04-005	132B-12-255	REP-P 81-04-005	132B-128-020	AMD-P 81-04-005
132B-12-144	REP 81-10-008	132B-12-255	REP 81-10-008	132B-128-020	AMD 81-10-008
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132B-12-147	REP 81-10-008	132B-12-258	REP 81-10-008	132B-276-040	AMD 81-10-008
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132B-12-150	REP 81-10-008	132B-12-261	REP 81-10-008	132F-08-001	AMD-P 81-10-063
132B-12-153	REP-P 81-04-005	132B-12-264	REP-P 81-04-005	132F-08-001	AMD-P 81-11-058
132B-12-153	REP 81-10-008	132B-12-264	REP 81-10-008	132F-08-080	AMD-P 81-07-007
132B-12-156	REP-P 81-04-005	132B-12-267	REP-P 81-04-005	132F-08-080	AMD-P 81-10-063
132B-12-156	REP 81-10-008	132B-12-267	REP 81-10-008	132F-08-080	AMD-P 81-11-058
132B-12-159	REP-P 81-04-005	132B-12-270	REP-P 81-04-005	132F-08-120	AMD-P 81-07-007
132B-12-159	REP 81-10-008	132B-12-270	REP 81-10-008	132F-08-120	AMD-P 81-10-063
132B-12-162	REP-P 81-04-005	132B-12-273	REP-P 81-04-005	132F-08-120	AMD-P 81-11-058
132B-12-162	REP 81-10-008	132B-12-273	REP 81-10-008	132F-08-140	AMD-P 81-07-007
132B-12-165	REP-P 81-04-005	132B-12-276	REP-P 81-04-005	132F-08-140	AMD-P 81-10-063
132B-12-165	REP 81-10-008	132B-12-276	REP 81-10-008	132F-08-140	AMD-P 81-11-058
132B-12-168	REP-P 81-04-005	132B-12-279	REP-P 81-04-005	132F-104-030	AMD-P 81-07-008
132B-12-168	REP 81-10-008	132B-12-279	REP 81-10-008	132F-104-030	AMD-P 81-10-062
132B-12-171	REP-P 81-04-005	132B-12-282	REP-P 81-04-005	132F-104-030	AMD-P 81-11-056
132B-12-171	REP 81-10-008	132B-12-282	REP 81-10-008	132F-104-810	AMD-P 81-07-008
132B-12-174	REP-P 81-04-005	132B-12-285	REP-P 81-04-005	132F-104-810	AMD-P 81-10-062
132B-12-174	REP 81-10-008	132B-12-285	REP 81-10-008	132F-104-810	AMD-P 81-11-056
132B-12-177	REP-P 81-04-005	132B-12-288	REP-P 81-04-005	132F-104-811	AMD-P 81-07-008
132B-12-177	REP 81-10-008	132B-12-288	REP 81-10-008	132F-104-811	AMD-P 81-10-062
132B-12-180	REP-P 81-04-005	132B-12-291	REP-P 81-04-005	132F-104-811	AMD-P 81-11-056
132B-12-180	REP 81-10-008	132B-12-291	REP 81-10-008	132F-104-812	AMD-P 81-07-008
132B-12-183	REP-P 81-04-005	132B-12-294	REP-P 81-04-005	132F-104-812	AMD-P 81-10-062
132B-12-183	REP 81-10-008	132B-12-294	REP 81-10-008	132F-104-812	AMD-P 81-11-056
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132B-12-186	REP 81-10-008	132B-12-297	REP 81-10-008	132F-104-813	AMD-P 81-10-062
132B-12-189	REP-P 81-04-005	132B-12-300	REP-P 81-04-005	132F-104-813	AMD-P 81-11-056
132B-12-189	REP 81-10-008	132B-12-300	REP 81-10-008	132F-104-814	AMD-P 81-07-008
132B-12-192	REP-P 81-04-005	132B-12-303	REP-P 81-04-005	132F-104-814	AMD-P 81-10-062
132B-12-192	REP 81-10-008	132B-12-303	REP 81-10-008	132F-104-814	AMD-P 81-11-056
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132B-12-195	REP 81-10-008	132B-12-306	REP 81-10-008	132F-104-815	AMD-P 81-10-062
132B-12-198	REP-P 81-04-005	132B-12-309	REP-P 81-04-005	132F-104-815	AMD-P 81-11-056
132B-12-198	REP 81-10-008	132B-12-309	REP 81-10-008	132F-104-818	AMD-P 81-07-008
132B-12-201	REP-P 81-04-005	132B-12-312	REP-P 81-04-005	132F-104-818	AMD-P 81-10-062
132B-12-201	REP 81-10-008	132B-12-312	REP 81-10-008	132F-104-818	AMD-P 81-11-056
132B-12-204	REP-P 81-04-005	132B-12-315	REP-P 81-04-005	132F-104-819	AMD-P 81-07-008
132B-12-204	REP 81-10-008	132B-12-315	REP 81-10-008	132F-104-819	AMD-P 81-10-062
132B-12-207	REP-P 81-04-005	132B-12-318	REP-P 81-04-005	132F-104-819	AMD-P 81-11-056
132B-12-207	REP 81-10-008	132B-12-318	REP 81-10-008	132F-136-020	AMD-P 81-07-023
132B-12-210	REP-P 81-04-005	132B-12-321	REP-P 81-04-005	132F-136-020	AMD-P 81-10-064
132B-12-210	REP 81-10-008	132B-12-321	REP 81-10-008	132F-136-020	AMD 81-12-008
132B-12-213	REP-P 81-04-005	132B-12-324	REP-P 81-04-005	132F-136-040	AMD-P 81-07-023
132B-12-213	REP 81-10-008	132B-12-324	REP 81-10-008	132F-136-040	AMD-P 81-10-064
132B-12-216	REP-P 81-04-005	132B-12-327	REP-P 81-04-005	132F-136-040	AMD 81-12-008
132B-12-216	REP 81-10-008	132B-12-327	REP 81-10-008	132F-136-050	AMD-P 81-07-023
132B-12-219	REP-P 81-04-005	132B-12-330	REP-P 81-04-005	132F-136-050	AMD-P 81-10-064
132B-12-219	REP 81-10-008	132B-12-330	REP 81-10-008	132F-136-050	AMD 81-12-008
132B-12-222	REP-P 81-04-005	132B-12-333	REP-P 81-04-005	132H-120-060	AMD-P 81-08-065
132B-12-222	REP 81-10-008	132B-12-333	REP 81-10-008	132H-120-060	AMD-P 81-11-012
132B-12-225	REP-P 81-04-005	132B-12-336	REP-P 81-04-005	132H-120-060	AMD-P 81-13-008
132B-12-225	REP 81-10-008	132B-12-336	REP 81-10-008	132H-120-200	AMD-P 81-03-077

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132H-160-020	REP-P	81-08-066	132M-113-015	NEW-W	81-04-026	132M-150-039	REP-P	81-10-054
132H-160-020	REP	81-11-013	132M-113-015	NEW-P	81-10-054	132M-150-042	REP-W	81-04-026
132H-160-030	REP-P	81-08-066	132M-113-020	NEW-W	81-04-026	132M-150-042	REP-P	81-10-054
132H-160-030	REP	81-11-013	132M-113-020	NEW-P	81-10-054	132M-150-045	REP-W	81-04-026
132H-160-040	AMD-P	81-08-066	132M-113-025	NEW-W	81-04-026	132M-150-045	REP-P	81-10-054
132H-160-040	AMD	81-11-013	132M-113-025	NEW-P	81-10-054	132M-150-048	REP-W	81-04-026
132H-160-040	AMD-E	81-13-004	132M-113-030	NEW-W	81-04-026	132M-150-048	REP-P	81-10-054
132H-160-050	AMD-P	81-08-066	132M-113-030	NEW-P	81-10-054	132M-150-051	REP-W	81-04-026
132H-160-050	AMD	81-11-013	132M-113-035	NEW-W	81-04-026	132M-150-051	REP-P	81-10-054
132H-160-050	AMD-E	81-13-004	132M-113-035	NEW-P	81-10-054	132M-150-054	REP-W	81-04-026
132H-160-110	REP-P	81-08-066	132M-113-040	NEW-W	81-04-026	132M-150-054	REP-P	81-10-054
132H-160-110	REP	81-11-013	132M-113-040	NEW-P	81-10-054	132M-150-057	REP-W	81-04-026
132H-160-130	REP-P	81-08-066	132M-113-045	NEW-W	81-04-026	132M-150-057	REP-P	81-10-054
132H-160-130	REP	81-11-013	132M-113-045	NEW-P	81-10-054	132M-150-060	REP-W	81-04-026
132H-160-160	REP-P	81-08-066	132M-113-050	NEW-W	81-04-026	132M-150-060	REP-P	81-10-054
132H-160-160	REP	81-11-013	132M-115-010	NEW-W	81-04-026	132M-150-063	REP-W	81-04-026
132H-160-250	AMD-P	81-08-066	132M-115-010	NEW-P	81-10-054	132M-150-063	REP-P	81-10-054
132H-160-250	AMD	81-11-013	132M-115-020	NEW-W	81-04-026	132M-160-015	NEW-W	81-04-026
132H-160-260	AMD-P	81-08-066	132M-115-020	NEW-P	81-10-054	132M-160-020	REP-W	81-04-026
132H-160-260	AMD	81-11-013	132M-115-030	NEW-W	81-04-026	132M-160-020	REP-P	81-10-054
132H-160-310	AMD-P	81-08-066	132M-115-030	NEW-P	81-10-054	132M-160-030	REP-W	81-04-026
132H-160-310	AMD	81-11-013	132M-115-040	NEW-W	81-04-026	132M-160-030	REP-P	81-10-054
132H-160-310	AMD-P	81-08-066	132M-115-040	NEW-P	81-10-054	132M-160-040	NEW-W	81-04-026
132H-160-430	AMD-P	81-08-066	132M-116-010	AMD-W	81-04-026	132M-168-010	REP-W	81-04-026
132H-160-430	AMD	81-11-013	132M-116-010	AMD-P	81-10-054	132M-168-010	REP-P	81-10-054
132H-160-480	REP-P	81-08-066	132M-116-010	AMD-W	81-04-026	132M-168-020	REP-W	81-04-026
132H-160-480	REP	81-11-013	132M-120-060	AMD-W	81-04-026	132M-168-020	REP-P	81-10-054
132J-116-040	AMD-P	81-09-062	132M-120-060	REP-P	81-10-054	132M-168-030	REP-W	81-04-026
132J-116-050	AMD-P	81-09-062	132M-120-070	AMD-W	81-04-026	132M-168-030	REP-P	81-10-054
132J-116-060	AMD-P	81-09-062	132M-120-070	AMD-P	81-10-054	132M-168-040	REP-W	81-04-026
132J-116-220	AMD-P	81-09-062	132M-120-075	NEW-W	81-04-026	132M-168-040	REP-P	81-10-054
132K-20-070	AMD-P	81-03-023	132M-120-090	AMD-W	81-04-026	132M-168-050	REP-W	81-04-026
132K-20-070	AMD	81-07-025	132M-120-090	REP-P	81-10-054	132M-168-050	REP-P	81-10-054
132K-28-010	REP-P	81-06-029	132M-136-010	REP-W	81-04-026	132P-33-010	NEW-P	81-12-031
132K-28-010	REP	81-09-028	132M-136-010	REP-P	81-10-054	132P-33-020	NEW-P	81-12-031
132K-112-200	REP-P	81-03-022	132M-136-020	AMD-W	81-04-026	132P-33-030	NEW-P	81-12-031
132K-112-200	REP-P	81-07-024	132M-136-020	AMD-P	81-10-054	132P-33-040	NEW-P	81-12-031
132K-112-200	REP	81-10-022	132M-136-030	AMD-W	81-04-026	132P-33-050	NEW-P	81-12-031
132L-26	AMD-P	81-11-024	132M-136-040	REP-W	81-04-026	132P-33-060	NEW-P	81-12-031
132L-26-010	AMD-P	81-08-041	132M-136-040	REP-P	81-10-054	132P-33-070	NEW-P	81-12-031
132L-26-010	AMD-E	81-13-020	132M-136-050	AMD-W	81-04-026	132P-33-080	NEW-P	81-12-031
132L-26-010	AMD	81-13-021	132M-136-060	AMD-W	81-04-026	132P-33-090	NEW-P	81-12-031
132L-26-030	AMD	81-03-036	132M-136-060	AMD-P	81-10-054	132P-33-100	NEW-P	81-12-031
132L-26-035	AMD	81-03-036	132M-136-070	AMD-W	81-04-026	132P-33-110	NEW-P	81-12-031
132L-26-040	AMD-P	81-08-041	132M-136-070	REP-P	81-10-054	132P-33-120	NEW-P	81-12-031
132L-26-040	AMD-E	81-13-020	132M-136-075	NEW-W	81-04-026	132P-33-130	NEW-P	81-12-031
132L-26-040	AMD	81-13-021	132M-136-090	AMD-W	81-04-026	132P-33-140	NEW-P	81-12-031
132L-26-050	AMD	81-03-036	132M-136-090	REP-P	81-10-054	132P-33-150	NEW-P	81-12-031
132L-26-050	AMD-E	81-13-020	132M-140-020	REP-W	81-04-026	132P-33-160	NEW-P	81-12-031
132L-26-050	AMD	81-13-021	132M-140-020	REP-P	81-10-054	132P-33-170	NEW-P	81-12-031
132L-26-060	AMD-P	81-08-041	132M-150-003	REP-W	81-04-026	132P-33-180	NEW-P	81-12-031
132L-26-060	AMD-E	81-13-020	132M-150-003	REP-P	81-10-054	132P-33-190	NEW-P	81-12-031
132L-26-060	AMD	81-13-021	132M-150-006	REP-W	81-04-026	132P-33-200	NEW-P	81-12-031
132L-26-075	AMD-P	81-08-041	132M-150-006	REP-P	81-10-054	132P-33-210	NEW-P	81-12-031
132L-26-075	AMD-E	81-13-020	132M-150-009	REP-W	81-04-026	132P-33-220	NEW-P	81-12-031
132L-26-075	AMD	81-13-021	132M-150-009	REP-P	81-10-054	132P-33-230	NEW-P	81-12-031
132L-26-080	AMD-E	81-13-020	132M-150-012	REP-W	81-04-026	132P-33-240	NEW-P	81-12-031
132L-26-080	AMD	81-13-021	132M-150-012	REP-P	81-10-054	132P-33-250	NEW-P	81-12-031
132L-112-200	AMD	81-03-037	132M-150-015	REP-W	81-04-026	132P-33-260	NEW-P	81-12-031
132L-112-210	AMD	81-03-037	132M-150-015	REP-P	81-10-054	132P-33-270	NEW-P	81-12-031
132L-112-280	AMD	81-03-037	132M-150-018	REP-W	81-04-026	132P-33-280	NEW-P	81-12-031
132L-128-030	AMD-P	81-09-029	132M-150-018	REP-P	81-10-054	132P-33-290	NEW-P	81-12-031
132L-128-030	AMD	81-13-019	132M-150-021	REP-W	81-04-026	132P-33-300	NEW-P	81-12-031
132L-128-060	AMD-P	81-09-029	132M-150-021	REP-P	81-10-054	132P-33-310	NEW-P	81-12-031
132L-128-060	AMD	81-13-019	132M-150-024	REP-W	81-04-026	132P-33-320	NEW-P	81-12-031
132L-128-070	AMD-P	81-09-029	132M-150-024	REP-P	81-10-054	132P-33-330	NEW-P	81-12-031
132L-128-070	AMD	81-13-019	132M-150-027	REP-W	81-04-026	132P-33-340	NEW-P	81-12-031
132M-104-010	AMD-W	81-04-026	132M-150-027	REP-P	81-10-054	132P-33-350	NEW-P	81-12-031
132M-104-010	AMD-P	81-10-054	132M-150-030	REP-W	81-04-026	132Q-04-086	NEW-P	81-13-039
132M-112-010	NEW-W	81-04-026	132M-150-030	REP-P	81-10-054	132Q-04-200	AMD-P	81-13-039
132M-112-010	NEW-P	81-10-054	132M-150-033	REP-W	81-04-026	132S-12-055	NEW-P	81-09-001
132M-112-011	NEW-W	81-04-026	132M-150-033	REP-P	81-10-054	132S-12-055	NEW	81-13-023
132M-112-011	NEW-P	81-10-054	132M-150-036	REP-W	81-04-026	132V-22-010	AMD-E	81-03-047
132M-113-010	NEW-W	81-04-026	132M-150-036	REP-P	81-10-054			

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132V-22-010	AMD-P 81-03-061	172-114-020	AMD 81-03-012	173-490-203	AMD 81-03-003
132V-22-010	AMD 81-08-002	172-114-030	AMD 81-03-012	173-511-010	NEW 81-04-028
132V-22-020	AMD-E 81-03-047	172-114-040	AMD 81-03-012	173-511-020	NEW 81-04-028
132V-22-020	AMD-P 81-03-061	172-114-050	AMD 81-03-012	173-511-030	NEW 81-04-028
132V-22-020	AMD 81-08-002	172-114-060	AMD 81-03-012	173-511-040	NEW 81-04-028
132V-22-030	AMD-E 81-03-047	172-114-070	AMD 81-03-012	173-511-050	NEW 81-04-028
132V-22-030	AMD-P 81-03-061	172-114-080	AMD 81-03-012	173-511-060	NEW 81-04-028
132V-22-030	AMD 81-08-002	172-114-090	AMD 81-03-012	173-511-070	NEW 81-04-028
132V-22-040	AMD-E 81-03-047	172-114-100	REP 81-03-012	173-511-080	NEW 81-04-028
132V-22-040	AMD-P 81-03-061	172-114-110	REP 81-03-012	173-511-090	NEW 81-04-028
132V-22-040	AMD 81-08-002	172-120-010	AMD 81-06-023	173-511-100	NEW 81-04-028
132V-22-050	AMD-E 81-03-047	172-120-020	AMD 81-06-023	173-515	NEW-P 81-09-020
132V-22-050	AMD-P 81-03-061	172-120-040	AMD 81-06-023	173-515	NEW-P 81-13-009
132V-22-050	AMD 81-08-002	172-120-050	AMD 81-06-023	174-136-130	NEW-P 81-08-032
132V-22-060	AMD-E 81-03-047	172-120-060	AMD 81-06-023	174-136-130	NEW 81-12-019
132V-22-060	AMD-P 81-03-061	172-120-070	AMD 81-06-023	174-136-140	NEW 81-12-019
132V-22-060	AMD 81-08-002	172-120-080	AMD 81-06-023	174-136-140	NEW-P 81-08-032
132V-22-100	AMD-E 81-03-047	172-120-090	AMD 81-06-023	174-162-305	NEW-P 81-10-060
132V-22-100	AMD-P 81-03-061	172-120-100	AMD 81-06-023	174-162-305	NEW-P 81-13-048
132V-22-100	AMD 81-08-002	172-120-110	AMD 81-06-023	180-08-005	NEW-P 81-13-003
132V-22-200	AMD-E 81-03-047	172-120-120	AMD 81-06-023	180-08-010	REP-P 81-13-003
132V-22-200	AMD-P 81-03-061	172-120-130	AMD 81-06-023	180-08-020	REP-P 81-13-003
132V-22-200	AMD 81-08-002	172-120-140	AMD 81-06-023	180-08-030	REP-P 81-13-003
132W-149-010	AMD-P 81-13-036	173-06-065	NEW-P 81-06-048	180-08-040	REP-P 81-13-003
132W-149-020	REP-P 81-13-036	173-06-065	NEW-E 81-06-049	180-08-050	REP-P 81-13-003
132W-149-022	REP-P 81-13-036	173-06-065	NEW 81-09-056	180-08-060	REP-P 81-13-003
132W-149-024	REP-P 81-13-036	173-14-140	AMD 81-04-027	180-08-070	REP-P 81-13-003
132W-149-026	REP-P 81-13-036	173-14-150	AMD 81-04-027	180-08-080	REP-P 81-13-003
132W-149-030	REP-P 81-13-036	173-14-155	NEW 81-04-027	180-08-090	REP-P 81-13-003
132W-149-040	REP-P 81-13-036	173-14-180	AMD 81-04-027	180-08-100	REP-P 81-13-003
132W-149-050	REP-P 81-13-036	173-14-190	REP 81-04-027	180-08-110	REP-P 81-13-003
132W-149-070	REP-P 81-13-036	173-19-120	AMD-P 81-12-055	180-08-120	REP-P 81-13-003
132W-149-080	REP-P 81-13-036	173-19-210	AMD-W 81-04-065	180-08-130	REP-P 81-13-003
132W-149-090	REP-P 81-13-036	173-19-210	AMD-P 81-09-079	180-08-140	REP-P 81-13-003
132W-149-100	REP-P 81-13-036	173-19-210	AMD 81-13-055	180-08-230	REP-P 81-13-003
132W-149-110	REP-P 81-13-036	173-19-2102	AMD-P 81-12-053	180-08-240	REP-P 81-13-003
132W-149-120	REP-P 81-13-036	173-19-2503	AMD-P 81-08-071	180-08-250	REP-P 81-13-003
132W-149-130	REP-P 81-13-036	173-19-2503	AMD 81-11-027	180-08-260	REP-P 81-13-003
139-14-010	AMD-P 81-10-030	173-19-2511	AMD-W 81-08-004	180-08-270	REP-P 81-13-003
139-24-010	REP 81-04-014	173-19-2515	AMD-W 81-08-004	180-08-280	REP-P 81-13-003
139-32-010	AMD-P 81-10-031	173-19-2515	AMD-P 81-08-071	180-08-290	REP-P 81-13-003
143-06-010	AMD-P 81-03-034	173-19-2515	AMD 81-11-028	180-08-300	REP-P 81-13-003
143-06-010	AMD 81-07-004	173-19-2521	AMD-P 81-02-050	180-08-310	REP-P 81-13-003
143-06-020	AMD-P 81-03-034	173-19-2521	AMD 81-06-051	180-08-320	REP-P 81-13-003
143-06-020	AMD 81-07-004	173-19-2521	AMD-P 81-08-071	180-08-330	REP-P 81-13-003
143-06-030	AMD-P 81-03-034	173-19-2521	AMD 81-11-029	180-08-340	REP-P 81-13-003
143-06-030	AMD 81-07-004	173-19-2604	AMD-P 81-09-080	180-08-350	REP-P 81-13-003
143-06-040	AMD-P 81-03-034	173-19-2604	AMD 81-13-015	180-08-360	REP-P 81-13-003
143-06-040	AMD 81-07-004	173-19-3506	AMD-W 81-08-004	180-08-370	REP-P 81-13-003
143-06-050	AMD-P 81-03-034	173-19-3514	AMD-P 81-03-080	180-08-380	REP-P 81-13-003
143-06-050	AMD 81-07-004	173-19-3514	AMD 81-08-005	180-08-390	REP-P 81-13-003
143-06-060	AMD-P 81-03-034	173-19-360	AMD-P 81-05-034	180-08-400	REP-P 81-13-003
143-06-060	AMD 81-07-004	173-19-360	AMD-P 81-09-019	180-08-410	REP-P 81-13-003
143-06-070	AMD-P 81-03-034	173-19-360	AMD 81-09-057	180-08-420	REP-P 81-13-003
143-06-070	AMD 81-07-004	173-19-370	AMD-W 81-08-004	180-08-430	REP-P 81-13-003
143-06-080	AMD-P 81-03-034	173-19-3701	AMD-P 81-09-081	180-08-440	REP-P 81-13-003
143-06-080	AMD 81-07-004	173-19-3701	AMD-P 81-13-014	180-08-450	REP-P 81-13-003
143-06-090	AMD-P 81-03-034	173-19-3707	NEW-P 81-12-054	180-08-460	REP-P 81-13-003
143-06-090	AMD 81-07-004	173-19-400	AMD-P 81-02-050	180-08-470	REP-P 81-13-003
143-06-100	AMD-P 81-03-034	173-19-400	AMD 81-06-052	180-08-480	REP-P 81-13-003
143-06-100	AMD 81-07-004	173-19-430	AMD-P 81-08-070	180-08-490	REP-P 81-13-003
143-06-110	AMD-P 81-03-034	173-19-430	AMD 81-12-003	180-08-500	REP-P 81-13-003
143-06-110	AMD 81-07-004	173-19-4402	AMD-P 81-12-053	180-08-510	REP-P 81-13-003
143-06-120	AMD-P 81-03-034	173-19-470	AMD-P 81-02-051	180-08-520	REP-P 81-13-003
143-06-120	AMD 81-07-004	173-19-470	AMD 81-06-050	180-08-530	REP-P 81-13-003
143-06-130	AMD-P 81-03-034	173-20-380	AMD-P 81-09-078	180-08-540	REP-P 81-13-003
143-06-130	AMD 81-07-004	173-20-380	AMD 81-13-013	180-08-550	REP-P 81-13-003
143-06-140	AMD-P 81-03-034	173-22-060	AMD-P 81-09-077	180-08-560	REP-P 81-13-003
143-06-140	AMD 81-07-004	173-22-060	AMD 81-13-034	180-08-570	REP-P 81-13-003
143-06-150	AMD-P 81-03-034	173-164-050	AMD-P 81-04-067	180-08-580	REP-P 81-13-003
143-06-150	AMD 81-07-004	173-164-050	AMD 81-07-037	180-08-590	REP-P 81-13-003
143-06-990	AMD-P 81-03-034	173-400-110	AMD 81-03-002	180-16-220	AMD-P 81-04-046
143-06-990	AMD 81-07-004	173-490-020	AMD 81-03-003	180-16-220	AMD 81-08-026
172-114-010	AMD 81-03-012	173-490-040	AMD 81-03-003	180-44-030	REP-P 81-08-049

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180-44-030	REP	81-12-022	180-56-315	REP	81-08-028	204-10-030	NEW-P	81-13-001
180-46-015	AMD-P	81-08-050	180-56-320	REP-P	81-04-045	204-10-040	NEW-P	81-13-001
180-46-015	AMD	81-12-023	180-56-320	REP	81-08-028	204-10-050	NEW-P	81-13-001
180-46-030	AMD-P	81-08-050	180-56-325	REP-P	81-04-045	204-10-060	NEW-P	81-13-001
180-46-030	AMD	81-12-023	180-56-325	REP	81-08-028	204-10-070	NEW-P	81-13-001
180-46-045	AMD-P	81-08-050	180-56-330	REP-P	81-04-045	204-10-080	NEW-P	81-13-001
180-46-045	AMD	81-12-023	180-56-330	REP	81-08-028	204-10-090	NEW-P	81-13-001
180-46-060	REP-P	81-08-050	180-56-335	REP-P	81-04-045	204-10-100	NEW-P	81-13-001
180-46-060	REP	81-12-023	180-56-335	REP	81-08-028	204-10-110	NEW-P	81-13-001
180-46-065	NEW-P	81-08-050	180-56-340	REP-P	81-04-045	204-10-120	NEW-P	81-13-001
180-46-065	NEW	81-12-023	180-56-340	REP	81-08-028	204-10-130	NEW-P	81-13-001
180-55-005	NEW-P	81-04-044	180-56-345	REP-P	81-04-045	204-10-140	NEW-P	81-13-001
180-55-005	NEW	81-08-027	180-56-345	REP	81-08-028	204-10-150	NEW-P	81-13-001
180-55-010	NEW-P	81-04-044	180-56-350	REP-P	81-04-045	204-12-001	REP-P	81-13-001
180-55-010	NEW	81-08-027	180-56-350	REP	81-08-028	204-12-010	REP-P	81-13-001
180-55-015	NEW-P	81-04-044	180-56-355	REP-P	81-04-045	204-12-020	REP-P	81-13-001
180-55-015	NEW	81-08-027	180-56-355	REP	81-08-028	204-12-030	REP-P	81-13-001
180-55-020	NEW-P	81-04-044	180-56-360	REP-P	81-04-045	204-12-040	REP-P	81-13-001
180-55-020	NEW	81-08-027	180-56-360	REP	81-08-028	204-12-050	REP-P	81-13-001
180-55-025	NEW-P	81-04-044	180-56-365	REP-P	81-04-045	204-12-060	REP-P	81-13-001
180-55-025	NEW	81-08-027	180-56-365	REP	81-08-028	204-16-001	REP-P	81-13-001
180-55-030	NEW-P	81-04-044	180-56-370	REP-P	81-04-045	204-16-010	REP-P	81-13-001
180-55-030	NEW	81-08-027	180-56-370	REP	81-08-028	204-16-020	REP-P	81-13-001
180-55-035	NEW-P	81-04-044	180-56-375	REP-P	81-04-045	204-16-030	REP-P	81-13-001
180-55-035	NEW	81-08-027	180-56-375	REP	81-08-028	204-16-040	REP-P	81-13-001
180-55-040	NEW-P	81-04-044	180-56-380	REP-P	81-04-045	204-16-050	REP-P	81-13-001
180-55-040	NEW	81-08-027	180-56-380	REP	81-08-028	204-16-060	REP-P	81-13-001
180-55-045	NEW-P	81-04-044	180-75-070	AMD-P	81-08-051	204-20-010	REP-P	81-13-001
180-55-045	NEW	81-08-027	180-78-025	AMD-P	81-08-052	204-20-020	REP-P	81-13-001
180-55-050	NEW-P	81-04-044	180-78-025	AMD	81-12-024	204-20-030	REP-P	81-13-001
180-55-050	NEW	81-08-027	180-78-027	NEW-P	81-08-052	204-20-040	REP-P	81-13-001
180-55-055	NEW-P	81-04-044	180-78-027	NEW	81-12-024	204-20-050	REP-P	81-13-001
180-55-055	NEW	81-08-027	180-78-050	AMD-P	81-08-052	204-20-060	REP-P	81-13-001
180-55-060	NEW-P	81-04-044	180-78-050	AMD	81-12-024	204-20-070	REP-P	81-13-001
180-55-060	NEW	81-08-027	180-78-057	NEW-P	81-08-052	204-20-080	REP-P	81-13-001
180-55-065	NEW-P	81-04-044	180-78-057	NEW	81-12-024	204-20-090	REP-P	81-13-001
180-55-065	NEW	81-08-027	180-79-065	AMD-P	81-08-053	204-20-100	REP-P	81-13-001
180-55-070	NEW-P	81-04-044	180-79-065	AMD	81-12-025	204-20-110	REP-P	81-13-001
180-55-070	NEW	81-08-027	180-79-120	AMD-P	81-08-053	204-20-120	REP-P	81-13-001
180-55-075	NEW-P	81-04-044	180-79-120	AMD	81-12-025	204-20-130	REP-P	81-13-001
180-55-075	NEW	81-08-027	180-79-125	AMD-P	81-08-053	204-20-140	REP-P	81-13-001
180-55-080	NEW-P	81-04-044	180-79-125	AMD	81-12-025	204-20-150	REP-P	81-13-001
180-55-080	NEW	81-08-027	180-79-150	AMD-P	81-08-053	204-22-010	NEW-P	81-13-001
180-55-085	NEW-P	81-04-044	180-79-150	AMD	81-12-025	204-22-020	NEW-P	81-13-001
180-55-085	NEW	81-08-027	180-79-230	AMD-P	81-08-053	204-22-030	NEW-P	81-13-001
180-55-090	NEW-P	81-04-044	180-79-230	AMD	81-12-025	204-22-040	NEW-P	81-13-001
180-55-090	NEW	81-08-027	180-79-245	AMD-P	81-08-053	204-22-050	NEW-P	81-13-001
180-55-095	NEW-P	81-04-044	180-79-245	AMD	81-12-025	204-24	AMD-P	81-10-001
180-55-095	NEW	81-08-027	182-08-111	AMD	81-03-014	204-24-020	REP-P	81-13-001
180-55-100	NEW-P	81-04-044	182-08-300	NEW	81-03-014	204-24-050	AMD-E	81-06-036
180-55-100	NEW	81-08-027	192-16-030	NEW-E	81-09-067	204-24-050	AMD	81-10-038
180-55-105	NEW-P	81-04-044	192-16-030	NEW-P	81-10-065	204-24-070	REP-P	81-13-001
180-55-105	NEW	81-08-027	192-16-030	NEW	81-13-016	204-36-060	AMD	81-04-043
180-55-110	NEW-P	81-04-044	192-16-033	NEW-E	81-09-067	204-38	AMD-P	81-10-001
180-55-110	NEW	81-08-027	192-16-033	NEW-P	81-10-065	204-38-030	AMD-E	81-04-039
180-55-115	NEW-P	81-04-044	192-16-033	NEW	81-13-016	204-38-030	AMD-P	81-04-041
180-55-115	NEW	81-08-027	192-16-036	NEW-E	81-09-067	204-38-030	AMD	81-10-038
180-55-120	NEW-P	81-04-044	192-16-036	NEW-P	81-10-065	204-38-040	AMD-E	81-04-039
180-55-120	NEW	81-08-027	192-16-036	NEW	81-13-016	204-38-040	AMD-P	81-04-041
180-55-125	NEW-P	81-04-044	192-16-040	NEW-E	81-09-067	204-38-040	AMD	81-10-038
180-55-125	NEW	81-08-027	192-16-040	NEW-P	81-10-065	204-38-050	AMD-E	81-04-039
180-55-130	NEW-P	81-04-044	192-16-040	NEW	81-13-016	204-38-050	AMD-P	81-04-041
180-55-130	NEW	81-08-027	192-16-042	NEW-E	81-09-067	204-38-050	AMD	81-10-038
180-55-135	NEW-P	81-04-044	192-16-042	NEW-P	81-10-065	204-39-010	NEW-P	81-12-044
180-55-135	NEW	81-08-027	192-16-042	NEW	81-13-016	204-39-020	NEW-P	81-12-044
180-56-305	REP-P	81-04-045	192-16-045	NEW-E	81-09-067	204-39-030	NEW-P	81-12-044
180-56-305	REP	81-08-028	192-16-045	NEW-P	81-10-065	204-39-040	NEW-P	81-12-044
180-56-306	REP-P	81-04-045	192-16-045	NEW	81-13-016	204-39-050	NEW-P	81-12-044
180-56-306	REP	81-08-028	192-16-047	NEW-E	81-09-067	204-62-020	AMD-P	81-13-001
180-56-307	REP-P	81-04-045	192-16-047	NEW-P	81-10-065	204-62-040	NEW-P	81-13-001
180-56-307	REP	81-08-028	192-16-047	NEW	81-13-016	204-62-050	NEW-P	81-13-001
180-56-310	REP-P	81-04-045	204-08-100	AMD-P	81-13-001	204-62-060	NEW-P	81-13-001
180-56-310	REP	81-08-028	204-10-010	NEW-P	81-13-001	204-66	AMD-P	81-10-001
180-56-315	REP-P	81-04-045	204-10-020	NEW-P	81-13-001	204-66-180	AMD-P	81-04-040

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204-66-180	AMD 81-10-038	212-54-060	NEW-P 81-03-051	212-58-020	REP-P 81-03-051
204-78-010	NEW-P 81-13-001	212-54-065	NEW-P 81-03-051	212-58-025	REP-P 81-03-051
204-78-020	NEW-P 81-13-001	212-54-070	NEW-P 81-03-051	212-58-030	REP-P 81-03-051
204-78-030	NEW-P 81-13-001	212-54-075	NEW-P 81-03-051	212-58-035	REP-P 81-03-051
204-78-040	NEW-P 81-13-001	212-54-080	NEW-P 81-03-051	212-58-040	REP-P 81-03-051
204-78-050	NEW-P 81-13-001	212-54-085	NEW-P 81-03-051	212-58-045	REP-P 81-03-051
204-80-010	NEW-P 81-13-001	212-54-090	NEW-P 81-03-051	212-58-050	REP-P 81-03-051
204-80-020	NEW-P 81-13-001	212-54-095	NEW-P 81-03-051	212-58-055	REP-P 81-03-051
204-80-030	NEW-P 81-13-001	212-54-100	NEW-P 81-03-051	212-58-060	REP-P 81-03-051
204-80-040	NEW-P 81-13-001	212-55	NEW-P 81-06-022	212-58-065	REP-P 81-03-051
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204-84-020	NEW-P 81-13-001	212-55-001	NEW-P 81-03-051	212-59	REP-P 81-08-017
204-84-030	NEW-P 81-13-001	212-55-005	NEW-P 81-03-051	212-59	REP-P 81-11-034
204-84-040	NEW-P 81-13-001	212-55-010	NEW-P 81-03-051	212-59-001	REP-P 81-03-051
204-84-050	NEW-P 81-13-001	212-55-015	NEW-P 81-03-051	212-59-005	REP-P 81-03-051
204-84-060	NEW-P 81-13-001	212-55-020	NEW-P 81-03-051	212-59-010	REP-P 81-03-051
204-84-070	NEW-P 81-13-001	212-55-025	NEW-P 81-03-051	212-59-015	REP-P 81-03-051
204-84-080	NEW-P 81-13-001	212-55-030	NEW-P 81-03-051	212-59-020	REP-P 81-03-051
204-84-090	NEW-P 81-13-001	212-55-035	NEW-P 81-03-051	212-59-025	REP-P 81-03-051
204-84-100	NEW-P 81-13-001	212-55-040	NEW-P 81-03-051	212-59-030	REP-P 81-03-051
212-10-010	NEW 81-04-058	212-55-045	NEW-P 81-03-051	212-59-035	REP-P 81-03-051
212-10-015	NEW 81-04-058	212-55-050	NEW-P 81-03-051	212-59-040	REP-P 81-03-051
212-10-020	NEW 81-04-058	212-55-055	NEW-P 81-03-051	212-59-045	REP-P 81-03-051
212-10-025	NEW 81-04-058	212-55-060	NEW-P 81-03-051	212-59-050	REP-P 81-03-051
212-10-030	NEW 81-04-058	212-55-065	NEW-P 81-03-051	212-59-055	REP-P 81-03-051
212-10-035	NEW 81-04-058	212-55-070	NEW-P 81-03-051	212-59-060	REP-P 81-03-051
212-10-040	NEW 81-04-058	212-55-075	NEW-P 81-03-051	212-59-065	REP-P 81-03-051
212-10-045	NEW 81-04-058	212-55-080	NEW-P 81-03-051	212-60	REP-P 81-06-022
212-10-050	NEW 81-04-058	212-55-085	NEW-P 81-03-051	212-60	REP-P 81-08-017
212-10-055	NEW 81-04-058	212-55-090	NEW-P 81-03-051	212-60	REP-P 81-11-034
212-10-060	NEW 81-04-058	212-55-095	NEW-P 81-03-051	212-60-001	REP-P 81-03-051
212-52-001	AMD 81-03-081	212-56	REP-P 81-06-022	212-60-005	REP-P 81-03-051
212-52-005	AMD 81-03-081	212-56	REP-P 81-08-017	212-60-010	REP-P 81-03-051
212-52-010	REP 81-03-081	212-56	REP-P 81-11-033	212-60-015	REP-P 81-03-051
212-52-012	NEW 81-03-081	212-56-001	REP-P 81-03-051	212-60-020	REP-P 81-03-051
212-52-015	REP 81-03-081	212-56-005	REP-P 81-03-051	212-60-025	REP-P 81-03-051
212-52-020	AMD 81-03-081	212-56-010	REP-P 81-03-051	212-60-030	REP-P 81-03-051
212-52-025	AMD 81-03-081	212-56-015	REP-P 81-03-051	212-60-035	REP-P 81-03-051
212-52-027	NEW 81-03-081	212-56-020	REP-P 81-03-051	212-60-040	REP-P 81-03-051
212-52-035	REP 81-03-081	212-56-025	REP-P 81-03-051	212-60-045	REP-P 81-03-051
212-52-037	NEW 81-03-081	212-56-030	REP-P 81-03-051	212-60-050	REP-P 81-03-051
212-52-040	AMD 81-03-081	212-56-035	REP-P 81-03-051	212-60-055	REP-P 81-03-051
212-52-045	AMD 81-03-081	212-56-040	REP-P 81-03-051	212-60-060	REP-P 81-03-051
212-52-050	AMD 81-03-081	212-56-045	REP-P 81-03-051	212-60-065	REP-P 81-03-051
212-52-055	AMD 81-03-081	212-56-050	REP-P 81-03-051	212-60-070	REP-P 81-03-051
212-52-060	AMD 81-03-081	212-56-055	REP-P 81-03-051	212-61	REP-P 81-06-022
212-52-065	AMD 81-03-081	212-56-060	REP-P 81-03-051	212-61	REP-P 81-08-017
212-52-070	AMD 81-03-081	212-56-065	REP-P 81-03-051	212-61	REP-P 81-11-034
212-52-075	AMD 81-03-081	212-57	REP-P 81-06-022	212-61-001	REP-P 81-03-051
212-52-080	AMD 81-03-081	212-57	REP-P 81-08-017	212-61-005	REP-P 81-03-051
212-52-090	AMD 81-03-081	212-57	REP-P 81-11-033	212-61-010	REP-P 81-03-051
212-52-095	AMD 81-03-081	212-57-001	REP-P 81-03-051	212-61-015	REP-P 81-03-051
212-52-100	AMD 81-03-081	212-57-005	REP-P 81-03-051	212-61-020	REP-P 81-03-051
212-52-105	AMD 81-03-081	212-57-010	REP-P 81-03-051	212-61-025	REP-P 81-03-051
212-52-110	AMD 81-03-081	212-57-015	REP-P 81-03-051	212-61-030	REP-P 81-03-051
212-52-115	AMD 81-03-081	212-57-020	REP-P 81-03-051	212-61-035	REP-P 81-03-051
212-52-120	AMD 81-03-081	212-57-025	REP-P 81-03-051	212-61-040	REP-P 81-03-051
212-52-125	AMD 81-03-081	212-57-030	REP-P 81-03-051	212-61-045	REP-P 81-03-051
212-54	NEW-P 81-06-022	212-57-035	REP-P 81-03-051	212-61-050	REP-P 81-03-051
212-54	NEW-P 81-08-017	212-57-040	REP-P 81-03-051	212-61-055	REP-P 81-03-051
212-54	NEW-P 81-11-034	212-57-045	REP-P 81-03-051	212-61-060	REP-P 81-03-051
212-54-001	NEW-P 81-03-051	212-57-050	REP-P 81-03-051	212-61-065	REP-P 81-03-051
212-54-005	NEW-P 81-03-051	212-57-055	REP-P 81-03-051	212-62	REP-P 81-06-022
212-54-010	NEW-P 81-03-051	212-57-060	REP-P 81-03-051	212-62	REP-P 81-08-017
212-54-015	NEW-P 81-03-051	212-57-065	REP-P 81-03-051	212-62	REP-P 81-11-034
212-54-020	NEW-P 81-03-051	212-57-070	REP-P 81-03-051	212-62-001	REP-P 81-03-051
212-54-025	NEW-P 81-03-051	212-58	REP-P 81-06-022	212-62-005	REP-P 81-03-051
212-54-030	NEW-P 81-03-051	212-58	REP-P 81-08-017	212-62-010	REP-P 81-03-051
212-54-035	NEW-P 81-03-051	212-58	REP-P 81-11-033	212-62-015	REP-P 81-03-051
212-54-040	NEW-P 81-03-051	212-58-001	REP-P 81-03-051	212-62-020	REP-P 81-03-051
212-54-045	NEW-P 81-03-051	212-58-005	REP-P 81-03-051	212-62-025	REP-P 81-03-051
212-54-050	NEW-P 81-03-051	212-58-010	REP-P 81-03-051	212-62-030	REP-P 81-03-051
212-54-055	NEW-P 81-03-051	212-58-015	REP-P 81-03-051	212-62-035	REP-P 81-03-051

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-62-040	REP-P	81-03-051	220-20-010	AMD	81-02-053	220-32-03600H	NEW-E	81-06-019
212-62-045	REP-P	81-03-051	220-20-01000E	NEW-E	81-13-018	220-32-04000K	NEW-E	81-03-044
212-62-050	REP-P	81-03-051	220-20-012	AMD	81-02-053	220-32-04100D	NEW-E	81-11-065
212-62-055	REP-P	81-03-051	220-22-020	AMD-P	81-09-082	220-32-04200D	NEW-E	81-03-043
212-62-060	REP-P	81-03-051	220-22-020	AMD	81-13-005	220-32-05100Q	NEW-E	81-04-003
212-62-065	REP-P	81-03-051	220-22-030	AMD-P	81-12-038	220-32-05500C	NEW-E	81-10-007
212-62-070	REP-P	81-03-051	220-24-01000E	NEW-E	81-13-012	220-32-05500D	NEW-E	81-13-017
212-63	REP-P	81-06-022	220-24-02000H	NEW-E	81-13-012	220-32-05700I	NEW-E	81-03-044
212-63	REP-P	81-08-017	220-28-002FOA	NEW-E	81-06-028	220-32-05900A	NEW-E	81-09-007
212-63	REP-P	81-11-033	220-28-002FOB	NEW-E	81-11-063	220-36-021	AMD-P	81-09-082
212-63-001	REP-P	81-03-051	220-28-00400L	NEW-E	81-02-052	220-36-021	AMD	81-13-005
212-63-005	REP-P	81-03-051	220-28-00400M	NEW-E	81-09-006	220-36-022	AMD-P	81-09-082
212-63-010	REP-P	81-03-051	220-28-00400M	REP-E	81-09-035	220-36-022	AMD	81-13-005
212-63-015	REP-P	81-03-051	220-28-00400N	NEW-E	81-09-035	220-36-024	AMD-P	81-09-082
212-63-020	REP-P	81-03-051	220-28-00400N	REP-E	81-10-042	220-36-024	AMD	81-13-005
212-63-025	REP-P	81-03-051	220-48-00400P	NEW-E	81-10-042	220-40-021	AMD-P	81-09-082
212-63-030	REP-P	81-03-051	220-28-004B0S	NEW-E	81-09-035	220-40-021	AMD	81-13-005
212-63-035	REP-P	81-03-051	220-28-004B0S	REP-E	81-13-011	220-40-022	AMD-P	81-09-082
212-63-040	REP-P	81-03-051	220-28-004BOT	NEW-E	81-13-011	220-40-022	AMD	81-13-005
212-63-045	REP-P	81-03-051	220-28-00500W	NEW-E	81-09-035	220-40-024	AMD-P	81-09-082
212-63-050	REP-P	81-03-051	220-28-00500W	REP-E	81-13-011	220-40-024	AMD	81-13-005
212-63-055	REP-P	81-03-051	220-28-00500X	NEW-E	81-13-011	220-44-030	AMD	81-02-053
212-63-060	REP-P	81-03-051	220-28-00600U	NEW-E	81-09-035	220-44-040	AMD	81-02-053
212-63-065	REP-P	81-03-051	220-28-00600U	REP-E	81-13-011	220-47-264	AMD-P	81-12-038
212-63-070	REP-P	81-03-051	220-28-00600V	NEW-E	81-13-011	220-47-307	AMD-P	81-12-038
212-64	AMD-P	81-06-022	220-28-006A0S	NEW-E	81-09-035	220-47-311	AMD-P	81-12-038
212-64	AMD-P	81-08-017	220-28-006A0S	REP-E	81-13-011	220-47-312	AMD-P	81-12-038
212-64	AMD-P	81-11-033	220-28-006A0T	NEW-E	81-13-011	220-47-313	AMD-P	81-12-038
212-64-001	AMD-P	81-03-051	220-28-006B0U	NEW-E	81-13-011	220-47-401	AMD-P	81-12-038
212-64-005	AMD-P	81-03-051	220-28-006C0N	NEW-E	81-09-035	220-47-402	AMD-P	81-12-038
212-64-010	REP-P	81-03-051	220-28-006C0N	REP-E	81-13-011	220-47-403	AMD-P	81-12-038
212-64-015	AMD-P	81-03-051	220-28-006C0P	NEW-E	81-13-011	220-47-411	AMD-P	81-12-038
212-64-020	AMD-P	81-03-051	220-28-00700N	NEW-E	81-09-035	220-47-412	AMD-P	81-12-038
212-64-025	AMD-P	81-03-051	220-28-00700N	REP-E	81-12-007	220-47-413	AMD-P	81-12-038
212-64-030	AMD-P	81-03-051	220-28-00700P	NEW-E	81-12-007	220-47-414	AMD-P	81-12-038
212-64-033	NEW-P	81-03-051	220-28-00700P	REP-E	81-13-040	220-48-080	AMD	81-02-053
212-64-035	AMD-P	81-03-051	220-28-00700Q	NEW-E	81-13-040	220-48-0900I	NEW	81-02-053
212-64-037	NEW-P	81-03-051	220-28-007A0M	NEW-E	81-09-035	220-48-091	AMD	81-02-053
212-64-039	NEW-P	81-03-051	220-28-007A0M	REP-E	81-12-007	220-48-09100C	NEW-E	81-03-031
212-64-040	AMD-P	81-03-051	220-28-007A0N	NEW-E	81-12-007	220-48-092	AMD	81-02-053
212-64-043	NEW-P	81-03-051	220-28-007A0N	REP-E	81-13-040	220-48-096	AMD	81-02-053
212-64-045	AMD-P	81-03-051	220-28-007A0P	NEW-E	81-13-040	220-48-098	AMD	81-02-053
212-64-050	AMD-P	81-03-051	220-28-007B0S	NEW-E	81-09-035	220-48-100	AMD	81-02-053
212-64-055	AMD-P	81-03-051	220-28-007B0S	REP-E	81-12-007	220-49-02000B	REP-E	81-03-030
212-64-060	AMD-P	81-03-051	220-28-007B0T	NEW-E	81-12-007	220-49-02000C	NEW-E	81-03-030
212-64-065	AMD-P	81-03-051	220-28-007B0T	REP-E	81-13-040	220-49-02000C	REP-E	81-09-053
212-64-067	NEW-P	81-03-051	220-28-007B0U	NEW-E	81-13-040	220-49-02000D	NEW-E	81-05-023
212-64-068	NEW-P	81-03-051	220-28-007C0Y	NEW-E	81-09-035	220-49-02000D	REP-E	81-09-053
212-64-069	NEW-P	81-03-051	220-28-007D0A	NEW-E	81-09-035	220-49-02000E	NEW-E	81-09-053
212-64-070	AMD-P	81-03-051	220-28-007F0M	NEW-E	81-09-035	220-49-022	AMD	81-02-053
212-65	NEW-P	81-06-022	220-28-00800D	NEW-E	81-09-035	220-49-023	AMD	81-02-053
212-65	NEW-P	81-08-017	220-28-00800D	REP-E	81-13-011	220-52-019	AMD-P	81-07-016
212-65	NEW-P	81-11-033	220-28-00800E	NEW-E	81-13-011	220-52-019	AMD	81-11-006
212-65-001	NEW-P	81-03-051	220-28-008F0M	REP-E	81-02-037	220-52-01900F	NEW-E	81-08-006
212-65-005	NEW-P	81-03-051	220-28-008F0N	NEW-E	81-09-035	220-52-05300H	NEW-E	81-04-060
212-65-010	NEW-P	81-03-051	220-28-008F0N	REP-E	81-13-011	220-52-05300H	REP-E	81-08-031
212-65-015	NEW-P	81-03-051	220-28-008F0P	NEW-E	81-13-011	220-52-05300I	NEW-E	81-10-029
212-65-020	NEW-P	81-03-051	220-28-00900M	NEW-E	81-13-011	220-52-071	AMD-P	81-07-016
212-65-025	NEW-P	81-03-051	220-28-01000U	NEW-E	81-13-011	220-52-071	AMD	81-11-006
212-65-030	NEW-P	81-03-051	220-28-010A0S	NEW-E	81-13-011	220-52-07100A	NEW-E	81-08-006
212-65-035	NEW-P	81-03-051	220-28-010B0V	NEW-E	81-13-011	220-52-075	AMD-P	81-07-016
212-65-040	NEW-P	81-03-051	220-28-010C0R	NEW-E	81-13-011	220-52-075	AMD	81-11-006
212-65-045	NEW-P	81-03-051	220-28-010D0U	NEW-E	81-13-011	220-52-07500C	NEW-E	81-05-006
212-65-050	NEW-P	81-03-051	220-28-010G0C	NEW-E	81-13-011	220-56-105	AMD	81-05-027
212-65-055	NEW-P	81-03-051	220-28-011A0L	NEW-E	81-09-035	220-56-131	NEW	81-05-027
212-65-060	NEW-P	81-03-051	220-28-011F0L	NEW-E	81-09-035	220-56-135	AMD	81-05-027
212-65-065	NEW-P	81-03-051	220-28-011G0G	NEW-E	81-09-035	220-56-16000I	NEW-E	81-06-027
212-65-070	NEW-P	81-03-051	220-28-012F0G	NEW-E	81-02-052	220-56-18000B	NEW-E	81-11-064
212-65-075	NEW-P	81-03-051	220-28-01300U	NEW-E	81-03-035	220-56-19000D	NEW-E	81-10-041
212-65-080	NEW-P	81-03-051	220-28-013A0E	NEW-E	81-09-035	220-56-19000D	REP-E	81-11-064
212-65-085	NEW-P	81-03-051	220-28-013F0A	NEW-E	81-09-035	220-56-205	AMD	81-05-027
212-65-090	NEW-P	81-03-051	220-28-013G0H	NEW-E	81-03-035	220-56-225	AMD	81-05-027
212-65-095	NEW-P	81-03-051	220-32-02200E	NEW-E	81-03-044	220-56-285	AMD	81-05-027
212-65-100	NEW-P	81-03-051	220-32-03000B	NEW-E	81-04-003	220-56-295	AMD	81-05-027

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220-56-315	AMD	81-05-027	220-69-23401	AMD-P	81-11-014	232-12-015	REP-P	81-08-064
220-56-320	AMD	81-05-027	220-69-23402	NEW	81-03-032	232-12-015	REP	81-12-029
220-56-32500B	NEW-E	81-10-029	220-69-23501	NEW	81-03-032	232-12-017	NEW-P	81-08-064
220-56-340	AMD	81-05-027	220-69-240	AMD-P	81-07-016	232-12-017	NEW	81-12-029
220-56-350	AMD	81-05-027	220-69-240	AMD	81-11-006	232-12-019	NEW-P	81-08-064
220-56-365	AMD	81-05-027	220-69-24000C	NEW-E	81-05-006	232-12-019	NEW	81-12-029
220-56-37200A	NEW-E	81-12-011	220-69-241	AMD	81-03-032	232-12-020	REP-P	81-08-064
220-56-380	AMD	81-05-027	220-69-241	AMD-P	81-07-016	232-12-020	REP	81-12-029
220-57-137	AMD	81-05-027	220-69-241	AMD	81-11-006	232-12-021	NEW-P	81-08-064
220-57-138	NEW	81-05-027	220-69-25401	AMD-P	81-07-016	232-12-021	NEW	81-12-029
220-57-140	AMD	81-05-027	220-69-25401C	NEW-E	81-05-006	232-12-024	NEW-P	81-08-064
220-57-150	AMD	81-05-027	220-69-25402	NEW	81-03-032	232-12-024	NEW	81-12-029
220-57-155	AMD	81-05-027	220-69-25501	NEW	81-03-032	232-12-027	NEW-P	81-08-064
220-57-160	AMD	81-05-027	220-69-26402	NEW	81-03-032	232-12-027	NEW	81-12-029
220-57-16000J	NEW-E	81-10-028	220-69-265	AMD	81-03-032	232-12-030	REP-P	81-08-064
220-57-17500F	NEW-E	81-10-057	220-69-26501	NEW	81-03-032	232-12-030	REP	81-12-029
220-57-185	AMD	81-05-027	220-69-280	AMD-P	81-07-016	232-12-031	NEW-P	81-08-064
220-57-205	AMD	81-05-027	220-95-010	AMD-P	81-05-036	232-12-031	NEW	81-12-029
220-57-210	AMD	81-05-027	220-95-010	AMD	81-09-018	232-12-034	NEW-P	81-08-064
220-57-215	AMD	81-05-027	220-95-012	NEW-P	81-05-036	232-12-034	NEW	81-12-029
220-57-220	AMD	81-05-027	220-95-012	NEW	81-09-018	232-12-037	NEW-P	81-08-064
220-57-225	AMD	81-05-027	220-95-017	NEW-P	81-05-036	232-12-037	NEW	81-12-029
220-57-230	AMD	81-05-027	220-95-017	NEW	81-09-018	232-12-040	REP-P	81-08-064
220-57-235	AMD	81-05-027	224-12-090	AMD-P	81-11-037	232-12-040	REP	81-12-029
220-57-240	AMD	81-05-027	230-02-210	AMD-P	81-06-074	232-12-041	NEW-P	81-08-064
220-57-255	AMD	81-05-027	230-02-210	AMD-P	81-09-021	232-12-041	NEW	81-12-029
220-57-260	AMD	81-05-027	230-02-210	AMD	81-09-055	232-12-044	NEW-P	81-08-064
220-57-265	AMD	81-05-027	230-02-405	AMD-P	81-06-074	232-12-044	NEW	81-12-029
220-57-270	AMD	81-05-027	230-02-405	AMD-P	81-09-021	232-12-047	NEW-P	81-08-064
220-57-275	AMD	81-05-027	230-02-405	AMD	81-09-055	232-12-047	NEW	81-12-029
220-57-300	AMD	81-05-027	230-02-418	NEW-P	81-04-072	232-12-047	AMD-P	81-12-048
220-57-310	AMD	81-05-027	230-04-135	NEW-P	81-06-074	232-12-051	NEW-P	81-08-064
220-57-315	AMD	81-05-027	230-04-135	NEW-P	81-09-021	232-12-051	NEW	81-12-029
220-57-31500B	NEW-E	81-09-007	230-04-145	NEW-P	81-04-072	232-12-054	NEW-P	81-08-064
220-57-319	AMD	81-05-027	230-04-147	NEW-P	81-04-072	232-12-054	NEW	81-12-029
220-57-325	AMD	81-05-027	230-04-190	AMD	81-03-045	232-12-057	NEW-P	81-08-064
220-57-345	AMD	81-05-027	230-04-200	AMD	81-03-045	232-12-057	NEW	81-12-029
220-57-350	AMD	81-05-027	230-04-200	AMD-P	81-04-072	232-12-060	REP-P	81-08-064
220-57-370	AMD	81-05-027	230-04-200	AMD-P	81-06-074	232-12-060	REP	81-12-029
220-57-375	AMD	81-05-027	230-04-200	AMD-P	81-09-021	232-12-061	NEW-P	81-08-064
220-57-385	AMD	81-05-027	230-04-200	AMD-P	81-10-071	232-12-061	NEW	81-12-029
220-57-405	AMD	81-05-027	230-04-200	AMD	81-13-032	232-12-064	NEW-P	81-08-064
220-57-420	AMD	81-05-027	230-04-203	NEW-P	81-06-074	232-12-064	NEW	81-12-029
220-57-425	AMD	81-05-027	230-04-203	NEW-P	81-09-021	232-12-065	REP-P	81-08-064
220-57-435	AMD	81-05-027	230-04-204	NEW-P	81-06-074	232-12-065	REP	81-12-029
220-57-450	AMD	81-05-027	230-04-204	NEW-P	81-09-021	232-12-067	NEW-P	81-08-064
220-57-455	AMD	81-05-027	230-04-206	NEW-P	81-06-074	232-12-067	NEW	81-12-029
220-57-460	AMD	81-05-027	230-04-206	NEW-P	81-09-021	232-12-070	REP-P	81-08-064
220-57-465	AMD	81-05-027	230-30-015	AMD-P	81-04-072	232-12-070	REP	81-12-029
220-57-480	AMD	81-05-027	230-30-015	AMD-P	81-10-071	232-12-071	NEW-P	81-08-064
220-57-500	AMD	81-05-027	230-30-015	AMD	81-13-032	232-12-071	NEW	81-12-029
220-57-505	AMD	81-05-027	230-30-200	AMD-P	81-08-069	232-12-074	NEW-P	81-08-064
220-57-50500D	NEW-E	81-06-027	230-30-200	AMD-P	81-11-026	232-12-074	NEW	81-12-029
220-57-50500E	NEW-E	81-12-050	230-30-200	AMD	81-13-033	232-12-077	NEW-P	81-08-064
220-57-51500C	NEW-E	81-12-050	230-42-010	AMD-P	81-10-071	232-12-077	NEW	81-12-029
220-57A-005	AMD	81-05-027	230-42-010	AMD-E	81-11-025	232-12-080	REP-P	81-08-064
220-57A-010	AMD	81-05-027	230-42-010	AMD	81-13-032	232-12-080	REP	81-12-029
220-57A-012	AMD	81-05-027	230-60-015	AMD-P	81-08-069	232-12-081	NEW-P	81-08-064
220-57A-040	AMD	81-05-027	230-60-015	AMD	81-11-039	232-12-081	NEW	81-12-029
220-57A-065	AMD	81-05-027	230-60-070	AMD-P	81-08-069	232-12-084	NEW-P	81-08-064
220-57A-080	AMD	81-05-027	230-60-070	AMD	81-11-039	232-12-084	NEW	81-12-029
220-57A-090	AMD	81-05-027	232-12-001	NEW-P	81-08-064	232-12-087	NEW-P	81-08-064
220-57A-095	AMD	81-05-027	232-12-001	NEW	81-12-029	232-12-087	NEW	81-12-029
220-57A-115	AMD	81-05-027	232-12-001	AMD-P	81-12-048	232-12-090	REP-P	81-08-064
220-57A-120	AMD	81-05-027	232-12-004	NEW-P	81-08-064	232-12-090	REP	81-12-029
220-57A-135	AMD	81-05-027	232-12-004	NEW	81-12-029	232-12-091	NEW-P	81-08-064
220-57A-145	AMD	81-05-027	232-12-007	NEW-P	81-08-064	232-12-091	NEW	81-12-029
220-57A-152	AMD	81-05-027	232-12-007	NEW	81-12-029	232-12-094	NEW-P	81-08-064
220-57A-155	AMD	81-05-027	232-12-010	REP-P	81-08-064	232-12-094	NEW	81-12-029
220-57A-160	AMD	81-05-027	232-12-010	REP	81-12-029	232-12-097	NEW-P	81-08-064
220-57A-175	AMD	81-05-027	232-12-011	NEW-P	81-08-064	232-12-097	NEW	81-12-029
220-57A-180	AMD	81-05-027	232-12-011	NEW	81-12-029	232-12-100	REP-P	81-08-064
220-57A-185	AMD	81-05-027	232-12-014	NEW-P	81-08-064	232-12-100	REP	81-12-029
220-57A-190	AMD	81-05-027	232-12-014	NEW	81-12-029	232-12-101	NEW-P	81-08-064

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
232-12-101	NEW	81-12-029	232-12-187	NEW-P	81-08-064	232-12-264	NEW-P	81-08-064
232-12-104	NEW-P	81-08-064	232-12-187	NEW	81-12-029	232-12-264	NEW	81-12-029
232-12-104	NEW	81-12-029	232-12-190	REP-P	81-08-064	232-12-267	NEW-P	81-08-064
232-12-105	REP-P	81-08-064	232-12-190	REP	81-12-029	232-12-267	NEW	81-12-029
232-12-105	REP	81-12-029	232-12-191	NEW-P	81-08-064	232-12-271	NEW-P	81-08-064
232-12-107	NEW-P	81-08-064	232-12-191	NEW	81-12-029	232-12-271	NEW	81-12-029
232-12-107	NEW	81-12-029	232-12-194	NEW-P	81-08-064	232-12-274	NEW-P	81-08-064
232-12-110	REP-P	81-08-064	232-12-194	NEW	81-12-029	232-12-274	NEW	81-12-029
232-12-110	REP	81-12-029	232-12-197	NEW-P	81-08-064	232-12-277	NEW-P	81-08-064
232-12-111	NEW-P	81-08-064	232-12-197	NEW	81-12-029	232-12-277	NEW	81-12-029
232-12-111	NEW	81-12-029	232-12-200	REP-P	81-08-064	232-12-280	REP-P	81-08-064
232-12-114	NEW-P	81-08-064	232-12-200	REP	81-12-029	232-12-280	REP	81-12-029
232-12-114	NEW	81-12-029	232-12-201	REP-P	81-08-064	232-12-281	NEW-P	81-08-064
232-12-117	NEW-P	81-08-064	232-12-201	REP	81-12-029	232-12-281	NEW	81-12-029
232-12-117	NEW	81-12-029	232-12-205	REP-P	81-08-064	232-12-284	NEW-P	81-08-064
232-12-120	REP-P	81-08-064	232-12-205	REP	81-12-029	232-12-284	NEW	81-12-029
232-12-120	REP	81-12-029	232-12-207	NEW-P	81-08-064	232-12-287	NEW-P	81-08-064
232-12-121	NEW-P	81-08-064	232-12-207	NEW	81-12-029	232-12-287	NEW	81-12-029
232-12-121	NEW	81-12-029	232-12-210	REP-P	81-08-064	232-12-291	NEW-P	81-08-064
232-12-124	NEW-P	81-08-064	232-12-210	REP	81-12-029	232-12-291	NEW	81-12-029
232-12-124	NEW	81-12-029	232-12-211	REP-P	81-08-064	232-12-294	NEW-P	81-08-064
232-12-127	NEW-P	81-08-064	232-12-211	REP	81-12-029	232-12-294	NEW	81-12-029
232-12-127	NEW	81-12-029	232-12-212	REP-P	81-08-064	232-12-300	REP-P	81-08-064
232-12-130	REP-P	81-08-064	232-12-212	REP	81-12-029	232-12-300	REP	81-12-029
232-12-130	REP	81-12-029	232-12-213	REP-P	81-08-064	232-12-310	REP-P	81-08-064
232-12-131	NEW-P	81-08-064	232-12-213	REP	81-12-029	232-12-310	REP	81-12-029
232-12-131	NEW	81-12-029	232-12-214	REP-P	81-08-064	232-12-320	REP-P	81-08-064
232-12-134	NEW-P	81-08-064	232-12-214	REP	81-12-029	232-12-320	REP	81-12-029
232-12-134	NEW	81-12-029	232-12-215	REP-P	81-08-064	232-12-340	REP-P	81-08-064
232-12-135	REP-P	81-08-064	232-12-215	REP	81-12-029	232-12-340	REP	81-12-029
232-12-135	REP	81-12-029	232-12-220	REP-P	81-08-064	232-12-350	REP-P	81-08-064
232-12-137	NEW-P	81-08-064	232-12-220	REP	81-12-029	232-12-350	REP	81-12-029
232-12-137	NEW	81-12-029	232-12-221	NEW-P	81-08-064	232-12-355	REP-P	81-08-064
232-12-140	REP-P	81-08-064	232-12-221	NEW	81-12-029	232-12-355	REP	81-12-029
232-12-140	REP	81-12-029	232-12-224	NEW-P	81-08-064	232-12-360	AMD-P	81-05-031
232-12-141	NEW-P	81-08-064	232-12-224	NEW	81-12-029	232-12-360	REP-P	81-08-064
232-12-141	NEW	81-12-029	232-12-227	NEW-P	81-08-064	232-12-360	AMD-E	81-09-027
232-12-141	AMD-P	81-12-048	232-12-227	NEW	81-12-029	232-12-360	REP	81-12-029
232-12-144	NEW-P	81-08-064	232-12-230	REP-P	81-08-064	232-12-365	REP-P	81-08-064
232-12-144	NEW	81-12-029	232-12-230	REP	81-12-029	232-12-365	REP	81-12-029
232-12-147	NEW-P	81-08-064	232-12-231	REP-P	81-08-064	232-12-370	REP-P	81-08-064
232-12-147	NEW	81-12-029	232-12-231	REP	81-12-029	232-12-370	REP	81-12-029
232-12-150	REP-P	81-08-064	232-12-232	REP-P	81-08-064	232-12-373	REP-P	81-08-064
232-12-150	REP	81-12-029	232-12-232	REP	81-12-029	232-12-373	REP	81-12-029
232-12-151	NEW-P	81-08-064	232-12-233	REP-P	81-08-064	232-12-380	REP-P	81-08-064
232-12-151	NEW	81-12-029	232-12-233	REP	81-12-029	232-12-380	REP	81-12-029
232-12-154	NEW-P	81-08-064	232-12-234	REP-P	81-08-064	232-12-390	REP-P	81-08-064
232-12-154	NEW	81-12-029	232-12-234	REP	81-12-029	232-12-390	REP	81-12-029
232-12-157	NEW-P	81-08-064	232-12-235	REP-P	81-08-064	232-12-400	REP-P	81-08-064
232-12-157	NEW	81-12-029	232-12-235	REP	81-12-029	232-12-400	REP	81-12-029
232-12-160	REP-P	81-08-064	232-12-236	REP-P	81-08-064	232-12-405	REP-P	81-08-064
232-12-160	REP	81-12-029	232-12-236	REP	81-12-029	232-12-405	REP	81-12-029
232-12-161	NEW-P	81-08-064	232-12-237	REP-P	81-08-064	232-12-410	REP-P	81-08-064
232-12-161	NEW	81-12-029	232-12-237	REP	81-12-029	232-12-410	REP	81-12-029
232-12-164	NEW-P	81-08-064	232-12-238	REP-P	81-08-064	232-12-420	REP-P	81-08-064
232-12-164	NEW	81-12-029	232-12-238	REP	81-12-029	232-12-420	REP	81-12-029
232-12-167	NEW-P	81-08-064	232-12-240	REP-P	81-08-064	232-12-430	REP-P	81-08-064
232-12-167	NEW	81-12-029	232-12-240	REP	81-12-029	232-12-430	REP	81-12-029
232-12-170	REP-P	81-08-064	232-12-241	NEW-P	81-08-064	232-12-435	REP-P	81-08-064
232-12-170	REP	81-12-029	232-12-241	NEW	81-12-029	232-12-435	REP	81-12-029
232-12-171	REP-P	81-08-064	232-12-244	NEW-P	81-08-064	232-12-440	REP-P	81-08-064
232-12-171	REP	81-12-029	232-12-244	NEW	81-12-029	232-12-440	REP	81-12-029
232-12-173	REP-P	81-08-064	232-12-247	NEW-P	81-08-064	232-12-450	REP-P	81-08-064
232-12-173	REP	81-12-029	232-12-247	NEW	81-12-029	232-12-450	REP	81-12-029
232-12-174	NEW-P	81-08-064	232-12-251	NEW-P	81-08-064	232-12-460	REP-P	81-08-064
232-12-174	NEW	81-12-029	232-12-251	NEW	81-12-029	232-12-460	REP	81-12-029
232-12-177	NEW-P	81-08-064	232-12-254	NEW-P	81-08-064	232-12-470	REP-P	81-08-064
232-12-177	NEW	81-12-029	232-12-254	NEW	81-12-029	232-12-470	REP	81-12-029
232-12-180	REP-P	81-08-064	232-12-255	REP-P	81-08-064	232-12-480	REP-P	81-08-064
232-12-180	REP	81-12-029	232-12-255	REP	81-12-029	232-12-480	REP	81-12-029
232-12-181	NEW-P	81-08-064	232-12-257	NEW-P	81-08-064	232-12-490	REP-P	81-08-064
232-12-181	NEW	81-12-029	232-12-257	NEW	81-12-029	232-12-490	REP	81-12-029
232-12-184	NEW-P	81-08-064	232-12-261	NEW-P	81-08-064	232-12-500	REP-P	81-08-064
232-12-184	NEW	81-12-029	232-12-261	NEW	81-12-029	232-12-500	REP	81-12-029

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
232-12-510	REP-P	81-08-064	232-28-803	NEW-P	81-05-031	248-19-280	AMD	81-09-012
232-12-510	REP	81-12-029	232-28-803	NEW-P	81-08-064	248-19-300	AMD-E	81-05-030
232-12-520	REP-P	81-08-064	232-28-803	NEW-E	81-09-025	248-19-300	AMD	81-09-012
232-12-520	REP	81-12-029	232-28-803	NEW	81-12-004	248-19-310	AMD-E	81-05-030
232-12-530	REP-P	81-08-064	232-32-126	REP-E	81-02-021	248-19-310	AMD	81-09-012
232-12-530	REP	81-12-029	232-32-127	NEW-E	81-02-021	248-19-320	AMD-E	81-05-030
232-12-550	REP-P	81-08-064	232-32-128	NEW-E	81-03-009	248-19-320	AMD	81-09-012
232-12-550	REP	81-12-029	232-32-129	NEW-E	81-03-010	248-19-325	NEW-E	81-05-030
232-12-570	REP-P	81-08-064	232-32-130	NEW-E	81-03-033	248-19-325	NEW	81-09-012
232-12-570	REP	81-12-029	232-32-131	NEW-E	81-04-017	248-19-330	AMD-E	81-05-030
232-12-630	REP-P	81-08-064	232-32-132	NEW-E	81-04-057	248-19-330	AMD	81-09-012
232-12-630	REP	81-12-029	232-32-133	NEW-E	81-05-011	248-19-340	AMD-E	81-05-030
232-12-640	REP-P	81-08-064	236-12-430	AMD-P	81-08-015	248-19-340	AMD	81-09-012
232-12-640	REP	81-12-029	236-12-430	AMD-E	81-08-016	248-19-350	AMD-E	81-05-030
232-12-650	REP-P	81-08-064	236-12-430	AMD	81-11-001	248-19-350	AMD	81-09-012
232-12-650	REP	81-12-029	236-12-470	AMD-P	81-08-015	248-19-360	AMD-E	81-05-030
232-12-655	REP-P	81-08-064	236-12-470	AMD-E	81-08-016	248-19-360	AMD	81-09-012
232-12-655	REP	81-12-029	236-12-470	AMD	81-11-001	248-19-370	AMD-E	81-05-030
232-12-660	REP-P	81-08-064	237-990	AMD	81-09-016	248-19-370	AMD	81-09-012
232-12-660	REP	81-12-029	247-02-040	AMD-E	81-13-006	248-19-390	AMD-E	81-05-030
232-12-670	REP-P	81-08-064	247-02-050	AMD-E	81-13-006	248-19-390	AMD	81-09-012
232-12-670	REP	81-12-029	247-16-010	AMD-E	81-13-006	248-19-400	AMD-E	81-05-030
232-12-675	REP-P	81-08-064	247-16-030	AMD-E	81-13-006	248-19-400	AMD	81-09-012
232-12-675	REP	81-12-029	247-16-040	AMD-E	81-13-006	248-19-403	NEW-E	81-05-030
232-12-676	REP-P	81-08-064	247-16-060	AMD-E	81-13-006	248-19-403	NEW	81-09-012
232-12-676	REP	81-12-029	247-16-070	AMD-E	81-13-006	248-19-405	NEW-E	81-05-030
232-12-680	REP-P	81-08-064	247-16-080	REP-E	81-13-006	248-19-405	NEW	81-09-012
232-12-680	REP	81-12-029	247-16-090	NEW-E	81-13-006	248-19-410	AMD-E	81-05-030
232-12-690	REP-P	81-08-064	247-16-100	NEW-E	81-13-006	248-19-410	AMD	81-09-012
232-12-690	REP	81-12-029	248-14	AMD-P	81-03-004	248-19-415	NEW-E	81-05-030
232-12-700	REP-P	81-08-064	248-14	AMD-P	81-11-042	248-19-415	NEW	81-09-012
232-12-700	REP	81-12-029	248-14-001	AMD-P	81-08-047	248-19-420	AMD-E	81-05-030
232-12-710	REP-P	81-08-064	248-14-100	AMD-P	81-08-047	248-19-420	AMD	81-09-012
232-12-710	REP	81-12-029	248-14-110	AMD-P	81-08-047	248-19-430	AMD-E	81-05-030
232-12-816	REP-P	81-08-064	248-14-114	NEW-P	81-08-047	248-19-430	AMD	81-09-012
232-12-816	REP	81-12-029	248-14-120	AMD-P	81-08-047	248-19-440	AMD-E	81-05-030
232-16-365	REP-P	81-12-048	248-14-125	NEW-P	81-08-047	248-19-440	AMD	81-09-012
232-16-400	AMD-P	81-12-048	248-14-128	NEW-P	81-08-047	248-19-450	AMD-E	81-05-030
232-21-100	REP-P	81-05-031	248-14-130	AMD-P	81-08-047	248-19-450	AMD	81-09-012
232-21-100	REP-P	81-08-064	248-14-140	AMD-P	81-08-047	248-19-475	NEW-E	81-05-030
232-21-100	REP-E	81-09-026	248-14-150	AMD-P	81-08-047	248-19-475	NEW	81-09-012
232-21-100	REP	81-12-005	248-14-152	NEW-P	81-08-047	248-19-480	AMD-E	81-05-030
232-21-101	NEW-P	81-05-031	248-14-155	NEW-P	81-08-047	248-19-480	AMD	81-09-012
232-21-101	NEW-P	81-08-064	248-14-160	AMD-P	81-08-047	248-19-490	AMD-E	81-05-030
232-21-101	NEW-E	81-09-026	248-14-170	AMD-P	81-08-047	248-19-490	AMD	81-09-012
232-21-101	NEW	81-12-005	248-14-180	AMD-P	81-08-047	248-19-500	AMD-E	81-05-030
232-28-001	REP-P	81-05-031	248-14-200	AMD-P	81-08-047	248-19-500	AMD	81-09-012
232-28-100	REP-P	81-05-031	248-14-285	AMD	81-03-005	248-22-060	REP-P	81-04-012
232-28-103	REP-P	81-12-048	248-18	AMD-P	81-03-038	248-22-060	REP	81-07-035
232-28-104	NEW-P	81-12-048	248-18-001	AMD	81-05-029	248-22-070	REP-P	81-04-012
232-28-200	REP-P	81-05-031	248-18-010	AMD	81-05-029	248-22-070	REP	81-07-035
232-28-203	REP-P	81-08-064	248-18-500	AMD	81-05-029	248-22-080	REP-P	81-04-012
232-28-204	NEW-P	81-08-064	248-18-505	AMD	81-05-029	248-22-080	REP	81-07-035
232-28-20401	NEW-P	81-12-048	248-18-510	AMD	81-05-029	248-22-090	REP-P	81-04-012
232-28-300	REP-P	81-05-031	248-18-515	AMD	81-05-029	248-22-090	REP	81-07-035
232-28-303	REP-P	81-08-064	248-19	AMD-P	81-03-039	248-96-020	AMD-P	81-02-042
232-28-304	NEW-P	81-08-064	248-19	AMD-P	81-04-013	248-96-020	AMD	81-05-028
232-28-400	REP-P	81-05-031	248-19-200	AMD-E	81-05-030	248-100-295	AMD-P	81-08-003
232-28-500	REP-P	81-05-031	248-19-200	AMD	81-09-012	248-100-295	AMD	81-11-061
232-28-503	REP-P	81-12-048	248-19-210	AMD-E	81-05-030	248-152-035	NEW-P	81-12-041
232-28-504	NEW-P	81-12-048	248-19-210	AMD	81-09-012	248-156-010	NEW-P	81-06-007
232-28-600	REP-P	81-05-031	248-19-220	AMD-E	81-05-030	248-156-010	NEW	81-09-060
232-28-60301	NEW-E	81-08-011	248-19-220	AMD	81-09-012	248-156-020	NEW-P	81-06-007
232-28-60302	NEW-E	81-09-066	248-19-230	AMD-E	81-05-030	248-156-020	NEW	81-09-060
232-28-60303	NEW-E	81-11-059	248-19-230	AMD	81-09-012	248-156-030	NEW-P	81-06-007
232-28-60304	NEW-P	81-12-048	248-19-240	AMD-E	81-05-030	248-156-030	NEW	81-09-060
232-28-60305	NEW-P	81-12-048	248-19-240	AMD	81-09-012	250-20-001	AMD-P	81-10-069
232-28-60306	NEW-P	81-12-048	248-19-250	AMD-E	81-05-030	250-20-001	AMD	81-13-038
232-28-702	REP	81-04-018	248-19-250	AMD	81-09-012	250-20-021	AMD-P	81-10-069
232-28-703	NEW	81-04-018	248-19-260	AMD-E	81-05-030	250-20-021	AMD	81-13-038
232-28-802	REP-P	81-05-031	248-19-260	AMD	81-09-012	250-40-030	AMD-P	81-10-070
232-28-802	REP-P	81-08-064	248-19-270	AMD-E	81-05-030	250-40-030	AMD	81-13-037
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250-44-180	AMD-E 81-09-032	251-20-010	AMD-P 81-09-023	275-16-010	AMD-E 81-04-032
250-44-200	AMD-E 81-09-032	251-20-030	AMD-P 81-09-023	275-16-010	AMD-P 81-04-038
250-44-210	AMD-E 81-09-032	251-20-040	AMD-P 81-09-023	275-16-010	AMD 81-08-020
250-55-020	AMD-P 81-09-068	251-20-050	AMD-P 81-09-023	275-16-015	NEW-E 81-04-032
250-55-020	AMD 81-13-041	251-20-060	AMD-P 81-09-023	275-16-015	NEW-P 81-04-038
250-55-030	AMD-P 81-09-068	251-22-240	AMD-P 81-04-023	275-16-015	NEW 81-08-020
250-55-030	AMD 81-13-041	251-22-240	AMD 81-07-002	275-16-035	NEW-E 81-04-032
250-55-040	AMD-P 81-09-068	260-12-010	AMD-P 81-07-020	275-16-035	NEW-P 81-04-038
250-55-040	AMD 81-13-041	260-12-010	AMD 81-08-013	275-16-035	NEW 81-08-020
250-55-050	AMD-P 81-09-068	260-12-010	AMD-P 81-11-049	275-16-040	REP-E 81-04-032
250-55-050	AMD 81-13-041	260-12-140	AMD-P 81-07-020	275-16-040	REP-P 81-04-038
250-55-070	AMD-P 81-09-068	260-12-140	AMD 81-08-013	275-16-040	REP 81-08-020
250-55-070	AMD 81-13-041	260-20-075	NEW-P 81-07-020	275-16-055	NEW-E 81-04-032
250-55-100	AMD-P 81-09-068	260-20-075	NEW 81-08-013	275-16-055	NEW-P 81-04-038
250-55-100	AMD 81-13-041	260-20-170	AMD-E 81-08-030	275-16-055	NEW 81-08-020
250-55-110	AMD-P 81-09-068	260-20-170	AMD-P 81-11-048	275-16-065	NEW-E 81-04-032
250-55-110	AMD 81-13-041	260-24-280	AMD-P 81-07-020	275-16-065	NEW-P 81-04-038
250-55-120	AMD-P 81-09-068	260-24-280	AMD 81-08-013	275-16-065	NEW 81-08-020
250-55-120	AMD 81-13-041	260-32-040	AMD-P 81-07-021	275-16-075	NEW-E 81-04-032
250-55-150	AMD-P 81-09-068	260-32-040	AMD-W 81-08-024	275-16-075	NEW-P 81-04-038
250-55-150	AMD 81-13-041	260-36-040	AMD-P 81-07-020	275-16-075	NEW 81-08-020
250-55-160	AMD-P 81-09-068	260-36-040	AMD-W 81-08-024	275-16-085	NEW-E 81-04-032
250-55-160	AMD 81-13-041	260-36-110	AMD-P 81-11-049	275-16-085	NEW-P 81-04-038
250-55-220	AMD-P 81-09-068	260-36-180	NEW-P 81-07-020	275-16-085	NEW 81-08-020
250-55-220	AMD 81-13-041	260-36-180	NEW-P 81-08-012	275-16-095	NEW-E 81-04-032
251-04-020	AMD-P 81-04-051	260-36-180	NEW 81-09-075	275-16-095	NEW-P 81-04-038
251-04-020	AMD-P 81-10-009	260-40-120	AMD-P 81-07-020	275-16-095	NEW 81-08-020
251-04-020	AMD-P 81-12-032	260-40-120	AMD-P 81-08-012	275-16-105	NEW-E 81-04-032
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251-10-055	AMD-P 81-10-009	260-48-110	AMD-P 81-07-020	275-20-030	AMD-P 81-02-023
251-10-055	AMD-P 81-12-032	260-48-110	AMD-E 81-08-030	275-20-030	AMD 81-06-004
251-10-110	AMD-P 81-04-051	260-48-110	AMD-P 81-11-048	275-27-630	AMD-P 81-11-043
251-10-110	AMD-P 81-10-009	260-48-305	NEW-P 81-11-049	275-27-630	AMD-E 81-11-047
251-10-110	AMD-P 81-12-032	260-48-326	NEW-E 81-08-030	275-92-407	NEW 81-05-001
251-10-112	NEW-P 81-04-051	260-48-326	NEW-P 81-11-048	275-93-040	AMD 81-03-076
251-10-112	NEW-P 81-10-009	260-52-010	AMD-P 81-07-020	275-110-020	AMD-E 81-09-047
251-10-112	NEW-P 81-12-032	260-52-010	AMD 81-08-013	275-110-020	AMD-P 81-09-048
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251-10-113	NEW-P 81-10-009	260-52-040	AMD 81-08-013	275-110-020	AMD-P 81-12-035
251-10-113	NEW-P 81-12-032	260-60-050	AMD-P 81-07-020	275-110-040	AMD-E 81-09-047
251-12-072	AMD-P 81-09-023	260-60-050	AMD-P 81-08-012	275-110-040	AMD-P 81-09-048
251-12-240	AMD-P 81-04-051	260-60-050	AMD 81-09-075	275-110-040	AMD-E 81-12-027
251-12-240	AMD-P 81-10-009	260-60-115	NEW-P 81-07-020	275-110-040	AMD-P 81-12-035
251-12-240	AMD-P 81-12-032	260-60-115	NEW-P 81-08-012	275-110-050	AMD-E 81-12-027
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251-18-060	AMD-P 81-09-023	260-60-210	AMD 81-09-075	275-110-080	AMD-E 81-09-047
251-18-070	AMD-P 81-09-023	260-70-140	AMD-P 81-07-020	275-110-080	AMD-P 81-09-048
251-18-080	REP-P 81-09-023	260-70-140	AMD-P 81-08-012	275-110-080	AMD-E 81-12-027
251-18-100	REP-P 81-09-023	260-70-140	AMD 81-09-075	275-110-080	AMD-P 81-12-035
251-18-110	AMD-P 81-09-023	261-20	AMD-P 81-02-036	275-110-090	AMD-E 81-09-047
251-18-112	NEW-P 81-09-023	261-20-010	NEW-P 81-02-035	275-110-090	AMD-P 81-09-048
251-18-115	REP-P 81-09-023	261-20-010	NEW 81-06-016	275-110-090	AMD-E 81-12-027
251-18-120	REP-P 81-09-023	261-20-020	NEW-P 81-02-035	275-110-090	AMD-P 81-12-035

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284-15-040	NEW	81-03-082	289-16-120	NEW	81-08-014	289-24-010	REP	81-07-057
284-15-050	NEW	81-03-082	289-16-130	NEW	81-08-014	289-24-010	AMD	81-08-014
284-25	NEW-P	81-06-011	289-16-140	NEW	81-08-014	289-24-020	REP	81-07-057
284-25	NEW-P	81-10-046	289-16-150	NEW	81-08-014	289-24-030	REP	81-07-057
284-44-060	REP-P	81-12-047	289-16-160	NEW	81-08-014	289-24-040	REP	81-07-057
284-44-100	NEW-P	81-12-047	289-16-200	NEW	81-07-057	289-24-050	REP	81-07-057
284-44-110	NEW-P	81-12-047	289-16-210	NEW	81-07-057	289-24-100	NEW	81-08-014
284-44-120	NEW-P	81-12-047	289-16-220	NEW	81-07-057	289-24-110	NEW	81-08-014
284-44-130	NEW-P	81-12-047	289-16-230	NEW-P	81-04-063	289-24-120	NEW	81-08-014
284-44-140	NEW-P	81-12-047	289-16-230	NEW	81-07-057	289-24-200	NEW	81-07-057
284-44-150	NEW-P	81-12-047	289-16-230	AMD	81-08-001	289-24-210	NEW	81-07-057
284-44-160	NEW-P	81-12-047	289-16-240	NEW	81-07-057	289-24-220	NEW	81-07-057
284-44-170	NEW-P	81-12-047	289-16-250	NEW	81-07-057	289-30-060	NEW-P	81-04-064
284-44-180	NEW-P	81-12-047	289-16-260	NEW	81-07-057	289-30-060	NEW	81-07-058
284-44-190	NEW-P	81-12-047	289-18	NEW-P	81-04-062	296-15-040	REP	81-10-052
284-44-200	NEW-P	81-12-047	289-18-010	REP	81-07-057	296-15-044	NEW-P	81-08-063
284-44-210	NEW-P	81-12-047	289-18-020	REP	81-07-057	296-15-044	NEW	81-10-052
284-44-220	NEW-P	81-12-047	289-18-030	REP	81-07-057	296-17-895	AMD	81-04-024
284-51-010	NEW-P	81-09-008	289-18-040	REP	81-07-057	296-17-904	NEW	81-04-024
284-51-020	NEW-P	81-09-008	289-18-050	REP	81-07-057	296-17-905	AMD	81-04-024
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284-51-070	NEW-P	81-09-008	289-18-210	NEW	81-07-057	296-17-913	NEW	81-04-024
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284-51-090	NEW-P	81-09-008	289-19	NEW-P	81-04-062	296-17-915	NEW	81-04-024
284-51-100	NEW-P	81-09-008	289-19-010	NEW	81-08-014	296-17-916	NEW	81-04-024
284-51-110	NEW-P	81-09-008	289-19-100	NEW	81-08-014	296-17-917	NEW	81-04-024
284-51-120	NEW-P	81-09-008	289-19-110	NEW	81-08-014	296-17-919	NEW	81-04-024
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284-51-140	NEW-P	81-09-008	289-19-130	NEW	81-08-014	296-17-91902	NEW	81-04-024
284-51-150	NEW-P	81-09-008	289-19-130	NEW	81-07-057	296-24	AMD-P	81-13-035
284-51-160	NEW-P	81-09-008	289-19-200	NEW	81-07-057	296-24-060	AMD-P	81-07-051
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289-13-110	AMD-P	81-08-072	289-20-010	REP	81-07-057	296-24-67515	AMD-P	81-07-051
289-13-110	AMD	81-11-068	289-20-020	REP	81-07-057	296-24-081	REP-P	81-07-051
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289-13-170	AMD-E	81-13-051	289-20-040	REP	81-07-057	296-24-08103	REP-P	81-07-051
289-13-190	AMD-P	81-08-072	289-20-050	REP	81-07-057	296-24-08105	REP-P	81-07-051
289-13-190	AMD	81-11-068	289-20-100	NEW	81-08-014	296-24-08107	REP-P	81-07-051
289-14	AMD-P	81-04-062	289-20-105	NEW	81-08-014	296-24-08109	REP-P	81-07-051
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289-14-005	AMD	81-08-014	289-20-120	NEW	81-08-014	296-24-08113	REP-P	81-07-051
289-14-010	AMD	81-07-057	289-20-130	NEW	81-08-014	296-24-960	NEW-P	81-07-027
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289-14-130	NEW	81-08-014	289-20-170	NEW	81-08-014	296-27-160	NEW-P	81-10-059
289-14-200	NEW	81-07-057	289-20-180	NEW	81-08-014	296-27-16001	NEW-P	81-03-071
289-14-210	NEW	81-07-057	289-20-190	NEW	81-08-014	296-27-16001	NEW-E	81-08-035
289-14-220	NEW	81-07-057	289-20-200	NEW	81-07-057	296-27-16001	NEW-P	81-10-059
289-14-230	NEW	81-07-057	289-20-205	NEW	81-07-057	296-27-16003	NEW-P	81-03-071
289-15	NEW-P	81-04-062	289-20-210	NEW	81-07-057	296-27-16003	NEW-E	81-08-035
289-15-100	NEW	81-08-014	289-20-220	NEW	81-07-057	296-27-16003	NEW-P	81-10-059
289-15-110	NEW	81-08-014	289-20-230	NEW	81-07-057	296-27-16005	NEW-P	81-03-071
289-15-120	NEW	81-08-014	289-20-240	NEW	81-07-057	296-27-16005	NEW-E	81-08-035
289-15-130	NEW	81-08-014	289-20-250	NEW	81-07-057	296-27-16005	NEW-P	81-10-059
289-15-200	NEW	81-07-057	289-20-260	NEW	81-07-057	296-27-16007	NEW-P	81-03-071
289-15-210	NEW	81-07-057	289-20-265	NEW	81-07-057	296-27-16007	NEW-E	81-08-035
289-15-220	NEW-P	81-04-063	289-20-270	NEW	81-07-057	296-27-16007	NEW-P	81-10-059
289-15-220	NEW	81-08-001	289-20-280	NEW	81-07-057	296-27-16007	NEW-P	81-03-071
289-15-230	NEW	81-07-057	289-20-290	NEW	81-07-057	296-27-16009	NEW-E	81-08-035
289-16	NEW-P	81-04-062	289-22	NEW-P	81-04-062	296-27-16009	NEW-P	81-10-059
289-16-010	REP	81-07-057	289-22-010	REP	81-07-057	296-27-16011	NEW-P	81-03-071
289-16-020	REP	81-07-057	289-22-020	REP	81-07-057	296-27-16011	NEW-E	81-08-035
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			289-22-110	NEW	81-08-014	296-27-16013	NEW-P	81-03-071

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296-27-16015	NEW-P	81-03-071	296-54-559	AMD	81-05-013	296-62-09059	NEW-P	81-07-027
296-27-16015	NEW-E	81-08-035	296-54-565		81-05-013	296-62-09061	NEW-P	81-07-027
296-27-16015	NEW-P	81-10-059	296-54-567	AMD	81-05-013	296-62-09063	NEW-P	81-07-027
296-27-16017	NEW-P	81-03-071	296-62-052	NEW-P	81-13-027	296-62-100	AMD-P	81-07-051
296-27-16017	NEW-E	81-08-035	296-62-05201	NEW-P	81-13-027	296-62-11015	AMD-P	81-07-051
296-27-16017	NEW-P	81-10-059	296-62-05203	NEW-P	81-13-027	296-62-11019	AMD-P	81-07-051
296-27-16019	NEW-P	81-10-059	296-62-05205	NEW-P	81-13-027	296-62-11021	AMD-P	81-07-051
296-27-16021	NEW-P	81-03-071	296-62-05207	NEW-P	81-13-027	296-62-14507	AMD-P	81-07-051
296-27-16021	NEW-E	81-08-035	296-62-05209	NEW-P	81-13-027	296-62-14531	AMD-P	81-07-051
296-27-16021	NEW-P	81-10-059	296-62-05211	NEW-P	81-13-027	296-62-14531	AMD-P	81-13-027
296-27-16023	NEW-P	81-03-071	296-62-05213	NEW-P	81-13-027	296-62-14533	AMD-P	81-07-051
296-27-16023	NEW-E	81-08-035	296-62-05215	NEW-P	81-13-027	296-62-146	NEW-P	81-13-026
296-27-16023	NEW-P	81-10-059	296-62-05217	NEW-P	81-13-027	296-62-14601	NEW-P	81-13-026
296-27-16025	NEW-P	81-03-071	296-62-05219	NEW-P	81-13-027	296-62-14603	NEW-P	81-13-026
296-27-16025	NEW-E	81-08-035	296-62-05221	NEW-P	81-13-026	296-62-14605	NEW-P	81-13-026
296-37-510	AMD-E	81-02-029	296-62-05223	NEW-P	81-13-026	296-62-14607	NEW-P	81-13-026
296-37-510	AMD	81-07-048	296-62-071	NEW-P	81-07-027	296-62-20011	AMD-P	81-07-051
296-37-550	AMD-E	81-02-029	296-62-07101	NEW-P	81-07-027	296-62-20023	AMD-P	81-13-027
296-37-550	AMD	81-07-048	296-62-07103	NEW-P	81-07-027	296-78-005	REP-P	81-13-027
296-37-575	AMD-P	81-13-027	296-62-07105	NEW-P	81-07-027	296-78-007	REP-P	81-13-027
296-45	AMD-P	81-13-035	296-62-07107	NEW-P	81-07-027	296-78-030	REP-P	81-13-027
296-45-660	NEW-E	81-07-049	296-62-07109	NEW-P	81-07-027	296-78-035	REP-P	81-13-027
296-45-660	NEW-P	81-07-051	296-62-07111	NEW-P	81-07-027	296-78-040	REP-P	81-13-027
296-45-660	NEW-E	81-13-052	296-62-07113	NEW-P	81-07-027	296-78-045	REP-P	81-13-027
296-45-660	NEW	81-13-053	296-62-07115	NEW-P	81-07-027	296-78-170	REP-P	81-13-027
296-45-66001	NEW-E	81-07-049	296-62-07117	NEW-P	81-07-027	296-78-180	REP-P	81-13-027
296-45-66001	NEW-P	81-07-051	296-62-07119	NEW-P	81-07-027	296-78-185	REP-P	81-13-027
296-45-66001	NEW-E	81-13-052	296-62-07121	NEW-P	81-07-027	296-78-190	REP-P	81-13-027
296-45-66001	NEW	81-13-053	296-62-07123	NEW-P	81-07-027	296-78-195	REP-P	81-13-027
296-45-66003	NEW-E	81-07-049	296-62-07125	NEW-P	81-07-027	296-78-200	REP-P	81-13-027
296-45-66003	NEW-P	81-07-051	296-62-07302	AMD	81-07-048	296-78-205	REP-P	81-13-027
296-45-66003	NEW-E	81-13-052	296-62-07304	AMD	81-07-048	296-78-210	REP-P	81-13-027
296-45-66003	NEW	81-13-053	296-62-07306	AMD-P	81-07-051	296-78-215	REP-P	81-13-027
296-45-66005	NEW-E	81-07-049	296-62-07310	AMD	81-07-048	296-78-220	REP-P	81-13-027
296-45-66005	NEW-P	81-07-051	296-62-07312	AMD	81-07-048	296-78-225	REP-P	81-13-027
296-45-66005	NEW-E	81-13-052	296-62-07329	AMD-P	81-07-051	296-78-230	REP-P	81-13-027
296-45-66005	NEW	81-13-053	296-62-07341	AMD-P	81-13-027	296-78-235	REP-P	81-13-027
296-45-66007	NEW-E	81-07-049	296-62-07341	AMD-P	81-07-051	296-78-240	REP-P	81-13-027
296-45-66007	NEW-P	81-07-051	296-62-07341	AMD-P	81-13-027	296-78-245	REP-P	81-13-027
296-45-66007	NEW-E	81-13-052	296-62-07345	AMD-P	81-07-051	296-78-250	REP-P	81-13-027
296-45-66007	NEW	81-13-053	296-62-07347	AMD-P	81-13-027	296-78-255	REP-P	81-13-027
296-45-66009	NEW-E	81-07-049	296-62-07347	AMD-P	81-07-051	296-78-260	REP-P	81-13-027
296-45-66009	NEW-P	81-07-051	296-62-07349	AMD-P	81-13-027	296-78-265	REP-P	81-13-027
296-45-66009	NEW-E	81-13-052	296-62-07349	AMD-P	81-07-051	296-78-270	REP-P	81-13-027
296-45-66009	NEW	81-13-053	296-62-07501	AMD-P	81-13-027	296-78-275	REP-P	81-13-027
296-45-66011	NEW-E	81-07-049	296-62-07501	AMD-P	81-07-051	296-78-280	REP-P	81-13-027
296-45-66011	NEW-P	81-07-051	296-62-07515	AMD-P	81-07-051	296-78-285	REP-P	81-13-027
296-45-66011	NEW-E	81-13-052	296-62-07517	AMD-P	81-07-051	296-78-290	REP-P	81-13-027
296-45-66011	NEW	81-13-053	296-62-07519	NEW-P	81-13-027	296-78-295	REP-P	81-13-027
296-46	AMD-P	81-05-019	296-62-09011	AMD-P	81-07-051	296-78-300	REP-P	81-13-027
296-46	AMD-P	81-05-025	296-62-09011	AMD-P	81-07-027	296-78-305	REP-P	81-13-027
296-46-110	AMD	81-06-037	296-62-09015	NEW-P	81-13-027	296-78-315	REP-P	81-13-027
296-46-115	NEW	81-06-037	296-62-09017	NEW-P	81-07-027	296-78-320	REP-P	81-13-027
296-46-130	AMD	81-06-037	296-62-09019	NEW-P	81-07-027	296-78-325	REP-P	81-13-027
296-46-140	AMD	81-06-037	296-62-09021	NEW-P	81-07-027	296-78-330	REP-P	81-13-027
296-46-150	AMD	81-06-037	296-62-09023	NEW-P	81-07-027	296-78-335	REP-P	81-13-027
296-46-335	AMD	81-06-037	296-62-09025	NEW-P	81-07-027	296-78-340	REP-P	81-13-027
296-46-350	AMD	81-06-037	296-62-09027	NEW-P	81-07-027	296-78-345	REP-P	81-13-027
296-46-355	NEW	81-06-037	296-62-09029	NEW-P	81-07-027	296-78-350	REP-P	81-13-027
296-46-40101	REP	81-06-037	296-62-09031	NEW-P	81-07-027	296-78-355	REP-P	81-13-027
296-46-424	AMD	81-06-037	296-62-09033	NEW-P	81-07-027	296-78-360	REP-P	81-13-027
296-46-500	AMD	81-06-037	296-62-09035	NEW-P	81-07-027	296-78-365	REP-P	81-13-027
296-46-501	NEW	81-06-037	296-62-09037	NEW-P	81-07-027	296-78-375	REP-P	81-13-027
296-46-506	NEW	81-06-037	296-62-09039	NEW-P	81-07-027	296-78-380	REP-P	81-13-027
296-46-510	REP	81-06-037	296-62-09041	NEW-P	81-07-027	296-78-385	REP-P	81-13-027
296-46-515	REP	81-06-037	296-62-09043	NEW-P	81-07-027	296-78-390	REP-P	81-13-027
296-46-520	REP	81-06-037	296-62-09045	NEW-P	81-07-027	296-78-395	REP-P	81-13-027
296-46-525	REP	81-06-037	296-62-09047	NEW-P	81-07-027	296-78-400	REP-P	81-13-027
296-46-910	AMD	81-06-037	296-62-09049	NEW-P	81-07-027	296-78-405	REP-P	81-13-027
296-52-030	AMD	81-07-048	296-62-09051	NEW-P	81-07-027	296-78-410	REP-P	81-13-027
296-52-043	AMD	81-07-048	296-62-09053	NEW-P	81-07-027	296-78-415	REP-P	81-13-027
296-52-050	AMD	81-07-048				296-78-420	REP-P	81-13-027

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-78-425	REP-P	81-13-027	296-78-71503	NEW-P	81-13-027	296-401	AMD-P	81-05-019
296-78-430	REP-P	81-13-027	296-78-71505	NEW-P	81-13-027	296-401	AMD-P	81-05-025
296-78-450	REP-P	81-13-027	296-78-720	NEW-P	81-13-027	296-401-020	AMD	81-06-037
296-78-500	NEW-P	81-13-027	296-78-725	NEW-P	81-13-027	296-401-050	REP	81-06-037
296-78-505	NEW-P	81-13-027	296-78-730	NEW-P	81-13-027	296-401-080	AMD	81-06-037
296-78-510	NEW-P	81-13-027	296-78-735	NEW-P	81-13-027	296-401-100	AMD	81-06-037
296-78-515	NEW-P	81-13-027	296-78-740	NEW-P	81-13-027	296-401-140	AMD	81-06-037
296-78-520	NEW-P	81-13-027	296-78-745	NEW-P	81-13-027	296-401-150	AMD	81-06-037
296-78-525	NEW-P	81-13-027	296-78-750	NEW-P	81-13-027	296-401-160	AMD	81-06-037
296-78-530	NEW-P	81-13-027	296-78-755	NEW-P	81-13-027	296-401-180	AMD	81-06-037
296-78-535	NEW-P	81-13-027	296-78-760	NEW-P	81-13-027	308-04-001	NEW-E	81-03-046
296-78-540	NEW-P	81-13-027	296-78-765	NEW-P	81-13-027	308-04-001	NEW-P	81-04-071
296-78-545	NEW-P	81-13-027	296-78-770	NEW-P	81-13-027	308-04-001	NEW	81-07-045
296-78-550	NEW-P	81-13-027	296-78-775	NEW-P	81-13-027	308-16-211	AMD	81-03-015
296-78-555	NEW-P	81-13-027	296-78-780	NEW-P	81-13-027	308-16-212	AMD	81-03-015
296-78-560	NEW-P	81-13-027	296-78-785	NEW-P	81-13-027	308-16-215	AMD	81-03-015
296-78-565	NEW-P	81-13-027	296-78-790	NEW-P	81-13-027	308-16-216	AMD	81-03-015
296-78-56501	NEW-P	81-13-027	296-78-795	NEW-P	81-13-027	308-16-217	AMD	81-03-015
296-78-56503	NEW-P	81-13-027	296-78-800	NEW-P	81-13-027	308-16-218	NEW	81-03-015
296-78-56505	NEW-P	81-13-027	296-78-805	NEW-P	81-13-027	308-24-305	AMD	81-03-016
296-78-56507	NEW-P	81-13-027	296-78-810	NEW-P	81-13-027	308-24-320	AMD	81-03-016
296-78-56509	NEW-P	81-13-027	296-78-815	NEW-P	81-13-027	308-24-380	REP-P	81-05-035
296-78-56511	NEW-P	81-13-027	296-78-820	NEW-P	81-13-027	308-24-380	REP	81-09-031
296-78-56513	NEW-P	81-13-027	296-78-825	NEW-P	81-13-027	308-24-382	NEW-P	81-05-035
296-78-570	NEW-P	81-13-027	296-78-830	NEW-P	81-13-027	308-24-382	NEW	81-09-031
296-78-575	NEW-P	81-13-027	296-78-835	NEW-P	81-13-027	308-24-384	NEW-P	81-05-035
296-78-580	NEW-P	81-13-027	296-78-840	NEW-P	81-13-027	308-24-384	NEW	81-09-031
296-78-585	NEW-P	81-13-027	296-78-84001	NEW-P	81-13-027	308-24-403	AMD	81-03-016
296-78-590	NEW-P	81-13-027	296-78-84003	NEW-P	81-13-027	308-24-404	AMD	81-03-016
296-78-595	NEW-P	81-13-027	296-78-84005	NEW-P	81-13-027	308-24-430	AMD	81-03-016
296-78-600	NEW-P	81-13-027	296-78-84007	NEW-P	81-13-027	308-33-011	AMD	81-02-031
296-78-605	NEW-P	81-13-027	296-78-84009	NEW-P	81-13-027	308-33-015	REP	81-02-031
296-78-610	NEW-P	81-13-027	296-78-84011	NEW-P	81-13-027	308-33-020	AMD	81-02-031
296-78-615	NEW-P	81-13-027	296-79	AMD-P	81-03-006	308-33-030	AMD	81-02-031
296-78-620	NEW-P	81-13-027	296-79	AMD-P	81-13-035	308-36-020	AMD-P	81-04-047
296-78-625	NEW-P	81-13-027	296-79-140	AMD	81-03-007	308-36-020	AMD	81-08-043
296-78-630	NEW-P	81-13-027	296-79-140	AMD-P	81-07-051	308-37-100	NEW-P	81-02-032
296-78-635	NEW-P	81-13-027	296-79-140	AMD	81-13-053	308-37-100	NEW	81-06-013
296-78-640	NEW-P	81-13-027	296-79-170	AMD	81-03-007	308-37-110	NEW-P	81-02-032
296-78-645	NEW-P	81-13-027	296-79-170	AMD-P	81-07-051	308-37-110	NEW	81-06-013
296-78-650	NEW-P	81-13-027	296-79-170	AMD	81-13-053	308-37-120	NEW-P	81-02-032
296-78-655	NEW-P	81-13-027	296-79-180	AMD	81-03-007	308-37-120	NEW	81-06-013
296-78-660	NEW-P	81-13-027	296-79-220	AMD	81-13-053	308-37-130	NEW-P	81-02-032
296-78-665	NEW-P	81-13-027	296-79-220	AMD-P	81-07-051	308-37-130	NEW	81-06-013
296-78-670	NEW-P	81-13-027	296-79-220	AMD	81-13-053	308-37-140	NEW-P	81-02-032
296-78-675	NEW-P	81-13-027	296-79-29029	AMD	81-03-007	308-37-140	NEW	81-06-013
296-78-680	NEW-P	81-13-027	296-79-300	AMD	81-03-007	308-38	NEW-P	81-06-015
296-78-685	NEW-P	81-13-027	296-104-200	AMD-P	81-08-022	308-38-100	NEW-P	81-02-032
296-78-690	NEW-P	81-13-027	296-104-200	AMD	81-12-012	308-38-100	NEW-P	81-10-072
296-78-695	NEW-P	81-13-027	296-116-185	AMD-P	81-03-072	308-38-100	NEW-P	81-13-042
296-78-700	NEW-P	81-13-027	296-116-185	AMD	81-07-009	308-38-110	NEW-P	81-02-032
296-78-705	NEW-P	81-13-027	296-116-300	AMD-P	81-03-072	308-38-110	NEW-P	81-10-072
296-78-70501	NEW-P	81-13-027	296-116-300	AMD-P	81-06-054	308-38-110	NEW-P	81-13-042
296-78-70503	NEW-P	81-13-027	296-116-300	AMD-P	81-09-013	308-38-120	NEW-P	81-02-032
296-78-70505	NEW-P	81-13-027	296-116-300	AMD	81-12-017	308-38-120	NEW-P	81-10-072
296-78-70507	NEW-P	81-13-027	296-116-300	AMD-E	81-12-018	308-38-120	NEW-P	81-13-042
296-78-70509	NEW-P	81-13-027	296-155	AMD-P	81-13-035	308-38-130	NEW-P	81-02-032
296-78-70511	NEW-P	81-13-027	296-155-500	AMD-P	81-07-051	308-38-130	NEW-P	81-10-072
296-78-710	NEW-P	81-13-027	296-155-500	AMD	81-13-053	308-38-130	NEW-P	81-13-042
296-78-71001	NEW-P	81-13-027	296-155-505	AMD-P	81-07-051	308-38-140	NEW-P	81-02-032
296-78-71003	NEW-P	81-13-027	296-155-505	AMD	81-13-053	308-38-140	NEW-P	81-10-072
296-78-71005	NEW-P	81-13-027	296-155-50501	NEW-P	81-07-051	308-38-140	NEW-P	81-13-042
296-78-71007	NEW-P	81-13-027	296-155-50501	NEW	81-13-053	308-38-150	NEW-P	81-02-032
296-78-71009	NEW-P	81-13-027	296-155-650	AMD-P	81-07-051	308-38-150	NEW-P	81-10-072
296-78-71011	NEW-P	81-13-027	296-155-650	AMD	81-13-053	308-38-150	NEW-P	81-13-042
296-78-71013	NEW-P	81-13-027	296-155-655	AMD-P	81-07-051	308-38-160	NEW-P	81-02-032
296-78-71015	NEW-P	81-13-027	296-155-655	AMD	81-13-053	308-38-160	NEW-P	81-10-072
296-78-71017	NEW-P	81-13-027	296-155-660	AMD-P	81-07-051	308-38-160	NEW-P	81-13-042
296-78-71019	NEW-P	81-13-027	296-155-660	AMD	81-13-053	308-39-100	NEW-P	81-02-032
296-78-71021	NEW-P	81-13-027	296-155-665	AMD-P	81-07-051	308-39-100	NEW	81-06-013
296-78-71023	NEW-P	81-13-027	296-155-665	AMD	81-13-053	308-39-110	NEW-P	81-02-032
296-78-71025	NEW-P	81-13-027	296-155-66501	AMD	81-13-053	308-39-110	NEW	81-06-013
296-78-715	NEW-P	81-13-027	296-155-66505	AMD-P	81-07-051	308-39-120	NEW-P	81-02-032
296-78-71501	NEW-P	81-13-027	296-155-66505	AMD	81-13-053	308-39-120	NEW	81-06-013

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-40-101	AMD-P	81-04-047	308-120-165	NEW	81-04-007	322-12-030	REP-P	81-03-084
308-40-101	AMD	81-08-043	308-120-166	NEW	81-04-007	322-12-040	REP-P	81-03-084
308-50-055	REP-P	81-05-026	308-120-168	NEW	81-04-007	322-12-060	REP-P	81-03-084
308-50-055	REP	81-09-030	308-120-170	AMD-P	81-07-011	322-12-070	REP-P	81-03-084
308-50-080	AMD-P	81-05-026	308-120-170	AMD	81-10-026	322-12-080	REP-P	81-03-084
308-50-080	AMD	81-09-030	308-120-185	AMD	81-04-007	322-12-090	REP-P	81-03-084
308-51-010	AMD-P	81-08-042	308-120-410	AMD	81-04-007	322-12-100	REP-P	81-03-084
308-51-010	AMD	81-11-005	308-120-420	AMD	81-04-007	322-12-110	REP-P	81-03-084
308-52-020	REP	81-03-079	308-120-509	AMD	81-04-007	322-12-120	REP-P	81-03-084
308-52-040	AMD	81-03-079	308-120-510	AMD-P	81-07-011	322-12-140	REP-P	81-03-084
308-52-110	REP	81-03-079	308-120-510	AMD	81-10-026	322-12-150	REP-P	81-03-084
308-52-120	AMD	81-03-079	308-120-511	AMD-P	81-07-011	322-12-160	REP-P	81-03-084
308-52-132	NEW	81-03-078	308-120-511	AMD	81-05-016	322-12-010	NEW-P	81-03-084
308-52-137	REP	81-03-078	308-124-005	AMD	81-05-016	322-22-020	NEW-P	81-03-084
308-52-138	AMD	81-03-078	308-124-021	AMD	81-05-016	332-08-445	NEW-E	81-09-061
308-52-139	AMD	81-03-078	308-124A-020	AMD	81-05-016	332-22-010	NEW	81-03-059
308-52-140	AMD	81-03-078	308-124A-025	AMD	81-05-016	332-22-020	NEW	81-03-059
308-52-141	AMD	81-03-078	308-124A-030	AMD	81-05-016	332-22-030	NEW	81-03-059
308-52-144	REP	81-03-078	308-124A-100	AMD	81-05-016	332-22-040	NEW	81-03-059
308-52-201	NEW	81-03-078	308-124A-110	NEW	81-05-016	332-22-050	NEW	81-03-059
308-52-205	NEW	81-03-078	308-124A-120	NEW	81-05-016	332-22-060	NEW	81-03-059
308-52-211	NEW	81-03-078	308-124A-130	NEW	81-05-016	332-22-070	NEW	81-03-059
308-52-215	NEW	81-03-078	308-124A-200	AMD	81-05-016	332-22-080	NEW	81-03-059
308-52-221	NEW	81-03-078	308-124A-310	REP	81-05-016	332-22-090	NEW	81-03-059
308-52-250	REP	81-03-079	308-124A-410	NEW	81-05-016	332-22-100	NEW	81-03-059
308-52-255	NEW	81-03-079	308-124A-420	NEW	81-05-016	332-22-110	NEW	81-03-059
308-53-130	AMD	81-06-012	308-124B-040	AMD	81-05-016	332-22-120	NEW	81-03-059
308-53-215	NEW	81-06-012	308-124B-110	AMD	81-05-016	332-22-130	NEW	81-03-059
308-53-230	AMD	81-06-012	308-124B-120	AMD	81-05-016	332-22-140	NEW	81-03-059
308-54-120	AMD-P	81-09-022	308-124C-010	AMD	81-05-016	332-22-150	NEW	81-03-059
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308-92-020	REP	81-02-030	308-124E-010	AMD	81-05-015	332-26-080	NEW-E	81-09-050
308-92-030	REP	81-02-030	308-124F-010	AMD	81-05-015	332-26-501	NEW-E	81-09-011
308-92-040	REP	81-02-030	308-124F-050	REP	81-05-015	332-30-164	NEW-P	81-04-069
308-92-050	REP	81-02-030	308-124F-200	REP	81-05-015	332-30-164	NEW-P	81-09-024
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308-92-070	REP	81-02-030	308-124H-020	AMD	81-05-015	332-100-050	AMD-P	81-09-004
308-92-080	REP	81-02-030	308-124H-030	AMD	81-05-015	342-10-180	AMD-P	81-09-074
308-92-100	REP	81-02-030	308-124H-040	AMD	81-05-015	342-10-180	AMD	81-12-049
308-92-110	REP	81-02-030	308-124H-045	AMD	81-05-015	342-10-240	AMD-P	81-09-074
308-92-120	REP	81-02-030	308-124H-050	AMD	81-05-015	342-10-240	AMD	81-12-049
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308-92-190	REP	81-02-030	308-300-080	AMD-W	81-03-027	352-32-035	AMD-E	81-12-013
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308-97-060	NEW-P	81-13-054	308-300-120	AMD-W	81-03-027	352-32-250	AMD	81-09-034
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308-97-090	NEW-P	81-13-054	308-300-150	AMD-W	81-03-027	352-32-285	AMD	81-09-034
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356-26-060	AMD	81-03-017	365-42-230	REP-P	81-03-050	388-15-212	AMD	81-06-063
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356-34-180	AMD-P	81-07-032	365-42-330	REP-P	81-03-050	388-24-050	AMD-E	81-06-046
356-34-180	AMD-P	81-09-038	365-42-330	REP	81-10-058	388-24-050	AMD-P	81-06-066
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