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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 28B.19 or 34.04 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to noon and from 1 p.m. to 5 p.m. Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

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CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

WASHINGTON STATE REGISTER

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

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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.

1984

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
84-01	Nov 23	Dec 7	Dec 21, 1983	Jan 4, 1984	Jan 24
84-02	Dec 7	Dec 21, 1983	Jan 4, 1984	Jan 18	Feb 7
84-03	Dec 21, 1983	Jan 4 1984	Jan 18	Feb 1	Feb 21
84-04	Jan 4	Jan 18	Feb 1	Feb 15	Mar 6
84-05	Jan 25	Feb 8	Feb 22	Mar 7	Mar 27
84-06	Feb 8	Feb 22	Mar 7	Mar 21	Apr 10
84-07	Feb 22	Mar 7	Mar 21	Apr 4	Apr 24
84-08	Mar 7	Mar 21	Apr 4	Apr 18	May 8
84-09	Mar 21	Apr 4	Apr 18	May 2	May 22
84-10	Apr 4	Apr 18	May 2	May 16	Jun 5
84-11	Apr 25	May 9	May 23	Jun 6	Jun 26
84-12	May 9	May 23	Jun 6	Jun 20	Jul 10
84-13	*May 24	*Jun 7	*Jun 21	*Jul 5	*Jul 25
84-14	Jun 6	Jun 20	*Jul 3	Jul 18	Aug 7
84-15	Jun 20	*Jul 3	Jul 18	Aug 1	Aug 21
84-16	*Jul 3	Jul 18	Aug 1	Aug 15	Sep 4
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84-18	Aug 8	Aug 22	Sep 5	Sep 19	Oct 9
84-19	Aug 22	Sep 5	Sep 19	Oct 3	Oct 23
84-20	Sep 5	Sep 19	Oct 3	Oct 17	Nov 6
84-21	Sep 26	Oct 10	Oct 24	Nov 7	Nov 27
84-22	Oct 10	Oct 24	Nov 7	Nov 21	Dec 11
84-23	Oct 24	Nov 7	Nov 21	Dec 5	Dec 25
84-24	Nov 7	Nov 21	Dec 5	Dec 19	Jan 8, 1985

*Dates adjusted to accomodate July 4th holiday on normal distribution and closing date. See WAC 1-12-030(5)(c) and 1-13-030(5)(c).

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.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared by the Order Typing Service (OTS) of the Code Reviser's Office; see WAC 1-12-220 or 1-13-240. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³"No proceeding may 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(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 84-20-001
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-146—Filed September 20, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is net restrictions in Area 7A north of the East Point line provide protection for Canadian and Puget Sound chinook during IPSFC controlled sockeye fisheries. Openings in Areas 8A, 12, 12A and 12B provide opportunity to harvest non-Indian coho allocations. All other marine areas and freshwater areas are closed to prevent overharvest. Coho salmon now predominate in the Area 7B catch.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 19, 1984.

By Bette M. Johnson
 for William R. Wilkerson
 Director

NEW SECTION

WAC 220-47-915 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

Area 7A – Closed to all commercial fishing in that portion southeasterly of a line from the southeast point of Point Roberts to the East Point Light. Those waters northeasterly of the above stated line are under the control of the International Pacific Salmon Fisheries Commission, gillnet gear restricted to 5-7/8-inch maximum mesh in this portion when open.

**Area 7B (excluding that portion south of a line from Whiskey Rock to the north tip of Vendovi Island) – Closed except gillnets using 5 to 6-1/2-inch mesh and purse seines may fish effective 4:00 PM September 19, 7*

days/week, 24 hours/day. That portion south of the above-described line remains closed. Additional fishery exclusion zones applicable to Area 7B fisheries are described in WAC 220-47-307.

Area 8A, 12, 12A (excluding that portion north of a line from the Boat Haven in Quilcene to Fishermen's Point on Bolton Peninsula), and 12B – Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM Wednesday night, September 19 through the morning of September 20, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM September 19. That portion north of the above-described line remains closed. Fishery exclusion zones applicable to Area 8A and 12B commercial fisheries are described in WAC 220-47-307.

**Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7C, 7D, 8, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – closed.*

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately.

WAC 220-47-914 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (84-141)

WSR 84-20-002
ADOPTED RULES

APPLE ADVERTISING COMMISSION

[Order 16—Filed September 20, 1984]

Be it resolved by the Washington State Apple Advertising Commission, acting at the Convention Center, Wenatchee, Washington, that it does adopt the annexed rules relating to collection procedures for delinquent assessments.

This action is taken pursuant to Notice No. WSR 84-16-003 filed with the code reviser on July 19, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Apple Advertising Commission as authorized in RCW 15.24.070(1).

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

APPROVED AND ADOPTED September 13, 1984.

By Harold Cozart
 Chairman

TEXT OF RULE

AMENDATORY SECTION (Amending Order 13, filed 10/6/82)

WAC 24-12-010 AMOUNT OF ASSESSMENTS. There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 32.6 cents on each one hundred pounds (100 lbs.) gross billing weight. Assessments shall be payable (~~when shipped,~~) as provided in WAC 24-12-012, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for the following containers shall apply for the purpose of computing said assessments:

DESCRIPTION OF CONTAINER	GROSS BILLING WEIGHTS
1/3 Bushel Box (packed or loose)	15 lbs.
1/2 Bushel Box (loose)	23 lbs.
Bulk Bushel Container (loose)	Net weight plus 3 lbs. tare
9/4 and 12/3 Bag Containers	41 lbs.
13/3 Bag Container	44 lbs.
10/4 and 8/5 Bag Containers	45 lbs.
12/4 Bag Container	53 lbs.
Standard Tray Pack Container	46 lbs.
Pocket Cell Tray Pack Container	46 lbs.
Cell Pack Containers, all counts	46 lbs.
2-Layer Tray Pack Container	23 lbs.
Single-Layer Tray Pack Container	12 lbs.

NEW SECTION

WAC 24-12-012 COLLECTION OF ACCOUNTS. (1) The Commission shall obtain from the Department of Agriculture a record of all shipments of fresh apples and shall from this record periodically invoice all apple dealers and handlers shown thereon for assessments on apples levied pursuant to WAC 24-12-010. The date of the invoice shall be known as the billing date.

(2) Assessments not paid within twenty (20) days from the billing date shall be delinquent, and the Commission shall thereupon send a notice of delinquency to the dealer or handler involved. A copy of the notice of delinquency shall be sent at the same time to the district inspection office of the Department of Agriculture. If the delinquent assessments are not paid within thirty-five (35) days from the billing date, a second notice of delinquency shall be sent to the dealer or handler involved with a copy to the district inspection office of the Department of Agriculture stating that if the delinquent assessments are not paid within forty-five (45) days from the billing date the dealer or handler involved will thereafter be put on a cash basis until the delinquent assessments are paid, and that if the delinquent assessments are not paid within sixty (60) days from the

billing date, the Compliance Book of Compliance Certificates will be removed by the Department of Agriculture and inspection service will be withdrawn. Inspection service will be reinstated only upon mutual agreement of the Department of Agriculture and the Commission and after all delinquent assessments have been paid. Delinquent assessments not paid within thirty-five (35) days of the billing date shall bear interest at the maximum legal rate, not to exceed 1-1/2% per month, and in case of suit to collect said delinquent assessments, the Commission shall be allowed, in addition to any other relief granted, reasonable attorney fees and its costs of suit.

(3) The foregoing procedure from collection of assessments shall apply to all shipments of apples disclosed by Department of Agriculture records on or after September 7, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

(1) WAC 24-12-090 COLLECTION OF ASSESSMENTS.

WSR 84-20-003
PROPOSED RULES
GAMBLING COMMISSION
 [Filed September 21, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 230-04-325;

that the agency will at 10:00 a.m., Thursday, November 8, 1984, in the Ridpath Hotel, West 515 Sprague, Spokane, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 9.46.020(23) and 9.46.070 (7) and (13).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

Dated: September 21, 1984
 By: Ronald O. Bailey
 Deputy Director

STATEMENT OF PURPOSE

Title: Amendatory section WAC 230-04-325 Cancellation, change of time, date, or location of fund raising event.

Description of Purpose: Adds requirement for fund raising event licensees to notify the commission and pay a set fee when changing the time for a scheduled fund raising event.

Statutory Authority: RCW 9.46.020(23) and 9.46.070 (7) and (13).

Summary of Proposed Rules and Reasons Supporting Action: Amendatory section WAC 230-04-325, amends

rule to add requirement to notify the commission and pay a set fee when changing time of a scheduled fund raising event.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Keith Kisor, Director, 234-0865 scan, 753-0865 comm, and Ronald O. Bailey, Deputy Director, 234-1075 scan, 753-1075 comm, Jefferson Building, 1110 South Jefferson, Olympia, WA 98504.

Proponents and Opponents: Gambling Commission staff proposes these rule amendments and new rules.

Agency Comments: The agency believes the proposed rules are self-explanatory and need no further comment.

This rule was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined that there would be no economic impact upon small businesses in the state of Washington by the adoption of these amendments or new rules.

AMENDATORY SECTION (Amending Order 112 [140], filed 9/15/81 [6/15/84])

WAC 230-04-325 CANCELLATION, CHANGE OF TIME, DATE, OR LOCATION OF FUND RAISING EVENT. A cancellation or a change in time, date, and/or location of a fund raising event as defined in RCW 9.46.020 requires:

(1) For cancellation, the licensee shall notify the commission and the appropriate law enforcement agency in advance of the date upon which the event is scheduled.

(2) For change of time, date, or location, the licensee shall:

(a) Give at least ten days written notice to the commission in advance of the new time, date, or location change, together with a signed statement from the chief executive officer that the appropriate law enforcement agency has been notified of the change;

(b) Pay a fee (~~of twenty dollars~~) as required by WAC 230-04-201 to the commission for each such time, date, or location change.

(3) For a cancellation of change in time, date, and/or location, the (~~permit form~~) license authorizing the event for the specific time, date, or location shall be returned to the commission.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

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 84-20-004

EMERGENCY RULES

GAMBLING COMMISSION

[Order 143—Filed September 21, 1984]

Be it resolved by the Washington State Gambling Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendatory sections WAC 230-08-260, 230-25-065 and 230-40-030.

We, the Washington State Gambling Commission, find that an emergency exists and that this 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 the emergency is amendatory section WAC 230-08-260 Fund raising

events—Activity report required, this adds a requirement for supplemental activity report from each organization participating in a joint fund raising event; amendatory section WAC 230-25-065 Licensees may join together to conduct a fund raising event, this clarifies operating instructions and recordkeeping requirements for a joint fund raising event; and amendatory section WAC 230-40-030 Number of tables and players limited, this allows no more than 10 players to participate at any one table at any given time.

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

This rule is promulgated pursuant to RCW 9.46.010 and 9.46.070 (8) and (14) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 20, 1984.

By Ronald O. Bailey
Deputy Director

AMENDATORY SECTION (Amending Order 78, filed 11/17/77)

WAC 230-08-260 FUND RAISING EVENTS—ACTIVITY REPORT REQUIRED. (1) Each (~~licensee for the operation of~~) organization licensed to conduct a fund raising event(~~s~~) and each lead organization for a joint fund raising event, shall submit an activity report to the commission concerning the operation of the licensed activities and other matters set forth below for the period of each event.

The report shall include among other items, the following information:

(a) Revenue per records for each gambling activity;

(b) Gross receipts and prizes paid for bingo, raffles, lotteries, and drawings;

(c) Adjustments to net receipts (i.e., discounts on foreign currency and cash over/short);

(d) Annual net receipts reconciliation (this item need not be completed on a joint event report submitted by the lead organization for the total event); and

(e) Full details of all expenses directly related to each event.

(2) Each participating licensee in a joint fund raising event shall submit a Joint Fund Raising Event Supplemental Report which shall include among other items, the following information:

(a) Percentage of adjusted net receipts and expenses per Joint Fund Raising Event Agreement;

(b) Dollar amounts allocated to your organization for adjusted net receipts, expenses, and net income; and

(c) Annual net receipts reconciliation.

Each of the above reports shall be received in the office of the commission no later than 30 days following the authorized operating days or day. The report shall be signed by the president, or equivalent officer, and shall be submitted on a form to be provided by the commission. If the report is prepared by someone other than the

president or equivalent officer of the organization, then the preparer shall sign the report also. ~~((The report shall include, among other items, the following information:~~

- ~~(1) The gross receipts from each separate gambling activity;~~
- ~~(2) Total cash prizes actually paid out and the total of the cost to the licensee of all merchandise prizes actually given out for each separate gambling activity;~~
- ~~(3) The net receipts for each separate gambling activity;~~
- ~~(4) The total net receipts;~~
- ~~(5) Full details of all expenses directly related to each event.))~~

AMENDATORY SECTION (Amending Order 140, filed 6/15/84)

WAC 230-25-065 LICENSEES MAY JOIN TOGETHER TO CONDUCT A FUND RAISING EVENT. (1) Organizations holding a license to conduct a fund raising event may join together with other organizations holding such a license to jointly conduct a fund raising event providing that the following conditions are met:

- (a) Prior approval to do so is received by each licensee from the Commission for that particular fund raising event;
- (b) The method by which ~~((the))~~ any income or losses and expenditures will be received, expended, and apportioned among the licensees conducting the fund raising event is disclosed in writing to the Commission, together with the application for the fund raising event. Changes to the original application must be approved by the commission;
- (c) The percentage of income or loss agreed to by any organization shall not be greater than the percentage needed for them to reach the maximum of \$10,000 for the calendar year.
- (d) A lead organization and an event manager are designated in the application, with the lead organization having the responsibility for the central accounting system required by WAC 230-25-070, ~~((the activity report to the commission required by WAC 230-08-260;))~~ and compliance with WAC 230-25-030(3) regarding the distribution of receipts beyond those permitted in (2) below~~((:));~~;
- ~~((d) Records are kept by each of the participating licensees which clearly disclose the amount of money received and expended in connection with the joint fund raising event;))~~
- (e) Each licensee shall prepare a list of all persons from their organization taking part in the management or operation of the fund raising event. Such list shall be available on the premises and contain, at a minimum, the name, address, telephone number, and a brief statement signed by the chief executive officer certifying that each member listed is a bona fide member as specified in RCW 9.46.020(15) and WAC 230-25-260.
- (f) A Fund Raising Event Report will be prepared and submitted by the lead organization as required by WAC 230-08-260 (1) and each participating licensee, including the lead organization, shall submit a Joint

Fund Raising Event Supplemental Report as required by WAC 230-08-260 (2); and

- (g) Records are kept by each of the participating licensees which clearly disclose the amount of money received and expended in connection with the joint fund raising event;
- (2) The amount of income derived from the joint fund raising event will not exceed the event limit of \$10,000. In addition, each participating organization must comply with annual limits imposed by RCW 9.46.020(23) and WAC 230-25-030. The joint fund raising event shall count against only the lead organization or organizations receiving fifty percent or more of the allowable proceeds for the purposes of determining the number of such events an organization may conduct each year.
- (3) The lead organization will be responsible for the deposit of the ending cash on hand and must comply with WAC 230-25-070(12). All funds due to any participating organization must be made by check and disbursed within 30 days following the end of the event.

AMENDATORY SECTION (Amending Order 23, filed 9/23/74)

WAC 230-40-030 NUMBER OF TABLES AND PLAYERS LIMITED. (1) No licensee to allow a public card room on its premises shall allow more than five separate tables at which card games are played, nor shall allow more than ~~((eight))~~ ten players to participate at any one table at any given time.

- (2) No licensee to allow a social card room on its premises shall allow more than ~~((eight))~~ ten players to participate at any one table at any given time.
- (3) The commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the commission in writing not less than 30 days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons why the request is made, and the number of games and players in the games which the licensee desires to allow on that occasion.

WSR 84-20-005
PROPOSED RULES
GAMBLING COMMISSION
 [Filed September 21, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning amendatory sections WAC 230-02-020, 230-04-230, 230-08-095, 230-08-120, 230-12-020, 230-40-050 and new section WAC 230-40-055;

that the agency will at 10:00 a.m., Thursday, November 8, 1984, in the Ridpath Hotel, West 515 Sprague, Spokane, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 9.46.020(20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8) and (9).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

This notice is connected to and continues the matter in Notice No. WSR 84-17-061 filed with the code reviser's office on August 14, 1984.

Dated: September 21, 1984

By: Ronald O. Bailey
Deputy Director

WSR 84-20-006
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-147—Filed September 21, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is in order to adequately enforce the license moratorium [moratorium], specific knowledge of number of units of gear and marking is needed.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 20, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-52-04600P CRAB FISHERY—SEASONS AND AREAS. *Notwithstanding the provisions of WAC 220-52-046, effective October 1, 1984 until further notice, it is unlawful for any licensed fisherman to fish for or possess Dungeness crab taken for commercial purposes with shellfish pot gear from Puget Sound waters, unless the fisherman has on his person a Puget Sound Crab Pot/Buoy Brand Certification. The certificate shall contain the vessel name, name of vessel operator(s), buoy brand(s) to be used, number of pots to be fished, and Puget Sound endorsement number. The certificate may be obtained 120 hours prior to October 1, 1984, upon inspection of all pots and buoys to be*

fished, and after October 1, 1984, it is unlawful for a fisherman to have more shellfish pots aboard the vessel than shown on the certificate, or to have buoys aboard the vessel with numbers other than those recorded on the certificate. The inspection will be made by an authorized representative of the department at the ports of Blaine, Bellingham, Anacortes, Everett, and Dungeness, and at Sandy Point, Skagit Bay and Samish Bay. After October 1, 1984, the certificate may be obtained by appointment with the Fisheries Patrol Mount Vernon office.

NEW SECTION

WAC 220-69-25000A REQUIRED INFORMATION ON NONTREATY FISH RECEIVING TICKETS. *Notwithstanding the provisions of WAC 220-69-250, effective October 1, 1984, until further notice, the Puget Sound Crab Pot/Buoy Brand Certification number is a required entry on all shellfish receiving tickets documenting landings and sale of Dungeness crab taken with shellfish pot gear from Puget Sound waters. The certificate must be presented at the time of landing, and the certificate number must be entered legibly on the left hand side of the ticket in the space indicated for dealer's use.*

WSR 84-20-007
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-148—Filed September 21, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is this will allow for a full harvest of Pacific whiting.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-48-01100A PELAGIC TRAWL GEAR. *Notwithstanding the provisions of WAC 220-*

48-011, effective October 1, 1984, until further notice it is unlawful to use or operate pelagic trawl having mesh size in the cod end section of less than 3 inches when fishing for Pacific whiting.

WSR 84-20-008
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-149—Filed September 21, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable salmon stocks available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100M WILLAPA HARBOR GILL NET SEASON. Notwithstanding the provisions of WAC 220-40-021, 220-40-022, and 220-40-024, effective 6:00 p.m. September 23 it is unlawful to fish for or possess salmon taken for commercial purposes with gill net gear in Willapa Harbor fishing areas except as provided for in this section:

Area 2G—

Open 6:00 p.m. September 23 to 6:00 p.m. September 24, 1984, only in those waters west of a line drawn true north and south through Willapa River Channel Light 10 and north of a line drawn true east and west through Nahcotta Channel Light 10; 5 inch minimum to 6-1/2 inch maximum mesh, 1,500 feet maximum length.

WSR 84-20-009
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-150—Filed September 21, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5 and 6C allow the least restrictive regulations that allow protection of adult Canadian chinook salmon while providing opportunity for limited harvest, limited impact, limited effort, immobile treaty Indian coho fisheries. Restrictions in Areas 6, 6A, 7 and 7A southeast of the East Point line provide protection for Canadian origin chinook and coho. Restrictions in Area 7A northwest of the East Point line protect Canadian origin chinook and coho during IPSFC sockeye fisheries. Restrictions in Areas 6B and 9 protect the validity of the terminal area coho run size updates. Restrictions in Area 10C and the Cedar River provide protection for Lake Washington sockeye. Restrictions in Area 10D provide protection for Lake Washington sockeye while allowing harvest of surplus chinook. Restrictions in Areas 7B, 7C and the Nooksack and Samish rivers minimize further overharvest of Nooksack-Samish origin chinook. Restrictions in the White River provide protection for local spring chinook. Restrictions in the Dungeness, Elwha, Sekiu, Hoko, Clallam, Pysht, and Lyre rivers, Deep and Salt creeks and Area 6D provide protection for local summer-fall chinook and coho stocks. Restrictions in Area 8 and the Skagit River provide protection for Skagit River origin chinook and coho. Restrictions in Areas 10F and 10G protect Lake Washington origin chinook. Coho management needs predominate in Areas 12C and 12D.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-423 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. Effective immediately, it is unlawful for treaty Indian fishermen to take,

fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Areas 4B, 5 and 6C - Effective until further notice, gill net gear restricted to 6-1/2-inch maximum mesh, when open.

Area 6 - Closed to all commercial net gear.

Areas 6A, 7 and 7A (in that portion southeasterly of a line from the southeast point of Point Roberts to the East Point light) - Effective until further notice, closed to all commercial fishing.

Area 7A northwest of a line from the southeast point of Point Roberts to the East Point light - Under control of the International Pacific Salmon Fisheries Commission. Gill-net gear restricted to 5-7/8-inch maximum mesh, when open.

Areas 6B, 9 - Closed to all commercial fishing.

Area 6D - Closed to all commercial fishing.

Area 7B - Gill net gear restricted to 6-1/2-inch maximum mesh when open.

Area 7C - Closed to all commercial fishing.

Area 8 - Closed to all commercial fishing.

*Skagit River - Closed to all commercial net gear except dip bag nets and beach seines, and all chinook greater than 24 inches in length and all coho greater than 20 inches in length must be released, when open.

Area 10C - Closed to all commercial fishing.

Area 10D - (1) Gill nets restricted to 6-1/2-inch minimum mesh, and other gear must release sockeye when open. (2) Closed to all commercial fishing in that portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek.

Areas 10F and 10G - Closed to all commercial fishing through September 22.

*Nooksack River - 1) Effective through September 22, gillnet gear restricted to 6-1/2-inch maximum mesh when open in that portion downstream of Marietta Bridge. Closed to all commercial fishing upstream of Marietta Bridge. 2) Effective September 23, gillnet gear restricted to 6-1/2-inch maximum mesh, when open.

Dungeness River, Samish River, Cedar River, Sekiu River, Hoko River, Clallam River, Pysht River, Lyre River, Salt Creek, and Deep Creek - Closed to all commercial fishing.

Elwha River - Closed to all commercial fishing through September 22.

White River - Closed to all commercial fishing through September 29.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately.

WAC 220-28-422 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (84-145)

WSR 84-20-010

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 84-151—Filed September 21, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is net restrictions in Area 7A north of the East Point line provide protection for Canadian and Puget Sound chinook during IPSFC controlled sockeye fisheries. Openings in Areas 7B, 8A, 10, 11 and 12A provide opportunity to harvest non-Indian coho allocations. All other marine areas and freshwater areas are closed to prevent overharvest.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-47-916 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 7A - Closed to all commercial fishing in that portion southeasterly of a line from the southeast point of Point Roberts to the East Point Light. Those waters northeasterly of the above stated line are under the control of the International Pacific Salmon

Fisheries Commission, gillnet gear restricted to 5-7/8-inch mesh.

Area 7B (excluding that portion south of a line from Whiskey Rock to the north tip of Vendovi Island) – Closed except gillnets using 5 to 6-1/2-inch mesh and purse seines may fish 7 days/week, 24 hours/day. That portion south of the above-described line remains closed. Additional fishery exclusion zones applicable to Area 7B fisheries are described in WAC 220-47-307.

**Area 8A – Closed except gillnets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly September 24 through the morning of September 26, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily September 25 and 26.*

**Areas 10, 11 and 12A (excluding that portion north of a line from the Boat Haven in Quilcene to Fishermen's Point on Bolton Peninsula) – Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM Monday night, September 24 through the morning of September 25, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM September 25. That portion north of the above-described line remains closed. Fishery exclusion zones applicable to Area 10 and 11 commercial fisheries are described in WAC 220-47-307.*

**Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7C, 7D, 8, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – closed.*

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately.

WAC 220-47-915 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (84-146)

WSR 84-20-011

NOTICE OF PUBLIC MEETINGS INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

[Memorandum—September 25, 1984]

The November 13-14, 1984, special meeting of the Interagency Committee for Outdoor Recreation will be held in the Coho Room, Tyee Motor Inn, 500 Tyee Drive, Tumwater, Washington, beginning at 9:00 a.m., November 13 – Tuesday. Please note that the Wednesday, November 14 date, is held in reserve should it be necessary to extend discussion of agenda items. For public convenience, the IAC attempts to keep its meeting to one day.

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided at this special IAC meeting if necessary. A request for this type of service, however, must be received by the IAC ten days before the meeting (November 5, 1984). Please contact: Robert L. Wilder, Director, 4800 Capitol Blvd., KP-11, Olympia, Washington 98504, (206) 753-3610. The meeting site is barrier free.

WSR 84-20-012

ADOPTED RULES DEPARTMENT OF GAME (Game Commission)

[Order 238—Filed September 24, 1984]

Be it resolved by the State Game Commission, acting at the Ridpath Hotel, Spokane, Washington, that it does adopt the annexed rules relating to implementation of the State Environmental Policy Act, and repealing chapter 232-18 WAC, guidelines interpreting and implementing the State Environmental Policy Act.

This action is taken pursuant to Notice No. WSR 84-14-088 filed with the code reviser on July 3, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.21C.120 and WAC 197-11-904 which directs that the Department of Game has authority to implement the provisions of chapter 43.21C RCW.

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

APPROVED AND ADOPTED August 20, 1984.

By Vern E. Ziegler
Chairman, Game Commission

Chapter 232-19 WAC
DEPARTMENT OF GAME SEPA PROCEDURES

NEW SECTION

WAC 232-19-010 **AUTHORITY.** These rules are promulgated under RCW 43.21C.120 (the State Environmental Policy Act) and chapter 197-11 WAC (SEPA Rules).

NEW SECTION

WAC 232-19-015 **POLICY.** (1) The policies and goals set forth in SEPA are supplementary to existing agency authority.

(2) The department of game shall to the fullest extent possible:

(a) Interpret and administer the policies, regulations, and laws of the state of Washington in accordance with the policies set forth in SEPA and these rules.

(b) Find ways to make the SEPA process more useful to decisionmakers and the public; promote certainty

regarding the requirements of the act; reduce paperwork and the accumulation of extraneous background data; and emphasize important environmental impacts and alternatives.

(c) Prepare environmental documents that are concise, clear, and to the point, and are supported by evidence that the necessary environmental analyses have been made.

(d) Initiate the SEPA process early in conjunction with other agency operations to avoid delay and duplication.

(e) Integrate the requirements of SEPA with existing agency planning and licensing procedures and practices, so that such procedures run concurrently rather than consecutively.

(f) Encourage public involvement in decisions that significantly affect environmental quality.

(g) Identify, evaluate, and require or implement, where required by the act and these rules, reasonable alternatives that would mitigate adverse effects of proposed actions on the environment.

NEW SECTION

WAC 232-19-020 ADOPTION BY REFERENCE. The department of game adopts the following sections of chapter 197-11 WAC by reference.

WAC

197-11-020 Purpose.
 197-11-040 Definitions.
 197-11-050 Lead agency.
 197-11-055 Timing of the SEPA process.
 197-11-060 Content of environmental review.
 197-11-070 Limitations on actions during SEPA process.
 197-11-080 Incomplete or unavailable information.
 197-11-090 Supporting documents.
 197-11-100 Information required of applicants.
 197-11-300 Purpose of this part.
 197-11-305 Categorical exemptions.
 197-11-310 Threshold determination required.
 197-11-315 Environmental checklist.
 197-11-330 Threshold determination process.
 197-11-335 Additional information.
 197-11-340 Determination of nonsignificance (DNS).
 197-11-350 Mitigated DNS.
 197-11-360 Determination of significance (DS)/initiation of scoping.
 197-11-390 Effect of threshold determination.
 197-11-400 Purpose of EIS.
 197-11-402 General requirements.
 197-11-405 EIS types.
 197-11-406 EIS timing.
 197-11-408 Scoping.
 197-11-410 Expanded scoping. (Optional)
 197-11-425 Style and size.
 197-11-430 Format.
 197-11-435 Cover letter or memo.
 197-11-440 EIS contents.
 197-11-442 Contents of EIS on nonproject proposals.
 197-11-443 EIS contents when prior nonproject EIS.
 197-11-444 Elements of the environment.
 197-11-448 Relationship of EIS to other considerations.
 197-11-450 Cost-benefit analysis.
 197-11-455 Issuance of DEIS.
 197-11-460 Issuance of FEIS.
 197-11-500 Purpose of this part.
 197-11-502 Inviting comment.
 197-11-504 Availability and cost of environmental documents.
 197-11-508 SEPA register.
 197-11-535 Public hearings and meetings.
 197-11-545 Effect of no comment.

197-11-550 Specificity of comments.
 197-11-560 FEIS response to comments.
 197-11-570 Consulted agency costs to assist lead agency.
 197-11-600 When to use existing environmental documents.
 197-11-610 Use of NEPA documents.
 197-11-620 Supplemental environmental impact statement—
 Procedures.
 197-11-625 Addenda—Procedures.
 197-11-630 Adoption—Procedures.
 197-11-635 Incorporation by reference—Procedures.
 197-11-640 Combining documents.
 197-11-650 Purpose of this part.
 197-11-655 Implementation.
 197-11-660 Substantive authority and mitigation.
 197-11-680 Appeals.
 197-11-700 Definitions.
 197-11-702 Act.
 197-11-704 Action.
 197-11-706 Addendum.
 197-11-708 Adoption.
 197-11-710 Affected tribe.
 197-11-712 Affecting.
 197-11-714 Agency.
 197-11-716 Applicant.
 197-11-718 Built environment.
 197-11-720 Categorical exemption.
 197-11-722 Consolidated appeal.
 197-11-724 Consulted agency.
 197-11-726 Cost-benefit analysis.
 197-11-728 County/city.
 197-11-730 Decision maker.
 197-11-734 Determination of nonsignificance (DNS).
 197-11-736 Determination of significance (DS).
 197-11-738 EIS.
 197-11-740 Environment.
 197-11-742 Environmental checklist.
 197-11-744 Environmental document.
 197-11-746 Environmental review.
 197-11-748 Environmentally sensitive area.
 197-11-750 Expanded scoping.
 197-11-752 Impacts.
 197-11-754 Incorporation by reference.
 197-11-756 Lands covered by water.
 197-11-758 Lead agency.
 197-11-760 License.
 197-11-762 Local agency.
 197-11-764 Major action.
 197-11-766 Mitigated DNS.
 197-11-768 Mitigation.
 197-11-770 Natural environment.
 197-11-772 NEPA.
 197-11-774 Nonproject.
 197-11-776 Phased review.
 197-11-778 Preparation.
 197-11-780 Private project.
 197-11-782 Probable.
 197-11-784 Proposal.
 197-11-786 Reasonable alternative.
 197-11-788 Responsible official.
 197-11-790 SEPA.
 197-11-792 Scope.
 197-11-793 Scoping.
 197-11-794 Significant.
 197-11-796 State agency.
 197-11-797 Threshold determination.
 197-11-799 Underlying governmental action.
 197-11-800 Categorical exemptions.
 197-11-810 Exemptions and nonexemptions applicable to specific state agencies.
 197-11-840 Department of game.
 197-11-880 Emergencies.
 197-11-890 Petitioning DOE to change exemptions.
 197-11-900 Purpose of this part.
 197-11-908 Environmentally sensitive areas.
 197-11-912 Procedures on consulted agencies.
 197-11-916 Application to ongoing actions.
 197-11-917 Relationship to chapter 197-10 WAC.

197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.
197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of nonsignificance (DNS).
197-11-980	Determination of significance and scoping notice (DS).
197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

NEW SECTION

WAC 232-19-030 **PURPOSE.** This chapter implements the state-wide rules in chapter 197-11 WAC as they apply to the department of game.

NEW SECTION

WAC 232-19-040 **ADDITIONAL DEFINITIONS.** The following terms shall have the listed meanings:

- (1) "Department" means department of game unless otherwise indicated.
- (2) "Commission" means the game commission unless otherwise indicated.

NEW SECTION

WAC 232-19-050 **DESIGNATION OF RESPONSIBLE OFFICIAL.** Within the department of game the ultimate responsible official is the director. The responsible official for a specific proposal shall be the supervisor of the environmental affairs program or his/her designee.

NEW SECTION

WAC 232-19-055 **SEPA PUBLIC INFORMATION CENTER.** The department designates the Olympia office of habitat management division as its SEPA public information center. The mailing address is: Department of Game, Habitat Management Division, 600 North Capitol Way, Olympia, Washington 98504.

NEW SECTION

WAC 232-19-060 **EIS PREPARATION.** (1) Preparation of draft and final EISs and SEISs is the responsibility of the department's environmental affairs program. The responsible official shall be satisfied that

all EISs and SEISs issued by the department are in compliance with these rules and chapter 197-11 WAC.

(2) Any draft or final EIS or SEIS shall be prepared by the department, the applicant, or by a consultant mutually agreed upon by the department and applicant.

(3) Whenever someone other than the department prepares a draft or final EIS or SEIS, the responsible official shall:

(a) Coordinate scoping to insure that the individual preparing the document receives all substantive information submitted by any agency or person.

(b) Direct the areas of research and study to be undertaken and the content and organization of the document.

(c) Assist in obtaining information on file with another agency that is needed by the person preparing the document.

(d) Allow the person preparing the document access to department records relating to the document (under chapter 42.17 RCW, public disclosure and public records law).

(4) The responsible official may not require more information of a private applicant than allowed by these rules.

(5) Nothing herein shall be construed to prohibit the department from charging any fee of an applicant which the department is otherwise authorized to charge (see WAC 197-11-914). A performance bond in an amount specified by the department may be required of the applicant to insure payment of department expenses in preparing in whole, or part, a draft or final EIS or SEIS.

NEW SECTION

WAC 232-19-070 **ENVIRONMENTALLY SENSITIVE AREAS.** During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall give all due consideration to "environmentally sensitive area" designations made by local governments under WAC 197-11-908.

NEW SECTION

WAC 232-19-080 **THRESHOLD LEVELS ADOPTED BY LOCAL GOVERNMENTS.** During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall respect threshold levels adopted by local governments under WAC 197-11-800.

NEW SECTION

WAC 232-19-090 **COORDINATION OF COMBINED STATE-FEDERAL ACTION.** When the department considers actions which also involve federal actions, it shall coordinate the two governmental processes so that only one EIS, or other environmental document, need be prepared for that proposal.

NEW SECTION

WAC 232-19-100 **PUBLIC NOTICE REQUIREMENTS.** (1) When these rules require notice of environmental document preparation or availability, as a

lead agency the department shall give public notice by using at least one of the following methods:

- (a) Posting the property, for site-specific proposals;
- (b) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;
- (c) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;
- (d) Notifying the news media; and/or
- (e) Publishing notice in the department's newsletters.

(2) Whenever possible, the department shall integrate these public notice requirements with existing notice procedures for any department or commission permits or approvals required for the proposal.

(3) The department may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

NEW SECTION

WAC 232-19-110 NOTICE/STATUTE OF LIMITATIONS. (1) The department, applicant for, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080.

(2) The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published by the department, applicant, or proponent pursuant to RCW 43.21C.080.

NEW SECTION

WAC 232-19-120 POLICIES AND PROCEDURES FOR CONDITIONING OR DENYING PERMITS OR OTHER APPROVALS. (1) The policies and goals in this section are supplementary to existing authorities of the department.

(2) It is the policy of the department to avoid or mitigate adverse environmental impacts which may result from the department's decisions.

(3) The department shall use all practical means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- (a) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (b) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (c) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- (d) Preserve important historic, cultural, and natural aspects of our national heritage;
- (e) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
- (f) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- (g) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(4) The department recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(5) The department shall ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision-making along with economic and technical considerations.

(6)(a) When the environmental document for a proposal shows it will cause specific adverse impacts, the responsible official shall consider whether:

- (i) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;
- (ii) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and
- (iii) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(b) The responsible official may:

- (i) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in this section; or
- (ii) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in this section.

(c) The procedures in WAC 197-11-660 must also be followed when conditioning or denying permits or other approvals.

NEW SECTION

WAC 232-19-130 INFORMAL APPEAL. Any person who, upon proper application, is denied a permit or approval or contests a condition placed in a permit or approval granted under these rules, may contact the responsible official to discuss the denial or conditions. If the result of this contact with the responsible official does not satisfy the applicant, then that person may contact the responsible official's supervisors up through the chain of command to the director of the department. If the applicant is not satisfied by the results of this informal appeal process, then that person may make a formal appeal. The department encourages the applicant to exhaust this informal appeal process prior to initiating a formal appeal.

NEW SECTION

WAC 232-19-140 FORMAL ADMINISTRATIVE APPEAL. Any person who, upon proper application, is denied a permit or approval or contests a condition placed in a permit or approval granted under these rules, or a final threshold determination or final EIS, is entitled to an opportunity for hearing, pursuant to the Administrative Procedure Act, chapter 34.04 RCW. To obtain a hearing a written request must be filed with the department. The mailing address is: Department of Game, Habitat Management Division, 600 North Capitol Way, Olympia, WA 98504. Requests

must be filed within thirty days of the department's decision. An administrative law judge will be used to hear all evidence. The record in the hearing shall include those items set forth in RCW 34.04.090(5). The record, including a transcript of the oral proceedings, shall be submitted to the director for final decision pursuant to RCW 34.04.110. All final decisions are appealable as provided by the Administrative Procedure Act, chapter 34.04 RCW. Administrative law judges will be provided by the office of administrative hearings. For additional information, reference should be made to WAC 197-11-680(3)(a) through (c).

NEW SECTION

WAC 232-19-180 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

**WSR 84-20-013
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-152—Filed September 24, 1984]**

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of mature red sea urchins are available in the San Juan Islands, but immature stocks prevail in the Strait of Juan de Fuca.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 24, 1984.
By William R. Wilkerson
Director

NEW SECTION

WAC 220-52-07300A SEA URCHINS. *Notwithstanding the provisions of WAC 220-52-073, effective October 1, 1984 until further notice: (1) It is unlawful to take or possess red sea urchins taken for commercial purposes greater than 5 inches or less than 3 1/2 inches*

in diameter, measured at the largest diameter of the shell.

(2) *It is unlawful to take sea urchins for commercial purposes from all Puget Sound waters except it is lawful to take red sea urchins from those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20B and 22A outside of the following closed areas: (a) San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island and south of a line from Steep Point to Limestone Point on San Juan Island.*

(b) Haro Strait north of a line projected east-west one half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(c) Within one-quarter mile in any direction of Green Point on the East end of Spieden Island.

(d) Within one-quarter mile of Gull Reef located between Johns Island and Spieden Island.

**WSR 84-20-014
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed September 24, 1984]**

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 Pacific County, WAC 173-19-330.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 26, 1984.

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 in Notice No. WSR 84-16-076 filed with the code reviser's office on August 1, 1984.

Dated: September 20, 1984

By: Glen H. Fiedler
Deputy Director

**WSR 84-20-015
ADOPTED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
[Order 84-02—Filed September 25, 1984]**

I, Keith A. Angier, director of the Department of General Administration, do promulgate and adopt at 218 General Administration Building, Olympia, Washington, the annexed rules relating to the State Environmental Policy Act (SEPA).

This action is taken pursuant to Notice No. WSR 84-17-046 filed with the code reviser on August 13, 1984. These rules shall take effect thirty days after they are

filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.21C-.120 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 25, 1984.

By Keith A. Angier
Director

Chapter 236-11 WAC
COMPLIANCE WITH STATE ENVIRONMENTAL
POLICY ACT

NEW SECTION

WAC 236-11-010 AUTHORITY. This chapter is promulgated pursuant to RCW 43.21C.120.

NEW SECTION

WAC 236-11-020 SCOPE AND COVERAGE OF THIS CHAPTER. (1) Compliance with the rules of this chapter shall constitute procedural compliance with SEPA for an "action" as defined in WAC 197-11-704.

(2) The rules of this chapter contain no sections relating to the notice/statute of limitations provisions of chapter 43.21C RCW. To utilize these provisions, the department of general administration shall follow the statutory language and any applicable regulations of the department of ecology.

NEW SECTION

WAC 236-11-030 ADOPTION BY REFERENCE. The department of general administration hereby adopts the sections or subsections of chapter 197-11 WAC by reference.

WAC

197-11-040 Definitions.
197-11-050 Lead agency.
197-11-055 Timing of the SEPA process.
197-11-060 Content of environmental review.
197-11-070 Limitations on actions during SEPA process.
197-11-080 Incomplete or unavailable information.
197-11-090 Supporting documents.
197-11-100 Information required of applicants.
197-11-300 Purpose of this part.
197-11-305 Categorical exemptions.
197-11-310 Threshold determination required.
197-11-315 Environmental checklist.
197-11-330 Threshold determination process.
197-11-335 Additional information.
197-11-340 Determination of nonsignificance (DNS).
197-11-350 Mitigated DNS.
197-11-360 Determination of significance (DS)/initiation of scoping.
197-11-390 Effect of threshold determination.
197-11-400 Purpose of EIS.
197-11-402 General requirements.
197-11-405 EIS types.
197-11-406 EIS timing.
197-11-408 Scoping.
197-11-410 Expanded scoping. (Optional)

197-11-420 EIS preparation.
197-11-425 Style and size.
197-11-430 Format.
197-11-435 Cover letter or memo.
197-11-440 EIS contents.
197-11-442 Contents of EIS on nonproject proposals.
197-11-443 EIS contents when prior nonproject EIS.
197-11-444 Elements of the environment.
197-11-448 Relationship of EIS to other considerations.
197-11-450 Cost-benefit analysis.
197-11-455 Issuance of DEIS.
197-11-460 Issuance of FEIS.
197-11-500 Purpose of this part.
197-11-502 Inviting comment.
197-11-504 Availability and cost of environmental documents.
197-11-510 Public notice.
197-11-535 Public hearings and meetings.
197-11-545 Effect of no comment.
197-11-550 Specificity of comments.
197-11-560 FEIS response to comments.
197-11-570 Consulted agency costs to assist lead agency.
197-11-600 When to use existing environmental documents.
197-11-610 Use of NEPA documents.
197-11-620 Supplemental environmental impact statement—Procedures.
197-11-625 Addenda—Procedures.
197-11-630 Adoption—Procedures.
197-11-635 Incorporation by reference—Procedures.
197-11-640 Combining documents.
197-11-650 Purpose of this part.
197-11-655 Implementation.
197-11-660 Substantive authority and mitigation.
197-11-680 Appeals.
197-11-700 Definitions.
197-11-702 Act.
197-11-704 Action.
197-11-706 Addendum.
197-11-708 Adoption.
197-11-710 Affected tribe.
197-11-712 Affecting.
197-11-714 Agency.
197-11-716 Applicant.
197-11-718 Built environment.
197-11-720 Categorical exemption.
197-11-722 Consolidated appeal.
197-11-724 Consulted agency.
197-11-726 Cost-benefit analysis.
197-11-728 County/city.
197-11-730 Decision maker.
197-11-732 Department.
197-11-734 Determination of nonsignificance (DNS).
197-11-736 Determination of significance (DS).
197-11-738 EIS.
197-11-740 Environment.
197-11-742 Environmental checklist.
197-11-744 Environmental document.
197-11-746 Environmental review.
197-11-748 Environmentally sensitive area.
197-11-750 Expanded scoping.
197-11-752 Impacts.
197-11-754 Incorporation by reference.
197-11-756 Lands covered by water.
197-11-758 Lead agency.
197-11-760 License.
197-11-762 Local agency.
197-11-764 Major action.
197-11-766 Mitigated DNS.
197-11-768 Mitigation.
197-11-770 Natural environment.
197-11-772 NEPA.
197-11-774 Nonproject.
197-11-776 Phased review.
197-11-778 Preparation.
197-11-780 Private project.
197-11-782 Probable.
197-11-784 Proposal.
197-11-786 Reasonable alternative.

197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.
197-11-800	Categorical exemptions.
197-11-810	Exemptions and nonexemptions applicable to specific state agencies.
197-11-875	Other agencies.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.
197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.
197-11-904	Agency SEPA procedures.
197-11-906	Content and consistency of agency procedures.
197-11-908	Environmentally sensitive areas.
197-11-910	Designation of responsible official.
197-11-912	Procedures on consulted agencies.
197-11-914	SEPA fees and costs.
197-11-916	Application to ongoing actions.
197-11-918	Lack of agency procedures.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.
197-11-950	Severability.
197-11-955	Effective date.
197-11-965	Adoption notice.
197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

NEW SECTION

WAC 236-11-040 INTEGRATION OF SEPA PROCEDURES WITH OTHER GOVERNMENTAL OPERATIONS. To clarify threshold decisions and to categorize department actions applicable to the environment protection process, typical department of general administration actions have been identified as follows:

(1) Category I. Projects which will normally require an EIS.

(a) Construction projects - (determined by environmental checklist).

(i) Projects requiring preparation of major state construction plans.

(ii) Projects undertaken for another state agency or applicant where the assessment process identifies significant known or potential impacts.

(b) All department of general administration projects where the assessment process identifies known or potential significant environmental impact.

(c) Procurement and/or disposal of hazardous materials or substances.

(2) Category II. Projects which may require EIS or further assessment.

(a) Construction projects.

(i) Repair and alteration projects requiring a major change in energy requirement or source.

(ii) Repair and alteration projects affecting architectural character of buildings of recognized historical importance.

(b) Upgrading of existing space with significant change in use.

(c) Alteration projects entailing laboratory space which will utilize dangerous or hazardous chemicals, drugs, or radioactive materials.

(3) Category III. Division exemptions. Pursuant to WAC 197-11-875, except for building construction, all activities of the Division of Banking and the Division of Savings and Loan Associations are exempted.

(4) Category IV. Categorical exemptions. Pursuant to WAC 197-11-800, Part Nine except for limitations on categorical exemptions contained in chapter 197-305 WAC, the following divisions are exempted: Division of Buildings and Grounds, Division of Telecommunications, Data Processing Service Center, Division of Administrative Services, Division of Motor Transport, Risk Management, Personnel Office, Division of Purchasing and Surplus Property Office and the State Mail Service. If any of the aforementioned divisions become involved in an action as defined in WAC 197-11-704 which is not exempt, then these rules will apply and the division supervisor must integrate these department procedures with their operations.

(5) Category V. Emergencies. Pursuant to WAC 197-11-880, actions which must be undertaken immediately or within a time too short to allow full compliance with this chapter, or chapter 197-11 WAC, to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt.

NEW SECTION

WAC 236-11-050 APPLICATIONS FOR EXEMPTIONS WITHIN THE DEPARTMENT OF GENERAL ADMINISTRATION. Each "action" as defined in Part Eight, WAC 197-11-704, of the department shall have a form completed and retained in the applicant's division files. This form shall show the action and exemption decision and be signed by the department of general administration representative making that decision. This form shall also show any threshold decision signed by the department representative. A copy of this completed form shall be submitted to the division of facilities planning for review and approval or disapproval.

NEW SECTION

WAC 236-11-060 TIMING OF THE EIS PROCESS. (1) Public works request. Any agency submitting a public works request to the department of general administration shall be regarded as the lead agency. It will

be the sole responsibility of an agency submitting a public works request to determine whether the action is exempt and, if not, to prepare an environmental checklist, make threshold determinations of nonsignificance or significance, prepare draft and final EIS's and conduct public hearings. If an EIS is required for any public works request the working draft EIS must be prepared concurrently or prior to the completion of the design development phase. Evidence of compliance with SEPA rules, chapter 197-11 WAC, must be provided to the department of general administration prior to implementing proposals.

(2) Space request. The department of general administration will normally assume responsibility as lead agency for space requests submitted to the department. However, if an EIS is required for a space request the agency submitting the space request may be assigned responsibility for preparing the draft and final EIS's and to conduct public hearings.

NEW SECTION

WAC 236-11-070 FACILITY ACQUISITION. Facilities or real estate acquired under RCW 43.82.010 and which are subject to the provisions of chapter 197-11 WAC, SEPA rules, shall be environmentally administered as follows:

(1) Upon identification of plans to locate or relocate a state agency within a community, the department of general administration shall determine whether the proposal is categorically exempt, does not have a probable significant environmental impact, or does have a probable significant impact. If an EIS is required, the agency which will be the recipient of the facility or real estate may be assigned as lead agency as determined in WAC 236-11-060(2).

(2) Prior to publication of a determination of nonsignificance, or determination of significance, the department of general administration shall coordinate plans for acquisition with appropriate government officials and interest groups through the department of community development.

(3) Determinations of significance or nonsignificance, and any subsequent environmental review actions shall be publicized, with copies of determinations and review actions transmitted to appropriate government officials and interest groups.

NEW SECTION

WAC 236-11-080 PUBLIC NOTICE REQUIREMENTS. (1) The department shall give public notice when issuing a DNS under WAC 197-11-340, or DS and scoping notice under WAC 197-11-360.

(2) The department may require an applicant to perform the public notice requirement at its expense.

(3) The department shall use one or more of the following methods of public notice, taking into consideration the geographic area affected by the proposal, the size and complexity of the proposal, public interest expressed in the proposal, and whether the proposal is a project or regulation:

(a) Mailing to public or private persons or groups who have expressed interest in the proposal, in a certain type of proposal, or proposals in the geographic area in which the proposal is located;

(b) Publication in a newspaper of general circulation in the area in which the proposal will be implemented; and/or

(c) Posting the property, for site-specific proposals.

NEW SECTION

WAC 236-11-090 EIS DECISION LEVELS. There are four levels of decisions involved in the EIS process.

(1) (a) Determination of eligibility for a categorical exemption.

(b) In determining whether a proposal is exempt from SEPA, the department shall respect "environmentally sensitive area" designations made by local governments under WAC 197-11-908 and the threshold levels adopted by cities/counties under WAC 197-11-800(1).

(2) Completion of an environmental checklist, Form GEN-FP-007, by the applicant in accordance with WAC 197-11-315 to determine if a proposal will have probable significant adverse environmental impact.

(3) Completion of a threshold determination by the lead agency in accordance with WAC 197-11-310 to determine if an EIS is required.

(a) Determination of nonsignificance (DNS), Form GEN-FP-008, which documents a decision that a proposal is not likely to have a significant adverse environmental impact and, therefore, not require an EIS.

(b)(i) Determination of significance (DS), Form GEN-FP-009, which documents a decision that a proposal is likely to have a significant adverse environmental impact and, therefore, an EIS is required.

(ii) Completion of scoping the proposal to limit an EIS to significant environmental issues.

(4) Completion of an environmental impact statement (EIS) which is the detailed statement required by RCW 43.21C.030(2)(c).

(a) Completion of a draft EIS (DEIS) which informs decision makers and the public of a proposal and the mitigation measures which would avoid or minimize adverse impacts.

(b) Completion of a final EIS (FEIS) which revises the DEIS as appropriate and responds to comments received from decision makers and the public.

(c) Completion of a supplemental EIS (SEIS) which revises a draft or final EIS if there are substantial changes or significant new information on the proposal indicating probable significant adverse environmental impacts.

NEW SECTION

WAC 236-11-100 POLICIES AND PROCEDURES FOR CONDITIONING OR DENYING PERMITS OR OTHER APPROVALS. (1) (a) It is department of general administration policy to avoid or mitigate adverse environmental impacts which may result from the department's decisions.

(b) The department shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources so that the state and its citizens may:

(i) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(ii) Assure for all people of Washington, safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(iii) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(iv) Preserve important historic, cultural, and natural aspects of our national heritage;

(v) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(vi) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(vii) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The department shall develop plans and programs to economically house state government activities so as to provide maximum services to the people of Washington consistent with (b) of this subsection.

(2) Supplementary implementing instructions and procedures to the policies contained in this section are contained in department of general administration policies and procedures, chapter 7, section 3.

(3) The department responsible official may:

(a) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in subsection (1) of this section.

(b) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in subsection (1) of this section.

(4) The procedures in WAC 197-11-660 must be followed when conditioning or denying permits or other approvals.

NEW SECTION

WAC 236-11-110 DESIGNATION OF RESPONSIBLE OFFICIAL. (1) Within the department of general administration the ultimate responsible official is the director.

(2) The division of facilities planning is the responsible official for overall direction and control of environmental reviews within the department of general administration and the division shall maintain the department SEPA information center.

(3) When the department of general administration is the lead agency, the operational responsibility for determining if the department's involvement is an "action"

and if the department's "action" is "exempt" shall be controlled by the division of facilities planning.

(4) The division of facilities planning shall review and agree or disagree with all project or program exemptions, environmental checklists and determinations of nonsignificance or significance initiated within the department. In the event that there is disagreement with the initiator of the project, the decision of the responsible official, division of facilities planning, shall be final.

(5) The department's responsibilities as consulted agency will be coordinated by the division of facilities planning. When the department of general administration is responding as the consulted agency to a draft EIS and when specific contents of an EIS impacts a particular division of the department of general administration, then that EIS will be sent to the affected division director for review and response. The affected division's response comments and/or recommendation will then be incorporated into the overall department response and sent to the department of general administration responsible official for final approval.

(6) Any decision of the responsible official, division of facilities planning, shall be final until such time as it is superseded by the director, department of general administration.

NEW SECTION

WAC 236-11-120 SEPA INFORMATION CENTER. (1) The department SEPA information center shall be located in the Division of Facilities Planning, Department of General Administration, Olympia, Washington 98504.

(2) The following documents shall be maintained at the department's SEPA Information Center:

(a) Copies of all determinations of nonsignificance filed by the agency, for a period of one year.

(b) Copies of all EIS's prepared by the agency, for a period of three years. Draft EIS's which have been superseded by a final EIS need not be maintained at the center.

(3) The agency shall maintain the following information at its center:

(a) Current SEPA statutes and administrative codes;

(b) Current directives and regulations;

(c) Department SEPA policies, procedures and correspondence;

(d) Blank forms for determinations, environmental checklists, and others as required.

NEW SECTION

WAC 236-11-130 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

WSR 84-20-016**ATTORNEY GENERAL OPINION****Cite as: AGO 1984 No. 24**

[September 21, 1984]

OFFICES AND OFFICERS—COUNTY—SHERIFF—ARREST—FEES—FEE UPON UNSUCCESSFUL ATTEMPT TO SERVE ARREST WARRANT

Where a county sheriff makes one or more unsuccessful attempts to serve (or execute) an arrest warrant which is later cancelled or expires without having been successfully executed, and the sheriff makes a return of "not found" in order to show his efforts to execute the warrant, the sheriff is then entitled to a fee of five dollars "for making a return" plus a mileage fee, as provided for in RCW 36.18.040.

Requested by:

Honorable Jeffrey C. Sullivan
Prosecuting Attorney
Yakima County
329 County Courthouse
Yakima, WA 98901

WSR 84-20-017**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 84-153—Filed September 25, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of coho salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 25, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100N WILLAPA HARBOR GILL NET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective 12:00 noon, September

25, 1984, until 6:00 p.m. October 14, 1984, it is unlawful to fish for or possess salmon taken for commercial purposes from any Willapa Harbor Salmon Management and Catch Reporting Area, except those waters of Area 2G westerly and southerly of a line drawn true north and south through Willapa River Channel Light Number 10.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:00 noon, September 25, 1984:

WAC 220-40-02100M Willapa Harbor Gill Net Season. (84-149)

WSR 84-20-018**PROPOSED RULES****DEPARTMENT OF LICENSING**

[Filed September 25, 1984]

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 aircraft fuel tax, amending WAC 308-78-010, 308-78-040, 308-78-045, 308-78-050, 308-78-070 and 308-78-080;

that the agency will at 10:00 a.m., Wednesday, November 7, 1984, in the 3rd Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 82.42.040.

The specific statute these rules are intended to implement is shown below.

Dated: September 14, 1984

By: H. George Ides
Administrator

STATEMENT OF PURPOSE

Title: Chapter 308-78 WAC, Aircraft fuel tax: Amending WAC 308-78-010 Definitions; 308-78-040 Tax exempt transactions; 308-78-045 Tax exempt use; 308-78-050 Supporting documents for tax exempt transactions; 308-78-070 Records; and 308-78-080 Refunds.

These rules are proposed under the authority of RCW 82.42.040.

The specific statutes these rules are intended to implement is RCW 82.42.020 as to WAC 308-78-010(5); RCW 82.42.030 as to WAC 308-78-010, except subsection (5), 308-78-040 and 308-78-045; and RCW 82.42.040 as to WAC 308-78-050, 308-78-070 and 308-78-080.

Summary of the Rule and Statement of Reasons Supporting its Adoption: These amending rules clarify the definition of "local service commuter" and, accordingly, clarify application of tax exemptions (WAC 308-78-

010, 308-78-040 and 308-78-045); they also clarify when the aircraft fuel tax exemption for aircraft crew training will be granted (WAC 308-78-045); certain federal military fuel transfer exemption documentation requirements are eliminated (WAC 308-78-050), and recordkeeping requirements for those claiming exemption from the aircraft fuel tax are specified (WAC 308-78-070); amending the rule accords aircraft fuel dealers who have paid the aircraft fuel tax on sales to claim a refund assigned to them by an exempt user like the United States or foreign government agencies (WAC 308-78-080); and these rules are required to clarify application of exemption from the aircraft fuel tax, and provide methods for recording information used to substantiate exemptions.

Agency Personnel Responsible for Drafting, Implementing and Enforcing These Rules: H. George Ides, Administrator, 234-4565 scan, 753-4565 comm, and Ildefonso Origenes, Assistant Administrator, 234-6860 scan, 753-6860 comm, Second Floor, Highways-Licenses Building, Olympia, WA 98504.

Organization Proposing These Rules: Department of Licensing.

Agency Comments: None.

These rules are not necessary as the result of federal law or federal or state court action.

Small Business Economic Impact Statement: This rule will affect major industry group 45 - transportation by air—and all subgroups. It will also affect major industry, group 01—agricultural production. In neither case will this rule affect more than 20 percent of all industries of more than 10 percent of any one industry. Therefore, a small business economic impact statement is not required for this rule under the terms of the Small Business Regulatory Fairness Act.

AMENDATORY SECTION (Amending Order MV 696, filed 10/6/82)

WAC 308-78-010 DEFINITIONS. (1) "Aircraft fuel" includes any combustible gas or liquid, which is normally defined as motor vehicle fuel under chapter 82.36 RCW or a special fuel under chapter 82.38 RCW, when it is used to propel an aircraft.

(2) "User" means any person other than a distributor who is licensed to acquire aircraft fuel without payment of the aircraft fuel tax at time of acquisition.

(3) "Local service commuter" means an operator who operates at least five round trips per week between two or more points in passenger service and publishes flight schedules which specify the times, days of the week, and points between which it operates; and whose aircraft has a maximum capacity of sixty passengers or eighteen thousand pounds of useful load.

(4) "Operation for testing or experimental purposes" shall include only those flights conducted under either an experimental, research and development or special air-worthiness certificate issued by the FAA or other documented experimental or testing flights including the flight of other aircraft used in the test or experimental flight.

(5) "Private, non-state funded airfield" means an airport not eligible to receive state funding under chapter 47.68 RCW.

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 MV 696, filed 10/6/82)

WAC 308-78-040 TAX EXEMPT TRANSACTIONS. (SEE WAC 308-78-080—Refunds) A distributor may sell aircraft fuel

without collecting aircraft fuel tax when delivery is made by the distributor:

- (1) To a buyer at a point outside the state; or
- (2) To a common or contract carrier under a bill of lading naming the distributor as consignor to the buyer outside the state; or
- (3) To United States or foreign government agencies; or
- (4) To aircraft fuel users licensed by the department; or
- (5) Directly into the aircraft fuel tanks of equipment operated by air carriers (~~and~~), supplemental air carriers, foreign flag carriers operating under Part 121 of the Federal Aviation Regulations, and local service commuters.
- (6) To another licensed distributor.

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 MV 696, filed 10/6/82)

WAC 308-78-045 TAX EXEMPT USE. Exemption from the aircraft fuel tax may be claimed for the uses specified in RCW 82.42-.020 and 82.42.030 subject to the following conditions:

(1) Operation of aircraft by air carriers, supplemental air carriers, and ~~((local service commuters shall be exempt from the aircraft fuel tax when such operation is directly related to the transportation of passengers or cargo within the authority granted by federal or state authorities))~~ foreign flag carriers operating under Part 121 of the Federal Aviation Regulations, and local service commuters.

(2) Exemption from the aircraft fuel tax for testing and experimental purposes shall be granted only to persons primarily engaged in manufacture or remanufacture of aircraft and only for flight operations of an experimental aircraft or an aircraft being tested following manufacture or repair prior to delivery to a customer. Fuel used in the operation of an aircraft which is necessary to the conduct of a test or experimental flight of another aircraft is also exempt.

(3) ~~((Exemption from the aircraft fuel tax for aircraft crew training will be granted in accordance with rules promulgated by the aeronautics division of the Washington department of transportation))~~ Aircraft fuel used in connection with aircraft crew training shall be exempt from the aircraft fuel tax when: (a) the personnel receiving training are the crews of a certified air carrier; (b) the aircraft used for training purposes may appropriately be used to train crews to operate the type of aircraft purchased by the air carrier; (c) the crew training occurs in Washington State; and (d) the primary purpose of the flight is for crew training and not for an otherwise taxable purpose.

(4) Exemption from the aircraft fuel tax for application of pesticides, herbicides or other agricultural chemicals will be allowed only for fuel consumed while the chemicals are being applied and for flight operations attendant thereto.

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 MV 696, filed 10/6/82)

WAC 308-78-050 SUPPORTING DOCUMENTS FOR TAX EXEMPT TRANSACTIONS. ~~((The provisions of RCW 82.36-.230 relating to exemptions from motor vehicle fuel tax shall be applicable to the claiming of exemptions from aircraft fuel tax. In addition, the department may require the distributor to execute such other certificates as may be particularly appropriate to exemptions from the imposition of the aircraft fuel tax.~~

~~(2))~~ The distributor shall retain sales invoices, contracts, purchase orders, bills of lading and other documents in support of the tax exemption claimed. Records must be kept in original form for three years.

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 MV 696, filed 10/6/82)

WAC 308-78-070 RECORDS. (1) Stock Records. Every distributor and user shall maintain a complete stock summary of the gallons of aircraft fuel handled each month which reflects inventories, receipts, sales, use, transfers, loss or gain, and other distribution. The stock summary shall be supported by:

(a) Physical inventories of bulk storage facilities and mobile storage facilities taken at the close of each calendar month;

(b) A record of fuel receipts together with invoices, bills of lading, transfer documents, and other documents relative to the acquisition of fuel;

(c) A record of fuel disbursements supported by sales invoices and other documents relative to the disbursements of fuel.

(2) Invoices. An original invoice shall be issued at the time of each sale, or delivery, and shall show:

(a) An imprinted serial number;

(b) The imprinted name of the distributor;

(c) The date of delivery;

(d) The name and address of the purchaser (address not required on credit card deliveries);

(e) The location of the storage facility from which the fuel was withdrawn;

(f) The type or grade of fuel;

(g) The number of gallons;

(h) The price per gallon and the total amount charged;

(i) The statement: "Ex Washington Aircraft Fuel Tax" for tax exempt sales. The distributor or user license number must be shown for all deliveries other than those made directly into the aircraft fuel tanks of unlicensed exempt carriers.

(3) Own use. Every distributor and user shall maintain a withdrawal record covering this total usage during the month, which contains the same information concerning each withdrawal of an aircraft fuel for own use as required in subsections (2)(c), (e), (f), and (g).

(4) Each person claiming an exemption from the aircraft fuel tax shall keep records in a form convenient to the operator, of each flight or series of flights for which tax exempt use is claimed. Such records shall include:

(a) Flight or block time of each flight or series of flights;

(b) Type of aircraft;

(c) Purpose of each flight or series of flights;

(d) Dates;

(e) Gallons consumed for each flight or series of flights.

(5) Maintenance and audit of records. Every distributor and user shall maintain and keep for a period of not less than three years in their original form such records as the department may require. The department may make such examinations of the records, stocks, facilities, equipment, and aircraft of distributors and users as necessary in carrying out the provisions of chapter 10, Laws of 1967 ex. sess., as amended. If such examination or investigations disclose that any reports filed with the department have shown incorrectly the gallonage of aircraft fuel or the tax accruing thereon, the department may make such changes in subsequent reports and payments as necessary to correct the errors disclosed.

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 MV 696, filed 10/6/82)

WAC 308-78-080 REFUNDS. (1) Any person claiming a refund for aircraft fuel tax shall file a claim upon forms provided by the department in the same manner and under the same conditions as provided for refund of motor vehicle fuel in RCW 82.36.310.

(2) A refund of aircraft fuel tax, which has been collected, may be claimed on aircraft fuel which has been:

(a) Used for purposes exempted under RCW 82.42.020 or 82.42.030;

(b) Exported from this state for use outside this state under the same conditions as provided for refund of motor vehicle fuel in RCW 82.36.300. Any aircraft fuel carried from this state in the fuel tank of an aircraft shall not be considered as exported from this state;

(c) Used in equipment, other than aircraft, not licensed to be operated over and along any public highway as provided for refund of motor vehicle fuel in RCW 82.36.280;

(d) Lost or destroyed under the same conditions as provided for tax exempt losses in WAC 308-78-060.

(e) Sold by a dealer who has paid the aircraft fuel tax, to the United States or foreign government agencies. The dealer shall file an exemption certificate, which shall contain an assignment to the dealer of the purchaser's right to a refund, and each invoice covering such sale shall have the statement: "Ex Washington Aircraft Fuel Tax" clearly marked thereon.

(3) Claims for refund may be filed at any time but not later than thirteen months from the date of purchase of such aircraft fuel under the same conditions as provided for motor vehicle fuel in RCW 82.36.330.

(4) The department may examine the books and records of the claimant in order to establish the validity of any claim for refund under the same conditions as provided for motor vehicle fuel in RCW 82.36.340.

WSR 84-20-019**EMERGENCY RULES****DEPARTMENT OF LICENSING**

[Order PL 482—Filed September 25, 1984]

I, John Gonzalez, director of the Washington State Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to examinations for barbers, manicurists and cosmetologists and for barbering, manicuring and cosmetology school instructors.

I, John Gonzalez, find that an emergency exists and that this 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 the emergency is reconsideration of examination data warrants immediate revision of the passing grade.

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

This rule is promulgated pursuant to section 7, chapter 208, Laws of 1984 which directs that the director, Department of Licensing has authority to implement the provisions of chapter 208, Laws of 1984.

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

APPROVED AND ADOPTED September 25, 1984.

By John Gonzalez
Director

NEW SECTION

WAC 308-20-171 PASSING GRADES ON ALL EXAMINATIONS. *Passing grades are based on the standard of 100 percent and are determined by the cosmetology/barber/manicurist advisory board.*

Effective August 1, 1984, the passing grade on the barber, manicurist, and chemical services examinations is 76 percent. An applicant who receives a passing score of not less than 76 percent shall be entitled to a license.

Applicants for a barber license will be required to obtain a passing grade on the barber examination.

Applicants for a manicurist license will be required to obtain a passing grade on the manicurist examination.

Applicants for a cosmetology license will be required to obtain a passing grade on the barber examination, the manicurist examination and the chemical services examination. No one will be licensed to perform chemical services until successfully passing all three examinations.

If a cosmetology applicant passes the barber examination, a barber license will be issued upon request.

If a cosmetology applicant passes the manicurist examination, a manicurist license will be issued upon request. There will be no refund of fees for separate licenses issued. If both barber and manicurist licenses are requested, an additional fee for a manicurist license will be required.

Applicants for cosmetology instructor license will be required to obtain a 90 percent grade on the instructor's examination.

The instructor's examination will cover lesson planning and teaching techniques. The examination will consist of 200 questions with 45 percent of the questions to be on lesson planning.

REPEALER

Emergency WAC 308-20-170 is repealed.

WSR 84-20-020
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-154—Filed September 25, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is this rule allows harvest of salmon and conforms Washington state regulations with recommendations of the Columbia River compact.

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

This rule is promulgated pursuant to RCW 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 25, 1984.

By William R. Wilkerson
Director

NEW SECTION

WAC 220-32-0300M GILL NET SEASON-COLUMBIA RIVER BELOW BONNEVILLE. Notwithstanding the provisions of WAC 220-32-030, 220-32-031 and 220-32-032, it is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E except in those areas and at those times designated below:

6:00 p.m. September 25, to 6:00 p.m. September 27,

6:00 p.m. October 1, to 6:00 p.m. October 5,

6:00 p.m. October 8, to 6:00 p.m. October 12,

6:00 p.m. October 15, to 6:00 p.m. October 18,

6:00 p.m. October 22, to 6:00 p.m. October 25,

6:00 p.m. October 28, to 6:00 p.m. November 2,

6:00 p.m. November 4, to 6:00 p.m. November 9,

6:00 p.m. November 11, to 6:00 p.m. November 16, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-03000L GILL NET SEASON-COLUMBIA RIVER BELOW BONNEVILLE. (84-140)

WSR 84-20-021
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed September 26, 1984]

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 mandatory monthly reporting, amending WAC 388-24-044;

that the agency will at 10:00 a.m., Wednesday, November 7, 1984, in the Third Floor Conference Room, H-19, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 14, 1984.

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

The specific statute these rules are intended to implement is chapter 74.12 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1984.

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

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by October 24, 1984. The meeting site is in a location which is barrier free.

Dated: September 25, 1984

By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-24-044.

Purpose of the Rule: To redefine categories of recipients required to report household circumstances monthly.

The Reason this Rule is Necessary: To show these new categories in line with the state's approved waiver request.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: Categories of recipients required to report monthly are those with (1) earned income and (2) recent work history.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Mary Rose Trepanier, Program Manager, Division of Income Assistance, Mailstop: OB 31C, Telephone: 753-3177.

These rules are not necessary as a result of federal law, federal court decision or state court decision.

AMENDATORY SECTION (Amending Order 2096, filed 04/18/84)

WAC 388-24-044 MANDATORY MONTHLY REPORTING.

(1) As a condition of continuing eligibility for AFDC (~~and RA~~), certain recipients must return to the department a completed monthly ~~((status))~~ report ~~((MSR))~~ by the fifth day of the month following the month for which the ~~((MSR))~~ report describes the household circumstances. Recipients ~~((who must report))~~ reporting monthly are those ~~((whose certification and computation of grant form indicates))~~ who:

- (a) ~~((Income budgeted from the grant))~~ Are currently employed, or
- (b) ~~((Deprivation or reduction in earnings occurring within twelve months preceding the month of application for assistance))~~ Were employed in the two months prior to the month of application, or
- (c) ~~((A fraud overpayment deduction,))~~ Terminate employment.
- (d) ~~((WIN exemption due to illness,~~
- (e) ~~An individual sixteen through eighteen years of age,~~
- (f) ~~An individual without a Social Security number,~~
- (g) ~~Shelter costs over eighty percent of the payment standard))~~ Recipients in subsection (1)(b) and (c) of this section shall be required to report for three months.

(2) Failure to return a completed ~~((MSR))~~ report by the fifth day of the month shall result in termination except as provided in subsection (3) of this section.

(3) If the recipient furnishes the completed report to the department within ten days from the date of a termination notice pursuant to subsections (1) and (2) of this section, the department shall:

- (a) Accept the replacement form; and
- (b) Reinstate assistance if the information on the replacement form indicates the recipient is still eligible.

(4) If the information on the replacement form indicates the recipient is ineligible or eligible for an amount less than the prior month's payment, the department must ~~((notify))~~ give adequate notice to the recipient ((according to chapter 388-33 WAC)).

WSR 84-20-022

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed September 26, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Prohibited practices—Contracts—Gifts—Rebates, etc., amending WAC 314-12-140;

that the agency will at 9:30 a.m., Wednesday, November 7, 1984, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030, 66.98.070 and chapter 34.04 RCW.

The specific statute these rules are intended to implement is RCW 66.08.010 and 66.28.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1984.

Dated: September 26, 1984

By: L. H. Pedersen
Board Member

STATEMENT OF PURPOSE

Title: WAC 314-12-140 Prohibited practices—Contracts—Gifts—Rebates, etc.

Description of Purpose: The amendatory language in WAC 314-12-140(3) would prohibit an applicant for a retail liquor license from receiving money or money's worth, directly or indirectly, from a liquor manufacturer, wholesaler or importer and in turn, prohibits a liquor manufacturer, wholesaler or importer from giving money or money's worth, directly or indirectly, to a retail liquor license applicant, except such services as are authorized by chapter 314-12 WAC.

Statutory Authority: RCW 66.08.030, 66.98.070 and chapter 34.04 RCW.

Statutes Implemented by the Rule: RCW 66.08.010 and 66.28.010.

Summary of Rule: The rule presently prohibits retail liquor licensees or their employees from receiving and manufacturers, wholesalers and importers and their employees from giving, money or money's worth, in any manner, be it direct or indirect, except as provided by chapter 314-12 WAC. The amendment would include retail liquor license applicants along with retail liquor licensees.

Reasons Supporting Proposed Action: There is a glaring loophole that must be closed to preserve the integrity of this WAC rule. Presently, a manufacturer, wholesaler or importer may not furnish money or money's worth to

a retail liquor licensee; however, there is no prohibition on furnishing anything of value to retail liquor license applicants. Both wholesalers and liquor license applicants have taken advantage of this loophole. As an example, a retail license applicant can go from wholesaler to wholesaler indicating they will give their beer account business to the wholesaler who can make them the best deal, i.e., furnishing free bar equipment, glassware, etc. On the other hand for example, a wholesaler can entice a license applicant into buying his product by offering inducements such as free bar equipment, free products, etc. There is not much use having a rule that can be so easily sidestepped.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Robert D. Obenland, Chief, Enforcement Division, Capital Plaza Building, Olympia, WA 98504, Phone: (206) 753-6270; Gary W. Gilbert, Assistant Chief, Enforcement Division, Capital Plaza Building, Olympia, WA 98504, Phone: (206) 753-6274; and James A. Halstrom, Supervisor, MIW Division, Capital Plaza Building, Olympia, WA 98504, Phone: (206) 753-6273.

Person or Organization Proposing Rule: This rule was proposed by the Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: This rule was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: The intent of this rule is obvious to wholesalers and retail liquor licensees, that being it is a violation for a liquor retailer to receive and a wholesaler to furnish money or money's worth, except as provided by the rule. Those who chose to step outside the bounds of both the rule and its intent have so far been few. This being the case, the fiscal impact would be negligible.

Discussion: This rule does not require any additional paper work by either small or large businesses.

AMENDATORY SECTION (Amending Order 46, Rule 13, filed 6/9/76)

WAC 314-12-140 PROHIBITED PRACTICES—CONTRACTS—GIFTS—REBATES, ETC. (1) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(2) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: PROVIDED, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

(3) No manufacturer, wholesaler, or importer, or his employee, shall directly or indirectly solicit, give or offer to, or receive from any retail licensee ((or)), any employee thereof, or an applicant for a license, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever; nor shall any retail licensee ((or)), employee thereof, or an applicant for a license, directly or indirectly, solicit, receive from, or give or offer to any manufacturer, wholesaler or importer, or his employee, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever, except such services as are authorized in this regulation.

(4) Pursuant to RCW 66.28.010 a manufacturer, wholesaler, importer, or his licensed agent may perform the following services for a retailer:

(a) Build, rotate, and restock displays, utilizing filled cases, filled bottles or filled cans of his own brands only, from stock or inventory owned by the retailer.

(b) Rotate, rearrange or replenish bottles or cans of his own brands on shelves or in the refrigerators, but is prohibited from rearranging or moving displays of his products in such a manner as to cover up, hide or reduce the space of display of the products of any other manufacturer, wholesaler or importer.

(c) Provide price cards and may also price goods of his own brands.

(d) Provide point of sale advertising material and brand signs.

(e) Such services may be rendered only upon the specific approval of the retail licensee. Displays and advertising material installed or supplied for use on a retailer's premises must be in conformity with the board's advertising rules as set forth in chapter 314-52 WAC (Title XII).

(f) No manufacturer, wholesaler, importer, or any employee thereof, shall move or handle in any manner any products other than his own brands on the premises of any retail licensee.

(5) No manufacturer, wholesaler, importer, or employee thereof shall, directly or indirectly, give, furnish, rent or lend to, or receive from, any retail licensee any equipment, fixtures, supplies or property of any kind, nor shall any retail licensee, directly or indirectly, receive, lease or borrow from, or give or offer to, any manufacturer, wholesaler or importer any equipment, fixtures, supplies or property of any kind. Sales authorized in this regulation shall be made on a cash on delivery basis only.

(6) No manufacturer or wholesaler or employee thereof shall sell to any retail licensee or solicit from any such licensee any order for any liquor tied in with, or contingent upon, the retailer's purchase of some other beverage, alcoholic or otherwise, or any other merchandise, property or service.

(7) In selling equipment, fixtures, supplies or commodities other than liquor, no manufacturer, wholesaler or importer shall grant to retail licensees, nor shall such licensees accept, more favorable prices than those extended to nonlicensed retailers. The price thereof shall be in conformity with the open market price in the locality where sold. In no event shall credit be extended to any retail licensee.

(8) Any manufacturer, wholesaler or importer who sells what is commonly referred to as heavy equipment and fixtures, such as counters, back bars, stools, chairs, tables, sinks, refrigerators or cooling boxes and similar articles, shall immediately after making any such sales to retail licensees forward to the board at Olympia a copy of the invoice covering each such sale, which invoice shall contain a complete description of the articles sold, the purchase price of each unit sold together with the total amount of the sale, transportation costs and services rendered in connection with the installation of such articles. Such invoice shall list the date of such sale and affirm that full cash payment for such articles was received from the retailer as provided in subsection (5) of this regulation.

(9) If the board finds in any instance that any licensee has violated this regulation, then all licenses involved shall be held equally responsible for such violation.

NOTE: WAC 314-12-140 is not intended to be a relaxation in any respect of section 90 of the Liquor Act (RCW 66.28.010). As a word of caution to persons desiring to avail themselves of the opportunity to sell to retail licensees fixtures, equipment and supplies subject to the conditions and restrictions provided in section 90 of the act and the foregoing regulation, notice is hereby given that, if at any time such privilege is abused or experience proves that as a matter of policy it should be further curtailed or eliminated completely, the board will be free to impose added restrictions or to limit all manufacturers and wholesalers solely to the sale of liquor when dealing with retail licensees. WAC 314-12-140 shall not be considered as granting any vested right to any person, and persons who engage in the business of selling to retail licensees property or merchandise of any nature voluntarily assume the risk of being divested of that privilege and they will undertake such business subject to this understanding. The board also cautions that certain trade practices are prohibited by rulings issued under the Federal Alcohol Administration Act by the United States Bureau of Alcohol, Tobacco and Firearms, and WAC 314-12-140 is not intended to conflict with such rulings or other requirements of federal law or regulations.

WSR 84-20-023
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Finance—General apportionment, chapter 392-121 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-17-119 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-024
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Finance—Categorical apportionment, chapter 392-122 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-17-120 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-025
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Finance—Nonresident attendance, chapter 392-137 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.58.240 and 28A.58.242.

This notice is connected to and continues the matter in Notice No. WSR 84-17-121 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-026
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-17-122 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-027
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-17-123 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-028
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Transportation—Specifications for school buses, chapter 392-143 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 46.61.380.

This notice is connected to and continues the matter in Notice No. WSR 84-17-124 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-029
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Transportation—Operation rules, chapter 392-145 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 46.61.380.

This notice is connected to and continues the matter in Notice No. WSR 84-17-125 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-030
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Special service program—Transitional bilingual, chapter 392-160 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.58.808.

This notice is connected to and continues the matter in Notice No. WSR 84-17-126 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-031
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Special service program—Remediation assistance, chapter 392-162 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.41.408.

This notice is connected to and continues the matter in Notice No. WSR 84-17-127 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-032
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Special service program—Chapter 1 regular of the Education Consolidation and Improvement Act of 1981, financial assistance to local school districts, chapter 392-163 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.02.100.

This notice is connected to and continues the matter in Notice No. WSR 84-17-128 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-033
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Special education programs—Education for all handicapped children, chapter 392-171 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.13.070(7) and 28A.02.100.

This notice is connected to and continues the matter in Notice No. WSR 84-17-129 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-034
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 Special education programs—DSHS students, chapter 392-173 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.02.100.

This notice is connected to and continues the matter in Notice No. WSR 84-17-130 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-035
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 School personnel—Evaluation of the professional performance capabilities, chapter 392-191 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.67.065.

This notice is connected to and continues the matter in Notice No. WSR 84-17-132 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-036
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 School personnel—In-service training program, chapter 392-195 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.71.210.

This notice is connected to and continues the matter in Notice No. WSR 84-17-133 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-037
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1984]

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 employment discrimination, chapter 392-200 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1984.

The authority under which these rules are proposed is RCW 28A.85.020.

This notice is connected to and continues the matter in Notice No. WSR 84-17-134 filed with the code reviser's office on August 22, 1984.

Dated: September 26, 1984
By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 84-20-038
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY
[Memorandum—September 25, 1984]

The meeting of the board of trustees of Western Washington University scheduled for October 4, 1984, is cancelled.

The next meeting of the board will be on the regularly scheduled date of November 1, 1984.

WSR 84-20-039
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed September 27, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Ecology intends to adopt, amend, or repeal rules concerning implementation of regulations air contaminant sources, chapter 173-403 WAC. The changes will increase the civil penalty for violations from \$250 to \$1,000 per day per violation; allow a \$5,000 fine for purposes of effective enforcement; limit the fine for opacity violations to \$400 per day; clarify the department's issuance of compliance orders in conjunction with the serving of notices of violation (WAC 173-403-170); and delete the requirement that certain emission reductions can only be used as an offset by the source creating the reduction (WAC 173-403-050).

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 25, 1984.

The authority under which these rules are proposed is chapters 70.94 and 43.21A RCW.

The specific statute these rules are intended to implement is RCW 70.94.430 and 70.94.431.

This notice is connected to and continues the matter in Notice No. WSR 84-16-077 filed with the code reviser's office on August 1, 1984.

Dated: September 18, 1984
By: Donald W. Moos
Director

WSR 84-20-040
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed September 27, 1984]

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 Bothell, city of, WAC 173-19-2505;

that the agency will at 2:00 p.m., Wednesday, November 14, 1984, in the Energy Facility Site Evaluation Council Office, Building 1, Rowsix, 4224 6th Avenue S.E., Lacey, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 5, 1984.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 16, 1984.

Dated: October 3, 1984
By: Glen H. Fiedler
Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-2505 Bothell, city of.
Description of Purpose: Adoption of revised shoreline master programs into the state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.
Summary of Rule: The amendments adopt revisions to the shoreline master program for the city of Bothell.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jeanne Holloman, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6287.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

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

AMENDATORY SECTION (Amending Order DE 83-9, filed 3/11/83)

WAC 173-19-2505 BOTHELL, CITY OF. City of Bothell master program approved February 27, 1975. Revision approved July 2, 1976. Revision approved January 31, 1977. Revision approved March 8, 1983. Revision approved December 5, 1984.

WSR 84-20-041
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order 84-32—Filed September 27, 1984]

I, Donald W. Moos, director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Pacific County, WAC 173-19-330.

This action is taken pursuant to Notice Nos. WSR 84-16-076 and 84-20-014 filed with the code reviser on August 1, 1984, and September 24, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120 and 90.58.200 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 26, 1984.

By Donald W. Moos
Director

AMENDATORY SECTION (Amending Order DE 81-55, filed 3/18/82)

WAC 173-19-330 PACIFIC COUNTY. Pacific County Master Program approved April 8, 1975. Revision approved June 26, 1980. Revision approved March 16, 1982. Revision approved September 26, 1984.

WSR 84-20-042

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 84-39—Filed September 27, 1984]

I, Glen H. Fiedler, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to NPDES delegation, repealing WAC 173-06-065.

This action is taken pursuant to Notice No. WSR 84-17-136 filed with the code reviser on August 22, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.21A-.060, 43.21A.080 and 43.21A.090 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 25, 1984.

By Glen H. Fiedler
Deputy Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 173-06-065 NPDES DELEGATION

WSR 84-20-043

ADOPTED RULES

DEPARTMENT OF RETIREMENT SYSTEMS

[Order IV—Filed September 27, 1984]

I, Robert L. Hollister, Jr., director of the Department of Retirement Systems, do promulgate and adopt at

Olympia, Washington, the annexed rules relating to adding a section to chapter 415-02 WAC entitled actuarial tables, schedules and factors. The proposal includes in WAC the tables, schedules and factors currently being used by the department in calculating retirement benefits.

This action is taken pursuant to Notice No. WSR 84-17-093 filed with the code reviser on August 20, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.04.050, 41.26.060, 41.32.150, 41.40.065 and 43.43.200 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 26, 1984.

By Robert L. Hollister, Jr.
Director

NEW SECTION

WAC 415-02-090 ACTUARIAL TABLES, SCHEDULES, AND FACTORS This chapter contains the tables, schedules, and factors adopted by the Director of the Department of Retirement Systems pursuant to the Authority granted by RCW 41.04.050, 41.26.060, 41.32.150, 41.40.065, and 43.43.200 for calculating optional retirement allowances of members of retirement systems administered by the Director. These tables, schedules, and factors were adopted by the Director upon the recommendation of and in light of the findings of the State Actuary in his regular actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of such retirement systems. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from February 1, 1983 until such time as these tables, schedules, and factors are amended by the Director following the next actuarial investigation conducted by the State Actuary. The retirement allowances of members retiring before February 1, 1983 shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement. Any new tables, schedules, and factors adopted by the Director in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.

PUBLIC EMPLOYEES RETIREMENT SYSTEM

PLAN 1

OPTION 1

MONTHLY BENEFIT PER \$1.00 OF ACCUMULATION*

<u>AGE</u>	<u>BENEFIT</u>
20	.0054700
21	.0054828
22	.0054965
23	.0055110

<u>AGE</u>	<u>BENEFIT</u>	<u>AGE</u>	<u>BENEFIT</u>
24	.0055265	84	.0160876
25	.0055429	85	.0168596
26	.0055603	86	.0176777
27	.0055789	87	.0185354
28	.0055986	88	.0194227
29	.0056196	89	.0203271
30	.0056419	90	.0212300
31	.0056656	91	.0221230
32	.0056908	92	.0229835
33	.0057177	93	.0238025
34	.0057462	94	.0245729
35	.0057766	95	.0252919
36	.0058090	96	.0259597
37	.0058435	97	.0265773
38	.0058802	98	.0271452
39	.0059193	99	.0276633

*Option 1A is above table times 1.01.
Effective Date: February 1, 1983

PUBLIC EMPLOYEES RETIREMENT SYSTEM – PLAN II
OPTION 1
MONTHLY BENEFIT PER \$1.00 OF ACCUMULATION*

<u>AGE</u>	<u>BENEFIT</u>	<u>AGE</u>	<u>BENEFIT</u>
20	.0033119	20	.0033119
21	.0033320	21	.0033320
22	.0033529	22	.0033529
23	.0033748	23	.0033748
24	.0033977	24	.0033977
25	.0034215	25	.0034215
26	.0034465	26	.0034465
27	.0034726	27	.0034726
28	.0035000	28	.0035000
29	.0035286	29	.0035286
30	.0035585	30	.0035585
31	.0035899	31	.0035899
32	.0036228	32	.0036228
33	.0036573	33	.0036573
34	.0036935	34	.0036935
35	.0037314	35	.0037314
36	.0037713	36	.0037713
37	.0038132	37	.0038132
38	.0038572	38	.0038572
39	.0039035	39	.0039035
40	.0039522	40	.0039522
41	.0040034	41	.0040034
42	.0040572	42	.0040572
43	.0041137	43	.0041137
44	.0041728	44	.0041728
45	.0042349	45	.0042349
46	.0042999	46	.0042999
47	.0043681	47	.0043681
48	.0044395	48	.0044395
49	.0045144	49	.0045144
50	.0045931	50	.0045931
51	.0046757	51	.0046757
52	.0047625	52	.0047625
53	.0048538	53	.0048538
54	.0049499	54	.0049499

AGE	BENEFIT	PLAN I		PLAN II	
		YEAR	Factor	Ratio	Factor
55	.0050511				
56	.0051579				
57	.0052705		.0075		.0081
58	.0053896	1	.9136	1.000	.9070
59	.0055155	2	.8347	.9983	.8227
60	.0056489	3	.7626	.9950	.7462
61	.0057906	4	.6967	.9903	.6768
62	.0059415	5	.6365	.9844	.6139
63	.0061024	6	.5816	.9773	.5568
64	.0062746	7	.5313	.9690	.5050
65	.0064592	8	.4854	.9597	.4581
66	.0066576	9	.4435	.9495	.4155
67	.0068710	10	.4052	.9386	.3768
68	.0071007	15	.2579	.8739	.2313
69	.0073481	20	.1642	.7998	.1420
70	.0076145	25	.1045	.7227	.0872
71	.0079014	30	.0665	.6469	.0535
72	.0082103				.6257

Effective Date: February 1, 1983.

AGE	BENEFIT	PERS OPTION 2		
		PLAN I	DIFFERENCE	PLAN II
73	.0085430			
74	.0089012			
75	.0092869			
76	.0097019			
77	.0101483			
78	.0106282			
79	.0111438			
80	.0116975	.951	-15	.948
81	.0122921	.946	-14	.942
82	.0129309	.941	-13	.936
83	.0136171	.936	-12	.930
84	.0143532	.931	-11	.923
85	.0151396	.925	-10	.916
86	.0159741	.919	- 9	.909
87	.0168505	.914	- 8	.901
88	.0177590	.903	- 7	.889
89	.0186870	.892	- 6	.875
90	.0196157	.881	- 5	.860
91	.0205362	.870	- 4	.845
92	.0214254	.858	- 3	.829
93	.0222735	.845	- 2	.812
94	.0230726	.833	- 1	.796
95	.0238194	.821	0	.779
96	.0245135	.808	1	.761
97	.0251556	.795	2	.744
98	.0257459	.782	3	.728
99	.0262841	.775	4	.717
		.768	5	.707
		.762	6	.697
		.747	7	.680
		.741	8	.670
		.735	9	.660
		.729	10	.651
		.723	11	.641
		.716	12	.631
		.709	13	.621
		.702	14	.611
		.695	15	.601

*Option 1A is above table times 1.01.

Effective Date: February 1, 1983.

PUBLIC EMPLOYEES RETIREMENT SYSTEM
AND
TEACHERS RETIREMENT SYSTEM
EARLY RETIREMENT FACTORS

Effective Date: February 1, 1983

PERS OPTION 3			AGE	BENEFIT
PLAN I	AGE DIFFERENCE	PLAN II		
.977	-15	.975	36	.00378
.974	-14	.972	37	.00382
.972	-13	.968	38	.00387
.968	-12	.965	39	.00392
.966	-11	.961	40	.00397
.963	-10	.958	41	.00402
.959	-9	.953	42	.00407
.957	-8	.949	43	.00413
.951	-7	.942	44	.00420
.945	-6	.934	45	.00426
.938	-5	.925	46	.00433
.932	-4	.917	47	.00440
.925	-3	.907	48	.00448
.918	-2	.897	49	.00456
.911	-1	.883	50	.00465
.903	0	.877	51	.00474
.896	1	.866	52	.00483
.888	2	.855	53	.00493
.880	3	.844	54	.00504
.876	4	.837	55	.00515
.871	5	.830	56	.00526
.866	6	.823	57	.00539
.860	7	.811	58	.00552
.855	8	.804	59	.00566
.850	9	.797	60	.00581
.845	10	.791	61	.00597
.840	11	.784	62	.00614
.835	12	.771	63	.00632
.830	13	.764	64	.00652
.825	14	.758	65	.00673
.820	15	.752	66	.00695
			67	.00719
			68	.00745
			69	.00772
			70	.00801
			71	.00832
			72	.00865
			73	.00900
			74	.00937
			75	.00976
			76	.01017
			77	.01061
			78	.01109
			79	.01161
			80	.01218
			81	.01278
			82	.01341
			83	.01408
			84	.01478
			85	.01550
			86	.01626
			87	.01706
			88	.01788
			89	.01875
			90	.01966
			91	.02062
			92	.02164
			93	.02272

Effective Date: February 1, 1983.

LEOFF RETIREMENT SYSTEM

PLAN II OPTION 1	
AGE	BENEFIT
20	.00332
21	.00334
22	.00336
23	.00338
24	.00340
25	.00343
26	.00345
27	.00348
28	.00351
29	.00353
30	.00357
31	.00360
32	.00363
33	.00367
34	.00370
35	.00374

<u>AGE</u>	<u>BENEFIT</u>	<u>DIFFERENCE</u>	<u>RATE</u>
94	.02386	10	.719
95	.02508	11	.712
96	.02641	12	.705
		13	.698
		14	.691
		15	.684

Effective Date: 2-1-83

LEOFF

PLAN II

EARLY RETIREMENT FACTORS

Effective Date: February 1, 1983

LEOFF

PLAN II

OPTION 3

<u>YEAR</u>	<u>EARLY RETIREMENT FACTOR</u>	<u>RATIO</u>
	<u>.0074</u>	
1	.9147	1.0056
2	.8367	1.0098
3	.7654	1.0126
4	.7001	1.0138
5	.6404	1.0139
6	.5858	1.0124
7	.5358	1.0102
8	.4902	1.0070
9	.4484	1.0025
10	.4101	.9971
15	.2626	.9577
20	.1682	.9033
25	.1077	.8407
30	.0690	.7735

Effective Date: February 1, 1983

LEOFF

PLAN II

OPTION 2

<u>DIFFERENCE</u>	<u>RATE</u>
-15	.964
-14	.960
-13	.956
-12	.952
-11	.948
-10	.943
-9	.939
-8	.934
-7	.929
-6	.924
-5	.919
-4	.914
-3	.908
-2	.903
-1	.898
0	.892
1	.887
2	.881
3	.875
4	.870
5	.864
6	.859
7	.853
8	.848
9	.843
10	.838
11	.833
12	.828
13	.823
14	.818
15	.813

Effective Date: February 1, 1983

WASHINGTON STATE TEACHERS RETIREMENT SYSTEM -
PLAN I

MONTHLY, NO-REFUND ANNUITY BENEFIT PER \$1.00 OF
ACCUMULATION*

<u>DIFFERENCE</u>	<u>RATE</u>
-15	.928
-14	.922
-13	.914
-12	.907
-11	.899
-10	.891
-9	.883
-8	.874
-7	.866
-6	.857
-5	.848
-4	.839
-3	.831
-2	.822
-1	.813
0	.804
1	.795
2	.786
3	.777
4	.768
5	.760
6	.751
7	.743
8	.735
9	.727

<u>AGE</u>	<u>BENEFIT</u>
20	.0054532
21	.0054650
22	.0054777
23	.0054911
24	.0055053
25	.0055204

<u>AGE</u>	<u>BENEFIT</u>	<u>AGE</u>	<u>BENEFIT</u>
26	.0055365	86	.0180783
27	.0055536	87	.0192051
28	.0055718	88	.0204506
29	.0055911	89	.0218213
30	.0056116	90	.0233197
31	.0056335	91	.0249340
32	.0056567	92	.0266842
33	.0056814	93	.0285364
34	.0057077	94	.0304859
35	.0057357	95	.0325231
36	.0057655	96	.0346451
37	.0057972	97	.0368604
38	.0058310	98	.0391855
39	.0058670	99	.0416429

*Option 1A is above table times .98.
Effective Date: February 1, 1983.

TEACHERS RETIREMENT SYSTEM
PLAN II - OPTION 1
MONTHLY BENEFIT PER \$1.00 OF ACCUMULATION*

<u>AGE</u>	<u>BENEFIT</u>
20	.0032856
21	.0033046
22	.0033243
23	.0033449
24	.0033665
25	.0033890
26	.0034125
27	.0034371
28	.0034628
29	.0034897
30	.0035179
31	.0035474
32	.0035783
33	.0036106
34	.0036446
35	.0036801
36	.0037175
37	.0037567
38	.0037979
39	.0038412
40	.0038868
41	.0039347
42	.0039851
43	.0040381
44	.0040937
45	.0041520
46	.0042132
47	.0042774
48	.0043447
49	.0044154
50	.0044896
51	.0045675
52	.0046494
53	.0047355
54	.0048263
55	.0049218
56	.0050226
57	.0051289

AGE	BENEFIT	PLAN I		PLAN II	
		YEAR	Factor	Ratio	Factor
58	.0052412				
59	.0053599				
60	.0054856		.0075		.0081
61	.0056188	4	.6967	.9903	.6768
62	.0057603	5	.6365	.9844	.6139
63	.0059110	6	.5816	.9773	.5568
64	.0060720	7	.5313	.9690	.5050
65	.0062444	8	.4854	.9597	.4581
66	.0064297	9	.4435	.9495	.4155
67	.0066291	10	.4052	.9386	.3768
68	.0068444	15	.2579	.8739	.2313
69	.0070770	20	.1642	.7998	.1420
70	.0073286	25	.1045	.7227	.0872
71	.0076007	30	.0665	.6469	.0535

Effective Date: February 1, 1983.

AGE	BENEFIT	TEACHERS OPTION 2		
		PLAN I	DIFFERENCE	PLAN II
72	.0078953			
73	.0082144			
74	.0085603			
75	.0089355			
76	.0093429			
77	.0097856			
78	.0102671			
79	.0107913			
80	.0113626	.958	-15	.957
81	.0119860	.955	-14	.952
82	.0126678	.951	-13	.947
83	.0134155	.947	-12	.942
84	.0142385	.944	-11	.937
85	.0151472	.940	-10	.933
86	.0161528	.935	-9	.927
87	.0172662	.930	-8	.921
88	.0184966	.925	-7	.914
89	.0198506	.920	-6	.906
90	.0213311	.913	-5	.897
91	.0229279	.906	-4	.887
92	.0246598	.898	-3	.876
93	.0264954	.884	-2	.856
94	.0284307	.864	-1	.831
95	.0304567	.838	0	.796
96	.0325712	.829	1	.780
97	.0347828	.821	2	.765
98	.0371078	.813	3	.753
99	.0395686	.805	4	.742
		.797	5	.730
		.788	6	.718
		.779	7	.706
		.771	8	.694
		.763	9	.688
		.755	10	.676
		.746	11	.664
		.737	12	.652
		.728	13	.640
		.719	14	.628
		.709	15	.616

*Option 1A is above table times .98.

Effective Date: February 1, 1983.

PUBLIC EMPLOYEES RETIREMENT SYSTEM
AND
TEACHERS RETIREMENT SYSTEM
EARLY RETIREMENT FACTORS

YEAR	PLAN I		PLAN II	
	Factor	Ratio	Factor	Ratio
	.0075		.0081	
1	.9136	1.000	.9070	1.000
2	.8347	.9983	.8227	.9987
3	.7626	.9950	.7462	.9955

Effective Date: February 1, 1983.

TEACHERS OPTION 3		
	AGE	
<u>PLAN I</u>	<u>DIFFERENCE</u>	<u>PLAN II</u>
.978	-15	.977
.977	-14	.975
.975	-13	.973
.972	-12	.970
.971	-11	.968
.969	-10	.965
.966	- 9	.961
.964	- 8	.957
.962	- 7	.953
.959	- 6	.949
.954	- 5	.945
.951	- 4	.941
.949	- 3	.938
.938	- 2	.923
.926	- 1	.907
.911	0	.886
.906	1	.876
.901	2	.869
.897	3	.861
.892	4	.854
.887	5	.848
.881	6	.840
.875	7	.831
.870	8	.823
.865	9	.816
.860	10	.809
.853	11	.800
.847	12	.791
.841	13	.781
.835	14	.771
.829	15	.762

Effective Date: February 1, 1983

WSR 84-20-044
ADOPTED RULES
ENERGY OFFICE

[Order 84-01—Filed September 28, 1984]

I, Richard H. Watson, director of the Washington State Energy Office, do promulgate and adopt at 400 East Union, Olympia, WA, the annexed rules relating to agency procedures for compliance with the State Environmental Policy Act; adopting an exemption statement and repealing existing procedures.

This action is taken pursuant to Notice No. WSR 84-17-067 filed with the code reviser on August 15, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.21C-.120 which directs that the Washington State Energy Office has authority to implement the provisions of the State Environmental Policy Act, chapter 43.21C RCW.

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

APPROVED AND ADOPTED September 26, 1984.
 By Richard H. Watson
 Director

AMENDATORY SECTION (Amending Order 82-2, filed 8/11/82)

WAC 194-12-010 AUTHORITY. This chapter is promulgated pursuant to the authority granted in RCW 43.21C.120, requiring each state agency to adopt rules implementing the State Environmental Policy Act.

This chapter is also promulgated to comply with WAC ((197-10-020(t))) 197-11-904(2) and (4).

AMENDATORY SECTION (Amending Order 1, filed 1/18/77)

WAC 194-12-020 ((PURPOSE)) STATEMENT OF EXEMPTION. ((The purpose of this chapter is to: (1) Establish guidelines interpreting and implementing the State Environmental Policy Act of 1971 (SEPA) as applicable to the Washington state energy office, and (2) Incorporate guidelines established by the council on environmental policy into the rules and regulations of the Washington state energy office.)) The Washington state energy office has reviewed the activities it is authorized to undertake and finds them all to be exempt as provided in PART NINE-CATEGORICAL EXEMPTIONS WAC 197-11-875(23).

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 194-12-030 SCOPE AND COVERAGE.
- WAC 194-12-040 INCORPORATION BY REFERENCE.
- WAC 194-12-050 DEFINITIONS.
- WAC 194-12-060 EXEMPTIONS.
- WAC 194-12-070 DESIGNATION OF RESPONSIBLE OFFICIAL.
- WAC 194-12-080 COPIES OF PUBLIC INFORMATION.
- WAC 194-12-090 CONSULTATION REQUEST GUIDELINES.
- WAC 194-12-100 INVOLVEMENT OF PRIVATE APPLICANT IN PREPARATION OF EIS.
- WAC 194-12-110 PREPARATION OF EIS BY PERSONS OUTSIDE THE OFFICE.
- WAC 194-12-120 SEVERABILITY.

WSR 84-20-045**NOTICE OF PUBLIC MEETINGS
URBAN ARTERIAL BOARD**
[Memorandum—September 28, 1984]**URBAN ARTERIAL BOARD
TRANSPORTATION BUILDING
OLYMPIA, WASHINGTON 98504**

Beginning at 1:30 a.m., Thursday, October 18, 1984:
(Room 3F21)

Urban Arterial Board Study Session

- Topics:
1. Discussion on funding alternatives for the 1987-89 biennium.
 2. Discussion on what the UAB can do to stretch the available funding so that a greater number of essential needs can be satisfied.

Beginning at 9:30 a.m., Friday, October 19, 1984:
(Transportation Board Room)

1. Minutes from meeting on July 20, 1984.
2. Urban arterial trust fund expenditure report ending September 30, 1984.
3. Status report on 1985-87 construction program.
4. Status report on 1985-87 appropriation request to the 1985 legislature.
5. Briefing concerning the city of Olympia's actions on modifying the pavement marking configurations on East Bay Drive (UAB project constructed in 1972).
6. Identification and consideration of urban arterial trust fund underruns on authorized projects.
 - a. Spokane - Nevada Street
 - b. Kennewick - Clearwater Avenue
 - c. Snoqualmie - North Falls Avenue/King Street
 - d. Okanogan - Sixth Avenue
 - e. Othello - Fourteenth Avenue
 - f. Royal City - Camelia Street
 - g. Warden - East First Avenue/Ash/Main
 - h. Pomeroy - High Street
7. Status report on delayed projects.
 - a. King County - 176th Street
8. Status report on proposed projects pending UAB approval.
 - a. Seattle - S. Jackson Street Bridge
9. Apportionment of fuel tax and interest revenue between urban regions deposited into the trust account for the third quarter of 1984.
10. Allocation of trust funds to previously authorized projects for the fourth quarter 1984 expenditures.
11. Funding consideration for preliminary engineering on proposed projects.
 - a. Tacoma - Portland Avenue
 - b. Fife - Pacific Highway
 - c. Everson - Everson Avenue
 - d. Colville - Birch Street
 - e. Olympia - Pacific Avenue
12. Funding consideration for construction on projects previously authorized for preliminary engineering.
 - a. Seattle - Jackson Street
 - b. Redmond - Union Hill Road
 - c. Kent - East Valley Highway
 - d. Richland - Leslie Road
 - e. Bremerton - Naval Avenue
 - f. Bremerton - Warren Avenue
 - g. Renton - S.W. Grady Way
13. Report on increases in urban arterial trust funds authorized by the chairman.
14. Report on completed audits.
15. Review 1983-85 priority array for additional projects.

NOTE: Persons wishing to testify at this meeting will be required to contact the UAB in writing prior to October 12, 1984. Please identify the agenda item of interest.

WSR 84-20-046**EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)**

[Order 245—Filed September 28, 1984]

Be it resolved by the State Game Commission, acting at the Ridpath Motor Inn, Sprague and 1st Avenues at Stevens Street, Spokane, WA, that it does adopt the annexed rules relating to fishing season closure for Fish Lake in Okanogan County, adopting WAC 232-28-60903.

We, the State Game Commission, find that an emergency exists and that this 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 the emergency is Fish Lake in Okanogan County was closed to fishing July 31 by emergency action, WSR 84-16-071, because of an error in the 1984 Game Fish Seasons and Catch Limits pamphlet. The lake was intended to be closed the end of July, but it was inadvertently omitted from the listing of lakes with early closures. This action will continue the early closure as originally intended and complete the season correction through October 31, 1984.

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

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 19, 1984.

By Vern E. Ziegler
Chairman, Game Commission

NEW SECTION

WAC 232-28-60903 FISHING SEASON CLOSURE FOR FISH LAKE IN OKANOGAN COUNTY. Notwithstanding the provisions of WAC 232-28-609, it shall be unlawful for any person to fish for, take, or possess game fish in Fish Lake, Okanogan County.

WSR 84-20-047
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)

[Order 247—Filed September 28, 1984]

Be it resolved by the State Game Commission, acting at the Ridpath Motor Inn, Sprague and 1st Avenues at Stevens Street, Spokane, WA, that it does adopt the annexed rules relating to establishing a 30-day fishing season extension for Cascade Lake and Deep Lake in Grant County, adopting WAC 232-28-60902.

We, the State Game Commission, find that an emergency exists and that this 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 the emergency is Cascade and Deep lakes in Grant County are scheduled for rehabilitation in 1984-85. The emergency season will provide anglers with an opportunity to harvest fish from the lakes prior to rehabilitation.

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

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 19, 1984.

By Vern E. Ziegler
Chairman, Game Commission

NEW SECTION

WAC 232-28-60902 ESTABLISH A 30-DAY FISHING SEASON EXTENSION FOR CASCADE LAKE AND DEEP LAKE IN GRANT COUNTY. Notwithstanding the provisions of WAC 232-28-609, it shall be lawful to fish for, take, or possess game fish in Cascade and Deep lakes in Grant County. Cascade and Deep lakes will be open to fishing for 30 days beginning at 12:01 a.m., October 1, 1984, and will close to fishing at midnight, October 30, 1984.

WSR 84-20-048
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed September 28, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 480-90-021 and 480-90-071 relating to gas companies; 480-100-021 and 480-100-071 relating to electric companies; adopting WAC 480-90-072 relating to gas companies; and 480-100-072 relating to electric companies. The proposed sections are shown below as Appendix A, Cause No. U-84-63. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed sections on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:00, Wednesday, November 7, 1984, in the Commission's Hearing Room, Sixth Floor, Highways-Licenses Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 80.01.040 and 80.04.160.

The specific statute these rules are intended to implement is RCW 80.28.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 2, 1984.

Dated: September 26, 1984

By: Barry M. Mar
Secretary

STATEMENT OF PURPOSE

In the matter of amending WAC 480-90-021 and 480-90-071 relating to gas companies; 480-100-021 and 480-100-071 relating to electric companies; adopting WAC 480-90-072 relating to gas companies; and 480-100-072 relating to electric companies.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040 and 80.04.160, which direct that the commission has authority to implement the provisions of chapter 80.28 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to ensure that regulated gas and electric utilities provide home heating to low income residential households between November 15 and March 15, provided the residential customer meets certain qualifications and abides by a payment plan to be arranged between the customer and the utility.

Barry M. Mar, Secretary, Seventh Floor, Highways-Licenses Building, Olympia, Washington, telephone number (206) 753-6420, 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 and 80.04.160.

The rule change is not necessary as the result of federal law, or federal or state court action.

The rule change proposed will affect no economic values.

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 will be forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-27, filed 7/15/71)

WAC 480-90-021 GLOSSARY. (1) Commission - the Washington utilities and transportation commission.

(2) Utility - any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any gas plant within the state of Washington for the purpose of furnishing gas service to the public for hire and subject to the jurisdiction of the commission.

(3) Customer - any person, partnership, firm, corporation, municipality, co-operative organization, governmental agency, etc., who or which is receiving service from a utility or has completed an application to any utility for service.

(4) Gas - any fuel gas, whether manufactured, natural, liquid petroleum or any mixture of these.

(a) Natural gas - a mixture of gaseous hydrocarbons and nonhydrocarbons, chiefly methane, occurring naturally in the earth which is delivered from the producing equipment to the customers through transmission and/or distribution systems.

(b) Liquefied petroleum gas - a gas consisting of vapors of one or more of the paraffin hydrocarbons, or a combination of one or more of these vapors with air.

(c) Manufactured gas - any gas produced artificially by any process in which the gas is delivered from the generating or producing equipment into the transmission or distribution system.

(5) Cubic foot of gas - a volumetric unit of measure used in sales and testing.

(a) Sales - for the purpose of measuring gas for billing a cubic foot is normally that amount which occupies a volume of one cubic foot under the conditions existing in the customer's meter and as indicated thereon. However pressure and/or temperature recording or compensating devices may be employed to reflect other temperature or pressure base conditions for computing the volume sold. When temperature and/or pressure compensation factors are to be used to compute the volume of gas sold they will be used as set forth in the utility's tariff.

(b) Testing - for the purpose of testing, a cubic foot of gas shall be that amount which at a temperature of sixty degrees fahrenheit and

pressure of 14.73 pounds per square inch absolute, and free of water vapor, occupies a volume of one cubic foot.

(6) British thermal unit (Btu) - the quality of heat required to raise the temperature of one pound of water at 60° fahrenheit and standard pressure, one degree fahrenheit.

(7) Therm - a unit of heat equal to 100,000 Btu's.

(8) Meter test - a test of the volumetric accuracy of a meter.

(a) Utility's operation.

(b) Complaint test - a test made as the result of a customer request.

(c) Proof test - a test made prior to each setting of a meter. New meters which are, upon receipt by the utility, acceptance tested to an acceptable sampling plan need not be 100% proof tested prior to the initial installation.

(d) Special test - any test other than a periodic, complaint or proof test.

(9) Energy assistance grantee - a grantee of the department of community development which administers federally funded energy assistance programs.

(10) Household income - the total of all household members as determined by the department of social and health services or department of community development eligibility requirements for low income assistance.

(11) Payment arrangement - payment schedule by written or oral agreement between the customer and the utility.

(12) Payment plan - payment schedule by written agreement between the customer and the utility under WAC 480-90-072(3).

(13) Winter period - November 15 through March 15.

In the application of these rules, those terms used in the public service laws of the state of Washington will have the meaning therein ascribed to them.

Terms not defined in these rules or the applicable statutes are to be given that meaning generally accepted in the gas industry.

AMENDATORY SECTION (Amending Order R-153, Cause No. U-80-97, filed 12/23/80)

WAC 480-90-071 DISCONTINUANCE OF SERVICE. By customer - a customer shall be required to give notice to the utility of his or her intention to discontinue service.

By utility - (1) service may be discontinued by the utility for any of the following reasons:

(a) For the nonpayment of bills. The utility shall require that bills for service be paid within a specified time after issuance. The minimum specified time shall be fifteen days. Upon the expiration of said specified time without payment, payment arrangement, or a payment plan, the bill may be considered delinquent.

(b) For the use of gas for purposes or properties other than that specified in the application.

(c) Under flat rate service, for increased use of gas without approval of the utility.

(d) For wilful waste of gas through improper or imperfect pipes, fixtures, or otherwise.

(e) For failure of the customer to eliminate any hazardous condition found to exist in his facilities (i.e., piping, venting, appliances, etc.).

(f) For tampering with the utility's property.

(g) In case of vacation of the premises by customer.

(h) For nonpayment of any proper charges, including deposit, as provided in the tariff of the utility.

(i) For refusal to comply with provisions of WAC 480-90-091, access to premises.

(j) For violation of rules, service agreements, or filed tariff(s).

(k) For use of equipment which adversely affects the utility's service to its other customers.

(l) For fraudulent obtaining or use of service. Whenever a fraudulent obtaining or use of the service is detected the utility may discontinue service without notice: PROVIDED, HOWEVER, That if the customer shall make immediate payment for such estimated amount of service as had been fraudulently taken and all costs resulting from such fraudulent use, the utility shall continue such service, subject to any applicable deposit requirements. If a second offense as to fraudulent obtaining or use is detected the utility may refuse to reestablish service subject to appeal to the commission. The burden of proof of such fraudulent obtaining or use will be upon the utility in case of an appeal to the commission. This rule shall not be interpreted as relieving the customer or other person of civil or criminal responsibility.

(m) For failure to keep any agreed upon payment plan.

(2) Except in case of danger to life or property, fraudulent use, impairment of service, or violation of law, no utility shall discontinue service unless the following conditions are met:

(a) ~~((Before effecting disconnection of service, a utility shall make a good faith, bona fide effort to reach the customer in person or by telephone to advise the customer of the pending disconnection and the reasons therefor. Where telephone contact is elected, at least two attempts to reach a customer by telephone shall be made during the utility's regular business hours. If a business or message telephone number is provided by the customer, the utility shall endeavor by that means to reach the customer if unable to make contact through the customer's home telephone. A log or record of the attempts shall be maintained by the utility showing the telephone number called and the time of call. Telephone or personal contact shall not be a substitute for written notice of disconnection as specified below.~~

(b) (i) Each utility shall provide written notice of disconnection served on the customer either by mail or, at its option, by personal delivery of the notice to the customer's address. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the service customer. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If service is not discontinued within ten working days of the first day on which disconnection may be effected, unless other mutually acceptable arrangements have been made, that disconnect notice shall become void and a new notice shall be required before the service can be discontinued:)) Each utility shall provide written notice of disconnection served on the customer either by mail or, at its option, by personal delivery of the notice to the customer's address. If such written notice of disconnection is for non-payment during the winter period, the utility shall advise the customer of the payment plan which is available pursuant to WAC 480-90-072(3), payment arrangements and responsibilities. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the service customer. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If service is not discontinued within ten working days of the first day on which disconnection may be effected, a new notice shall be required before the service can be discontinued.

(b)(i) Before effecting disconnection of service, a utility shall make a good faith, bona fide effort to reach the customer in person or by telephone to advise the customer of the pending disconnection and the reasons therefor. Where telephone contact is elected, at least two attempts to reach a customer by telephone shall be made during the utility's regular business hours. If a business or message telephone number is provided by the customer, the utility shall endeavor by that means to reach the customer if unable to make contact through the customer's home telephone. A log or record of the attempts shall be maintained by the utility showing the telephone number called and the time of call. Telephone or personal contact shall not be a substitute for written notice of disconnection as specified above.

(ii) Where the service address is different from the billing address, the utility shall in all instances prior to effecting discontinuance of service upon its own initiative provide notice to the service address except as provided in subsection (2)(e) of this section regarding master meters. If personal service is effected upon the billing address, then personal service must be effected upon the service address; if service by mail is effected to the billing address, then service by mail must also be effected to the service address.

(iii) When a customer of record orders termination of service at a service address, and the utility through its representative discovers that the actual service user at the service address has no prior notice of such termination, the utility shall delay termination for at least one complete business day following provision of actual notice to the service user.

(iv) All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation and provide notice of means by

which the customer can make contact with the utility to resolve any differences or avail himself or herself of rights and remedies as set forth in WAC 480-90-096 (complaints and disputes) herein.

(c) Except in case of danger to life or property, no disconnection shall be accomplished on Saturdays, Sundays, legal holidays, or on any other day on which the utility cannot reestablish service on the same or following day.

(d) When a utility employee is dispatched to disconnect service, that person shall be required to accept payment of a delinquent account at the service address if tendered in cash, but shall not be required to dispense change for cash tendered in excess of the amount due and owing. Any excess payment shall be credited to the customer's account. The utility shall be permitted to assess a reasonable fee as provided for in the tariff of the utility for the disconnection visit to the service address. Notice of the amount of such fee, if any, shall be provided within the notice of disconnection.

(e) Where service is provided through a master meter, or where the utility has reasonable grounds to believe service is to other than the customer of record, the utility shall undertake all reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the subscriber of record, a minimum period of five days shall be allowed to permit the service users to arrange for continued service.

(f) Where service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection shall be provided to the director, Washington state department of social and health services, as well as to the customer. Upon request from the director or his designee, a delay in disconnection of no less than five business days from the date of notice shall be allowed so that the department may take whatever steps are necessary in its view to protect the interests of patients resident therein who are responsibilities of the department.

(g) Service may not be disconnected while a customer is pursuing any remedy or appeal provided for by these rules, provided any amounts not in dispute are paid when due. The customer shall be so informed by the utility upon referral of a complaint to a utility supervisor or the commission.

(h) (i) The utility shall postpone termination of utility service or will reinstate service to a residential customer for thirty days from the date of receipt of a certificate by a licensed physician which states that termination of gas service will aggravate an existing medical condition or create a medical emergency for the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered. Where service is reinstated, payment of a reconnection charge and/or a deposit shall not be required prior to such reinstatement of service.

(ii) This certificate of medical emergency must be in writing and show clearly the name of the person whose medical emergency would be adversely affected by termination, the nature of the medical emergency, and the name, title, and signature of the person certifying the medical emergency.

((††)) (iii) Any customer may designate a third party to receive notice of termination or other matters affecting the provision of service. The utility shall offer all customers the opportunity to make such designation. When the utility discovers that a customer appears to be unable to comprehend the impact of a termination of service, it shall consider an appropriate social agency to be third party. In either case, it shall not effect termination until five business days after provision of notice to the third party. Utilities shall discover which social agencies are appropriate for and willing to receive such notice, and the name and/or title of the person able to deal with the termination situation, and shall inform the commission on a current basis which agencies and position titles receive such notifications.

(3) Payment of any delinquent amounts to a designated payment agency of the utility shall constitute payment to the utility, if the customer informs the utility of such payment and the utility verifies such payment.

(4) Service shall be restored when the causes of discontinuance have been removed and when payment of all proper charges due from the customer, including any proper deposit, has been made as provided for in the tariff of the utility; or as the commission may order pending resolution of any bona fide dispute between the utility and customer over the propriety of disconnection.

(5) A utility may make a charge for restoring service when service has been discontinued for nonpayment of bills. The amount of such charge is to be specified in the utility's tariff.

NEW SECTION

WAC 480-90-072 PAYMENT ARRANGEMENTS AND RESPONSIBILITIES. (1) The utility shall offer residential customers the option of a budget billing or equal payment plan.

(2) Residential customers shall be notified that the utility, upon contact by a customer whose account is delinquent or who desires to avoid a delinquency, will make extended payment arrangements appropriate for both the customer and the utility. If the customer fails to propose payment terms acceptable to the utility, the utility shall advise a customer of the payment plan set forth in subsection (3) of this section, if appropriate.

(3) During the winter period the utility shall offer the following payment plan if the residential space heating customer qualifies under subsection (4) of this section and if the customer agrees:

(a) To a payment plan designed both to pay the past due bill by the following October 15 and to pay for continued utility service;

(b) To pay a monthly payment during the winter period not to exceed seven percent of the monthly household income during the winter period. A customer may agree to pay a higher percentage of their income during this period, but the payment plan shall not be invalidated unless payment during this period is less than seven percent;

(c) To certify to the utility that any home heating assistance payment received by the customer from applicable government and/or private sector organizations subsequent to implementation of the plan shall be the basis for the customer to contact the utility to reformulate the plan;

(d) To pay the moneys owed even if he or she moves.

A customer's failure to make a payment provided for in this section shall entitle the utility to discontinue service in accordance with the procedures set forth in WAC 480-90-071, discontinuance of service.

The utility shall furnish to the customer entering into an extended payment plan a written copy of the plan.

(4) The customer shall meet the following requirements in order to qualify for payment arrangements as provided in subsection (3) of this section:

(a) Within five business days of receiving a notice of disconnection, notify the utility in person, in writing, or through telephone contact of inability to pay, unless there are extenuating circumstances;

(b) Bring a statement from an energy assistance grantee or the department of social and health services within thirty calendar days of the customer's response to the utility's notice of disconnection stating their household income does not exceed the maximum allowed for eligibility under the state's plan for low income energy assistance under 42 U.S.C. § 8624. This statement shall also include a dollar figure showing seven percent of the monthly household income;

(c) Apply for home energy assistance from appropriate government and/or private sector organizations and certify that any assistance received will be applied to their current and future utility bills;

(d) Apply to the utility or other appropriate agency for low income weatherization assistance if such assistance is applicable for the dwelling;

(e) Agrees to a payment plan designed to pay the past due bill by the following October 15, as well as paying for continued utility service.

AMENDATORY SECTION (Amending Order R-29, filed 7/15/71)

WAC 480-100-021 GLOSSARY. (1) Commission - the Washington utilities and transportation commission.

(2) Utility - any corporation, company, association, joint stock association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any electric plant within the state of Washington for the purpose of furnishing electric service to the public for hire and subject to the jurisdiction of the commission.

(3) Customer - any person, partnership, firm, corporation, municipality, cooperative organization, governmental agency, etc., who or which is receiving service from a utility or has completed an application to any utility for service.

(4) Energy assistance grantee - a grantee of the department of community development which administers federally funded energy assistance programs.

(5) Household income - the total income of all household members as determined by department of social and health services or department of community development eligibility requirements for low income energy assistance.

(6) Meter tests

(a) Periodic test - a routine test made in the regular course of a utility's operation.

(b) Complaint test - a test made as a result of a request by a customer.

(c) Installation test - a test made prior to the installation of a meter. New meters when received by a utility may be tested by an acceptable sampling plan prior to initial installation.

(d) Special test - any test other than a periodic, complaint, or installation test.

(e) Sample test - a test made as a result of the inclusion of a meter in a random statistical sample.

(7) Payment arrangement - payment schedule by written or oral agreement between the customer and the utility.

(8) Payment plan - payment schedule by written agreement between the customer and the utility under WAC 480-100-072(3).

(9) Winter period - November 15 through March 15.

In the application of these rules, those terms used in the public service laws of the state of Washington will have the meaning therein ascribed to them.

Terms not defined in these rules or in the applicable statutes are to be given that meaning usually accepted in the electrical industry.

AMENDATORY SECTION (Amending Order R-158, Cause No. U-80-106, filed 1/20/81)

WAC 480-100-071 DISCONTINUANCE OF SERVICE. By customer - a customer shall be required to give notice to the utility of his or her intention to discontinue service.

By utility - (1) Service may be discontinued by the utility for any of the following reasons:

(a) For the nonpayment of bills. The utility shall require that bills for service be paid within a specified time after issuance. The minimum specified time shall be fifteen days. Upon the expiration of said specified time without payment, payment arrangement, or a payment plan, the bill may be considered delinquent.

(b) For the use of electrical energy for purposes or properties other than that specified in the application.

(c) Under flat rate service, for increased use of electrical energy without approval of the utility.

(d) For willful waste of electrical energy through improper or imperfect wiring, equipment, or otherwise.

(e) When customer's wiring or equipment does not meet the utility's standards, or fails to comply with other applicable codes and regulations.

(f) For tampering with the utility's property.

(g) In case of vacation of the premises by customer.

(h) For nonpayment of any proper charges, including deposit, as provided in the tariff of the utility.

(i) For refusal to comply with provisions of WAC 480-100-091, access to premises.

(j) For violation of rules, service agreements, or filed tariff(s).

(k) For use of equipment which adversely affects the utility's service to its other customers.

(l) For fraudulent obtaining or use of service. Whenever a fraudulent obtaining or use of the service is detected the utility may discontinue service without notice: **PROVIDED, HOWEVER,** That if the customer shall make immediate payment for such estimated amount of service as had been fraudulently taken and all costs resulting from such fraudulent use, the utility shall continue such service, subject to any applicable deposit requirements. If a second offense as to fraudulent obtaining or use is detected the utility may refuse to reestablish service subject to appeal to the commission. The burden of proof of such fraudulent obtaining or use will be upon the utility in case of an appeal to the commission. This rule shall not be interpreted as relieving the customer or other person of civil or criminal responsibility.

(m) For failure to keep any agreed upon payment plan.

(2) Except in case of danger to life or property, fraudulent use, impairment of service, or violation of law, no utility shall discontinue service unless the following conditions are met:

(a) ~~(Before effecting disconnection of service, a utility shall make a good faith, bona fide effort to reach the customer in person or by telephone to advise the customer of the pending disconnection and the reasons therefor. Where telephone contact is elected, at least two attempts to reach a customer by telephone shall be made during the utility's regular business hours. If a business or message telephone number is provided by the customer, the utility shall endeavor by that means to reach the customer if unable to make contact through the customer's home telephone. A log or record of the attempts shall be~~

maintained by the utility showing the telephone number called and the time of call. Telephone or personal contact shall not be a substitute for written notice of disconnection as specified below.

(b)(i) ~~Each utility shall provide written notice of disconnection served on the customer either by mail or, at its option, by personal delivery of the notice to the customer's address. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the service customer. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If service is not discontinued within ten working days of the first day on which disconnection may be effected, unless other mutually acceptable arrangements have been made, that disconnect notice shall become void and a new notice shall be required before the service can be discontinued.)~~ Each utility shall provide written notice of disconnection served on the customer either by mail or, at its option, by personal delivery of the notice to the customer's address. If such written notice of disconnection is for non-payment during the winter period the utility shall advise the customer of the payment plan which is available pursuant to WAC 480-100-072(3), payment arrangements and responsibilities. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the service customer. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If service is not discontinued within ten working days of the first day on which disconnection may be effected, a new notice shall be required before the service can be discontinued.

(b)(i) Before effecting disconnection of service, a utility shall make a good faith, bona fide effort to reach the customer in person or by telephone to advise the customer of the pending disconnection and the reasons therefor. Where telephone contact is elected, at least two attempts to reach a customer by telephone shall be made during the utility's regular business hours. If a business or message telephone number is provided by the customer, the utility shall endeavor by that means to reach the customer if unable to make contact through the customer's home telephone. A log or record of the attempts shall be maintained by the utility showing the telephone number called and the time of call. Telephone or personal contact shall not be a substitute for written notice of disconnection as specified above.

(ii) When the service address is different from the billing address, the utility shall in all instances prior to effecting discontinuance of service upon its own initiative provide notice to the service address unless the utility has verified that the customer of record and the service user are the same party. If personal service is effected upon the billing address, then personal service must be effected upon the service address; if service by mail is effected to the billing address, then either personal service or service by mail must be effected to the service address. Discontinuance of service shall not occur earlier than five business days after provision of notice to the service address.

(iii) When a customer of record orders termination of service at a service address, and the utility through its representative discovers that the actual service user at the service address has no prior notice of such termination, the utility shall delay termination for at least one complete business day following provision of actual notice to the service user.

(iv) All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation and provide notice of means by which the customer can make contact with the utility to resolve any differences or avail himself or herself of rights and remedies as set forth in WAC 480-100-096 (complaints and disputes) herein.

(c) Except in case of danger to life or property, no disconnection shall be accomplished on Saturdays, Sundays, legal holidays, or on any other day on which the utility cannot reestablish service on the same or following day.

(d) When a utility employee is dispatched to disconnect service, that person shall be required to accept payment of a delinquent account at the service address if tendered in cash, but shall not be required to

dispense change for cash tendered in excess of the amount due and owing. Any excess payment shall be credited to the customer's account. The utility shall be permitted to assess a reasonable fee as provided for in the tariff of the utility for the disconnection visit to the service address. Notice of the amount of such fee, if any, shall be provided within the notice of disconnection.

(e) Where service is provided through a master meter, or where the utility has reasonable grounds to believe service is to other than the customer of record, the utility shall undertake all reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the subscriber of record, a minimum period of five days shall be allowed to permit the service users to arrange for continued service.

(f) Where service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection shall be provided to the director, Washington state department of social and health services, as well as to the customer. Upon request from the director or his or her designee, a delay in disconnection of no less than five business days from the date of notice shall be allowed so that the department may take whatever steps are necessary in its view to protect the interests of patients resident therein who are responsibilities of the department.

(g) Service may not be disconnected while a customer is pursuing any remedy or appeal provided for by these rules, provided any amounts not in dispute are paid when due. The customer shall be so informed by the utility upon referral of a complaint to a utility supervisor or the commission.

(h)(i) When a utility has, or has had, cause to disconnect utility service, the utility shall postpone termination of service or will restate service to a residential customer for thirty days from the date of receipt of a certificate by a licensed physician which states that termination of electric service will aggravate an existing medical condition or create a medical emergency for the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered. When service is reinstated, payment of a reconnection charge and/or a deposit shall not be required prior to such reinstatement of service.

(ii) This certificate of medical emergency must be in writing and show clearly the name of the person whose medical emergency would be adversely affected by termination, the nature of the medical emergency, and the name, title, and signature of the person certifying the medical emergency. If a notice of disconnection has been issued and the customer notifies the utility that a medical emergency exists, the customer shall be allowed five business days from when the utility is so notified to provide the utility with a certificate of medical emergency. If this five day period extends beyond the time set for discontinuance of service, the utility shall extend the time of discontinuance until the end of the five day period. If service has been discontinued and the customer requests reconnection of service due to a medical emergency, the utility shall reconnect service and the customer shall be allowed five business days to provide the utility with a certificate of medical emergency. If the utility does not receive a certificate of medical emergency within the time limits set herein, the utility may discontinue service following an additional twenty-four hour notice to the premises.

(iii) Any customer may designate a third party to receive notice of termination or other matters affecting the provision of service. The utility shall offer all customers the opportunity to make such designation. When the utility discovers that a customer appears to be unable to comprehend the impact of a termination of service, the utility shall consider an appropriate social agency to be the third party. In either case, the utility shall not effect termination until five business days after provision of notice to the third party. Utilities shall discover which social agencies are appropriate and willing to receive such notice, and the name and/or title of the person able to deal with the termination situation, and shall inform the commission on a current basis which agencies and position titles receive such notifications.

(3) Payment of any delinquent amounts to a designated payment agency of the utility shall constitute payment to the utility, if the customer informs the utility of such payment and the utility verifies such payment.

(4) Service shall be restored when the causes of discontinuance have been removed and when payment of all proper charges due from the customer, including any proper deposit, has been made as provided for in the tariff of the utility; or as the commission may order pending

resolution of any bona fide dispute between the utility and customer over the propriety of disconnection.

(5) A utility may make a charge for restoring service when service has been discontinued for nonpayment of bills. The amount of such charge is to be specified in the utility's tariff.

NEW SECTION

WAC 480-100-072 PAYMENT ARRANGEMENTS AND RESPONSIBILITIES. (1) The utility shall offer residential customers the option of a budget billing or equal payment plan.

(2) Residential customers shall be notified that the utility, upon contact by a customer whose account is delinquent or who desires to avoid a delinquency, will make extended payment arrangements appropriate for both the customer and the utility. If the customer fails to propose payment terms acceptable to the utility, the utility shall advise a customer of the payment plan set forth in subsection (3) of this section, if appropriate.

(3) During the winter period the utility shall offer the following payment plan if the residential space heating customer qualifies under subsection (4) of this section and if the customer agrees:

(a) To a payment plan designed both to pay the past due bill by the following October 15 and to pay for continued utility service;

(b) To pay a monthly payment during the winter period not to exceed seven percent of the monthly household income during the winter period. A customer may agree to pay a higher percentage of their income during this period, but the payment plan shall not be invalidated unless payment during this period is less than seven percent;

(c) To certify to the utility that any home heating assistance payment received by the customer from applicable government and/or private sector organizations subsequent to implementation of the plan shall be the basis for the customer to contact the utility to reformulate the plan;

(d) To pay the moneys owed even if he or she moves.

A customer's failure to make a payment provided for in this section shall entitle the utility to discontinue service in accordance with the procedures set forth in WAC 480-100-071, discontinuance of service.

The utility shall furnish to the customer entering into an extended payment plan a written copy of the plan.

(4) The customer shall meet the following requirements in order to qualify for payment arrangements as provided in subsection (3) of this section:

(a) Within five business days of receiving a notice of disconnection, notify the utility in person, in writing, or through telephone contact of inability to pay, unless there are extenuating circumstances;

(b) Bring a statement from an energy assistance grantee or the department of social and health services within thirty calendar days of the customer's response to the utility's notice of disconnection stating their household income does not exceed the maximum allowed for eligibility under the state's plan for low income energy assistance under 42 U.S.C. § 8624. This statement shall also include a dollar figure showing seven percent of the monthly household income;

(c) Apply for home energy assistance from appropriate government and/or private sector organizations and certify that any assistance received will be applied to their current and future utility bills;

(d) Apply to the utility or other appropriate agency for low income weatherization assistance if such assistance is applicable for the dwelling;

(e) Agrees to a payment plan designed to pay the past due bill by the following October 15, as well as paying for continued utility service.

WSR 84-20-049

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 84-155—Filed September 28, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of coho salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 28, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100P WILLAPA HARBOR GILL NET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective 6:00 p.m. September 28, until 6:00 p.m. October 14, 1984, it is unlawful to fish for or possess salmon taken from any Willapa Harbor Salmon Management and Catch Reporting Areas except as provided for in this section:

Area 2G – Open 6:00 p.m. September 28 through 6:00 p.m. October 14, 1984.

Areas 2J, 2K and 2M – Open 6:00 p.m. September 30 through 6:00 p.m. October 1, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. September 28, 1984:

WAC 220-40-02100N WILLAPA HARBOR GILL NET SEASON. (84-153)

WSR 84-20-050

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 84-156—Filed September 28, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is net restrictions in Area 7A north

of the East Point line provide protection for Canadian and Puget Sound chinook during IPSFC controlled sockeye fisheries. Openings in Areas 7B, 10, 11 and 12A provide opportunity to harvest non-Indian coho allocations. All other marine areas and freshwater areas are closed to prevent overharvest.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 28, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-47-917 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

-Area 7A - Closed to all commercial fishing in that portion southeasterly of a line from the southeast point of Point Roberts to the East Point Light. Those waters northeasterly of the above stated line are under the control of the International Pacific Salmon Fisheries Commission, gillnet gear restricted to 5-7/8-inch maximum mesh, when open.

-Area 7B (excluding that portion south of a line from Whiskey Rock to the north tip of Vendovi Island) - Closed except gillnets using 5 to 6-1/2-inch mesh and purse seines may fish 7 days/week, 24 hours/day. That portion south of the above-described line remains closed. Additional fishery exclusion zones applicable to Area 7B fisheries are described in WAC 220-47-307.

**Areas 10, 11 and 12A (excluding that portion north of a line from the Boat Haven in Quilcene to Fishermen's Point on Bolton Peninsula) - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM Monday night, October 1, through the morning of October 2, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday, October 1. That portion of Area 12A north of the above-described line remains closed. Fishery exclusion zones applicable to Area 10 and 11 commercial fisheries are described in WAC 220-47-307.*

**Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7C, 7D, 8, 8A, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - closed.*

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately.

WAC 220-47-916 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (84-151)

WSR 84-20-051

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

(Board of Natural Resources)

[Resolution No. 463—Filed October 1, 1984]

Be it resolved by the Board of Natural Resources, acting at the Public Lands Building, Olympia, Washington, that it does adopt the annexed rules relating to this order revises various sections of chapter 332-30 WAC, aquatic land management. These rules establish regulations to implement SSHB 1231 (chapter 221, Laws of 1984) which relates to aquatic lands. The regulations define new terms; establish new rental rate determination methods for state-owned aquatic lands (water dependent and nonwater dependent); provide guidelines for port management agreements covering state-owned aquatic lands; provide for stairstepping of rental increases, administrative review of new rental rates, lease rent time payments and interest payments for delinquent lease accounts.

We, the Board of Natural Resources, find that an emergency exists and that this 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 the emergency is the Washington state legislature in SSHB 1231, chapter 221, Laws of 1984, mandated that rules and regulations to implement that statute be in effect on October 1, 1984, the effective date of that statute. Permanent rules have not been finalized. Consequently, these rules are necessary to implement the statute.

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

This rule is promulgated pursuant to SSHB 1231, chapter 221, Laws of 1984, and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 4, 1984.

By Brian J. Boyle
Commissioner of Public Lands
Chairman of the Board

AMENDATORY SECTION (Amending Order 343,
filed 7/3/80)

WAC 332-30-106 DEFINITIONS. For the purpose of this chapter:

(1) "Accretion" means the natural buildup of shoreline through the gradual deposit of alluvium. The general principle of common law applicable is that a riparian or littoral owner gains by accretion and reliction, and loses by erosion. Boundary lines generally will change with accretion.

(2) "Alluvium" means material deposited by water on the bed or shores.

(3) "Aquaculture" means the culture and/or farming of food fish, shellfish, and other aquatic plants and animals in fresh water, brackish water or salt water areas. Aquaculture practices may include but are not limited to hatching, seeding or planting, cultivating, feeding, raising, harvesting of planted crops or of natural crops so as to maintain an optimum yield, and processing of aquatic plants or animals.

(4) "Aquatic lands" means ~~((department of natural resources managed))~~ all state-owned tidelands, shorelands, harbor areas, ~~((bedlands;))~~ and the beds of navigable waters (RCW 79.90.010). Aquatic lands are part of the public lands of the state of Washington (see subsection (47) of this section). Included in aquatic lands are public places subsection (49) of this section, waterways subsection (72) of this section, bar islands, avulsively abandoned ((river)) beds and channels of ((ah)) navigable ((river areas of the state. Aquatic land is also known as public lands (RCW 79.01.004). Such lands may be leased)) bodies of water, managed by the department of natural resources directly, or indirectly through management agreements with other governmental entities.

(5) "Aquatic land use classes" means classes of uses of tideland, shorelands and beds of navigable waters that display varying degrees of water dependency. See WAC 332-30-121.

(6) ~~((("Aquatic resources advisory committee" means an ad hoc committee which provides advice on aquatic land management problems to the commissioner of public lands. The committee is composed of representatives from the Washington departments of ecology, fisheries, planning and community affairs, game, office of fiscal management, social and health services (shellfish protection group), and parks and recreation commission, Association of Washington Counties, Association of Washington Cities, Washington Public Ports Association, Association of Washington Business, Federal Corps of Engineers, Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, and Coast Guard, Division of Marine Resources of the University of Washington, Oceanographic Commission of Washington, Pacific Northwest River Basins Commission.~~

~~((7))~~ "Avulsion" means a sudden and perceptible change in the ~~((channel))~~ shoreline of a body of water. Generally no change in boundary lines occurs.

~~((8))~~ (7) "Beds of navigable waters" means those submerged lands lying ~~((below))~~ waterward of the line of extreme low tide in navigable tidal waters and waterward of the line of navigability in navigable lakes, rivers and streams. The term, "bedlands" ~~((is synonymous with))~~ means beds of navigable waters.

~~((9))~~ (8) "Commerce" means the exchange or buying and selling of ~~((commodities involving transportation from place to place))~~ goods and services. As it applies to aquatic land, commerce ~~((to be successful requires the))~~ usually involves transport and a land/water interface.

~~((10))~~ (9) "Covered moorage" means slips and mooring floats that are covered by a single roof with no dividing walls.

~~((11))~~ (10) "Department" means the department of natural resources.

~~((12))~~ (11) "Dredging" means enlarging or cleaning out a river channel, harbor, etc., for navigation purposes.

~~((13))~~ (12) "Educational reserves" means accessible areas of aquatic lands typical of selected habitat types which are suitable for educational projects.

~~((14))~~ (13) "Enclosed moorage" means moorage that has completely enclosed roof, side and end walls similar to a car garage i.e. boathouse.

~~((15))~~ (14) "Environmental reserves" means areas of ~~((key))~~ environmental importance ~~((which are threatened with degradation))~~, sites established for the continuance of environmental baseline monitoring, and/or areas of historical, geological or biological interest ~~((which are threatened with degradation by over-use and require))~~ requiring special protective management.

~~((16))~~ (15) "Erosion" means the gradual cutting away of a shore by natural processes. Title is generally lost by erosion, just as it is gained by accretion.

~~((17))~~ (16) "Extreme low tide" means the line as estimated by the federal government below which it might reasonably be expected that the tide would not ebb. In Puget Sound area generally, this point is estimated by the federal government to be a point in elevation 4.50 feet below the datum plane of mean lower low water, (0.0). Along the Pacific Ocean and in the bays fronting thereon and the Strait of Juan de Fuca, the elevation ranges down to a minus 3.5 feet in several locations.

(17) "Fair market value" means the amount of money which a purchaser willing, but not obligated, to buy the property would pay an owner willing, but not obligated, to sell it, taking into consideration all uses to which the property is adapted and might in reason be applied (Donaldson v. Greenwood, 40 Wash.2d 238, 1952). Such uses must be consistent with applicable federal, state and local laws and regulations affecting the property as of the date of valuation.

(18) "First class shorelands" means ~~((lands bordering on))~~ the shores of a navigable ~~((river or))~~ lake or river belonging to the state not subject to tidal flow, lying between the line of ordinary high water and the line of navigability, or the inner harbor line where established and within or in front of the corporate limits of any city,

or within two miles thereof upon either side (RCW ~~(79.01.028)~~ 79.90.040). These boundary descriptions represent the general rule, however exceptions do exist. To determine if the shorelands are within two miles of the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

(19) "First class tidelands" means the ~~(lands)~~ shores of navigable tidal waters belonging to the state lying within ~~(;)~~ or in front of ~~(;)~~ the corporate limits of any city, or within one mile thereof ~~(;)~~ upon either side and between the line of ordinary high tide and the inner harbor line ~~((where harbor lines have been established));~~ and within two miles of the corporate limits on either side and between the line of ordinary high tide and the line of extreme low tide (RCW ~~(79.01.020)~~ 79.90.030). In general, the line of ordinary high tide is the landward boundary. The line of extreme low tide, or the inner harbor line where established, is the waterward boundary. To determine if the tidelands are within two miles of the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

(20) "Fiscal year" means a period of time commencing on the first day of July and ending on the thirtieth day of June of the succeeding year. A fiscal year is identified by the year in which it ends, e.g., fiscal year 1985 is the period July 1, 1984 through June 30, 1985.

(21) "Governmental entity" means the federal government, the state, or a municipal corporation or political subdivision thereof.

(22) "Harbor area" means ~~((a constitutionally defined))~~ the area of ~~((normally))~~ navigable waters ~~((between the inner and outer harbor lines where established in front of and within one mile of the corporate limits of an incorporated city or town by the board of natural resources acting as the state harbor lines commission in accordance with the provisions of))~~ determined as provided in section 1 of Article ~~((15))~~ XV of the state Constitution ~~((RCW 79.01.012). The purpose of the harbor area is to provide))~~ which shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce (RCW 79.90.020). Harbor areas exist between the inner and outer harbor lines as established by the state harbor line commission.

~~((21))~~ (23) "Harbor area use classes" means classes of uses of harbor areas that display varying degrees of conformance to the purpose for which harbor areas were established under the Constitution.

~~((22))~~ (24) "Harbor line" means either or both: (a) A line ~~((f))~~[outer harbor line~~((f))~~] located and established in navigable waters as provided for in section 1 of Article ~~((15))~~ XV of the state Constitution beyond which the state shall never sell or lease any rights whatever to private persons (RCW 79.90.015). (b) A line ~~((f))~~[inner harbor line~~((f))~~] located and established in navigable waters between the line of ordinary high tide and the outer harbor line ~~((and))~~, constituting the inner boundary of the harbor area (RCW ~~((79.01.008 and 79.01.016))~~ 79.90.025).

~~((23))~~ (25) "Houseboat" means a floating structure normally incapable of self propulsion and usually permanently moored that serves as a place of residence or business. Otherwise called a floating home.

(26) "Inflation rate" means, for a given year, the percentage rate of change in the previous calendar year's all commodity producer price index of the bureau of labor statistics of the United States department of commerce (RCW 79.90.465).

(27) "Interest rate" means, for a given year, the average rate of return for the prior calendar year on conventional real property mortgages as reported by the federal home loan bank board (RCW 79.90.520).

~~((24))~~ (28) "Interim nonconforming uses" means an activity which is not authorized by the state Constitution in harbor areas. However because of short term need it is permitted to occur for a period of time less than that for a constitutional use of the harbor area.

~~((25))~~ (29) "Inventory" means both a compilation of existing data on man's uses, and the biology and geology of aquatic lands as well as the gathering of new information on aquatic lands through field and laboratory analysis. Such data is usually presented in map form such as the "Washington Marine Atlas."

~~((26))~~ (30) "Island" means a body of land entirely and customarily surrounded by water. Land in navigable waters which is only surrounded by water in times of high water, is not an island within the rule that the state takes title to newly formed islands in navigable waters.

~~((27))~~ (31) "Line of navigability" means a measured line at that depth sufficient for ordinary navigation as determined by the board of natural resources for the body of water in question.

~~((28))~~ "Management area" means tidelands, shorelands, harbor areas and beds of navigable waters managed by the department of natural resources, except those areas withdrawn to other governmental agencies.)

(32) "Log booming" means placing logs into and taking them out of the water, assembling and disassembling log rafts before or after their movement in water-borne commerce, related handling and sorting activities taking place in the water, and the temporary holding of logs to be taken directly into a processing facility (RCW 79.90.465).

(33) "Log storage" means the water storage of logs in rafts or otherwise prepared for shipment in water-borne commerce, but does not include the temporary holding of logs to be taken directly into a vessel or processing facility (RCW 79.90.465).

~~((29))~~ (34) "Marine land" means those lands from the mean high tide mark waterward in marine and estuarine waters, including intertidal and submerged lands. Marine lands represents a portion of aquatic lands.

~~((30))~~ (35) "Meander line" means fixed determinable lines run by the federal government along the banks of all navigable bodies of water and other important rivers and lakes for the purpose of defining the sinuosities of the shore or bank and as a means of ascertaining the areas of fractional subdivisions of the public lands bordering thereon.

~~((31))~~ (36) "Motorized vehicular travel" means movement by any type of motorized equipment over land surfaces.

~~((32))~~ (37) "Multiple use management" means a management philosophy which seeks to insure that several uses or activities can occur at the same place at the same time. The mechanism involves identification of the primary use of the land with provisions such as performance standards to permit compatible secondary uses to occur.

~~((33))~~ (38) "Navigability or navigable" means that a body of water is capable of or susceptible ~~((of))~~ to having been or being used for the transport of useful commerce. The state of Washington considers ~~((all bodies of water meandered by government surveyors as navigable unless otherwise declared by a court))~~ navigable waters to be all tidal waters, and those nontidal waters found navigable by the courts, or bounded by meander lines (unless appropriately adjudicated as nonnavigable by the courts), or for which there is evidence of capability or susceptibility of use for commerce.

~~((34))~~ (39) "Navigation" means the movement of vessels to and from piers and wharves.

(40) "Nonwater-dependent use" means a use that can operate in a location other than on the waterfront. Examples include, but are not limited to, hotels, condominiums, apartments, restaurants, retail stores, and warehouses not part of a marine terminal or transfer facility (RCW 79.90.465).

~~((35))~~ (41) "Open moorage" means moorage slips and mooring floats that have completely open sides and tops.

~~((36))~~ (42) "Optimum yield" means the yield which provides the greatest benefit to the state with particular reference to food production and is prescribed on the basis of the maximum sustainable yield over the state-wide resource base as modified by any relevant economic, social or ecological factor.

~~((37))~~ (43) "Ordinary high tide" means the same as mean high tide or the average height of high tide. In Puget Sound, the mean high tide line varies from 10 to 13 feet above the datum plane of mean lower low water (0.0).

(44) "Ordinary high water" means, for the purpose of asserting state ownership, the line of permanent upland vegetation along the shores of nontidal navigable waters. In the absence of vegetation, it is the line of mean high water.

(45) "Port district" means a port district created under Title 53 RCW (RCW 79.90.465).

~~((38))~~ (46) "Public benefit~~((, public interest and state-wide interest))~~" means that all of the citizens of the state may derive a direct benefit from departmental actions in the form of environmental protection; ~~((food, fiber,))~~ energy and mineral production; ~~((revenue,))~~ utilization of renewable resources; promotion of navigation and commerce by fostering water-dependent uses; and ~~((public recreation and education. All of which are of equal importance))~~ encouraging direct public use and access, and generating revenue in a manner consistent with RCW 79.90.455.

(47) "Public lands" means lands belonging to or held in trust by the state, which are not devoted to or reserved for a particular use by law, and include state lands, tidelands, shorelands and harbor areas as herein defined, and the beds of navigable waters belonging to the state (RCW 79.01.004).

(48) "Public interest" means ... [reserved]

~~((39))~~ (49) "Public place" means a part of ~~((a harbor area))~~ aquatic lands set aside for public access through ~~((the))~~ platted tidelands, shorelands, and/or harbor areas to the beds of navigable waters.

~~((40))~~ (50) "Public tidelands" means tidelands belonging to and held in public trust by the state for the citizens of the state, which are not devoted to or reserved for a particular use by law.

~~((41))~~ (51) "Public trust" means that certain state owned tidelands, shorelands and all beds of navigable waters are held in trust by the state for all citizens with each citizen having an equal and undivided interest in the land. The department has the responsibility to manage these lands in the best interest of the general public.

~~((42))~~ (52) "Public use" means to be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day use basis.

~~((43))~~ (53) "Public use beach~~((=general))~~" means a state-owned beach ~~((identified))~~ available for free public use ~~((generally associated with some upland development))~~ but which may be leased for other compatible uses.

~~((44))~~ "Public use beach-wilderness" means a state-owned beach not associated with upland development or if there is any development there is a significant physical barrier between the beach and that development.)

(54) "Public utility line" means pipes, conduits, and similar facilities for distribution of water, electricity, natural gas, telephone, other electronic communication, and sewers, including sewer outfall lines (RCW 79.90.465).

(55) "Real rate of return" means the average for the most recent ten calendar years of the average rate of return on conventional real property mortgages as reported by the federal home loan bank board or any successor agency, minus the average inflation rate for the most recent ten calendar years (RCW 79.90.465).

~~((45))~~ (56) "Reliction" means the gradual withdrawal of water from a shoreline leaving the land uncovered. Boundaries usually change with reliction.

~~((46))~~ (57) "Renewable resource" means a natural resource which through natural ecological processes is capable of renewing itself.

(47) (58) "Riparian" means relating to or living or located on the bank of a natural water course, such as a stream, lake or tidewater.

~~((48))~~ (59) "Scientific reserves" means sites set aside for scientific research projects and/or areas of unusually rich plant and animal communities suitable for continuing scientific observation.

~~((49))~~ (60) "Second class shorelands" means ~~((lands bordering on))~~ the shores of a navigable ~~((river or))~~ lake or river belonging to the state, not subject to tidal flow, lying between the line of ordinary high water and the

line of navigability, and more than two miles from the corporate limits of any city (~~(or town)~~) (RCW ~~((79.01-032))~~ 79.90.045). These boundary definitions represent the general rule; however, exceptions do exist. To determine if shorelands are more than two miles from the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

~~((50))~~ (61) "Second class tidelands" means the ~~((area))~~ shores of navigable tidal waters belonging to the state, lying outside of and more than two miles from the corporate limits of ~~((an incorporated))~~ any city ~~((or town extending from))~~ and between the line of ordinary high tide ~~((time to))~~ and the line of extreme low tide (RCW ~~((79.01-024))~~ 79.90.035). In general, the line of ordinary high tide is the landward boundary. The line of extreme low tide is the waterward boundary. To determine if the tidelands are more than two miles from the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

~~((51))~~ (62) "Shore" means that space of land which is alternately covered and left dry by the rising and falling of the water level of a lake, river or tidal area.

(63) "State-owned aquatic lands" means those aquatic lands and waterways administered by the department of natural resources or managed under department agreement by a port district. "State-owned aquatic lands" does not include aquatic lands owned in fee by, or withdrawn for the use of, state agencies other than the department of natural resources (RCW 79.90.465).

(64) "State-wide interest" means ... [reserved]

~~((52))~~ (65) "Streamway" means stream dependent corridor of single or multiple, wet or dry channel, or channels within which the usual seasonal or storm water run-off peaks are contained, and within which environment the flora, fauna, soil and topography is dependent on or influenced by the height and velocity of the fluctuating river currents.

(66) "Terminal" means a point of interchange between land and water carriers, such as a pier, wharf, or group of such, equipped with facilities for care and handling of cargo and/or passengers (RCW 79.90.465).

~~((53))~~ (67) "Thread of stream - thalweg" means the center of the main channel of the stream at the natural and ordinary stage of water.

~~((54))~~ "Waterways" means an area platted across harbor areas providing for access to open water.

(55) "Water dependent" means all uses that cannot logically exist in any other location but on the water. See WAC 332-30-115 (1), (3), and 332-130-121 (1)(a).

(56) "Water oriented" means all uses for which a location on or near the water front facilitates their operation. However it is possible for these activities with existing technology to locate away from the waterfront. See WAC 332-30-115(2) and 332-30-121 (1)(b).

(57) "Wetted perimeter" means a fluctuating water line which separates submerged river beds from the dry shoreland areas at any given time.)

(68) "Town" means a municipal corporation of the fourth class having not less than three hundred inhabitants and not more than fifteen hundred inhabitants at the time of its organization (RCW 35.01.040).

(69) "Water-dependent use" means use which cannot logically exist in any location but on the water. Examples include, but are not limited to, waterborne commerce, terminal and transfer facilities, ferry terminals, watercraft sales in conjunction with other water dependent uses, watercraft construction, repair, and maintenance, moorage and launching facilities, aquaculture, log booming, and public fishing piers and parks (RCW 79.90.465).

(70) "Waterfront" means a parcel of property with upland characteristics which includes within its boundary, a physical interface with the existing shoreline of a body of water.

(71) "Water oriented use" means use which historically has been dependent on a waterfront location, but with existing technology could be located away from the waterfront. Examples include, but are not limited to, wood products manufacturing, watercraft sales, fish processing, petroleum refining, sand and gravel processing, log storage, and house boats (RCW 79.90.465).

(72) "Waterway" means an area platted across aquatic lands or created by a waterway district providing for access between the uplands and open water, or between navigable bodies of water.

(73) "Wetted perimeter" means a fluctuating water line which separates submerged river beds from the dry shoreland areas at any given time.

NEW SECTION

WAC 332-30-114 MANAGEMENT AGREEMENTS WITH PORT DISTRICTS. By mutual, formal, written agreement the department may authorize a port district to manage some or all of those aquatic lands within the port district meeting the criteria stated in subsection (2) of this section. The port district shall adhere to the aquatic land management laws and policies of the state as specified in chapters 79.90 through 79.96 RCW. Port district management of state aquatic lands shall be consistent with all department regulations contained in chapter 332-30 WAC. These requirements shall govern the port's management of state aquatic lands. The administrative procedures used to carry out these responsibilities shall be those provided for port districts under Title 53 RCW.

(1) Interpretations. Phrases used in legislation (RCW 79.90.475) providing for management agreements with ports shall have the following interpretation:

(a) "Administrative procedures" means conducting business by the port district and its port commission.

(b) "Aquatic lands abutting or used in conjunction with and contiguous to" means state-owned aquatic lands which share a common or coincident boundary with an upland parcel or in the event the state aquatic land does not attach to an upland parcel (i.e., bedlands, harbor areas, etc.), this term shall include the aquatic land adjacent to and waterward of the port owned or controlled aquatic parcel which has a common or coincident boundary to the upland parcel.

(c) "Diligently pursued" means such steady and earnest effort by the port district and the department which results in the resolution of any deficiencies preventing the issuance of a management agreement to the port.

(d) "Leasehold interest" means the benefits and obligations of both the lessor and lessee resulting from a lease agreement.

(e) "Model management agreement" means a document approved by the board of natural resources providing the basic format and language to be used for all individual management agreements with port districts.

(f) "Operating management" means the planning, organizing, staffing, coordinating, and controlling for all activities occurring on a property.

(g) "Otherwise managed" means having operating management for a property.

(h) "Revenue attributable" means all rentals, fees, royalties, and/or other payments generated from the use of a parcel; or the most likely amount of money due for the use of a parcel as determined by procedures in chapter 332-30 WAC, whichever is greater.

(2) **Criteria for inclusion.** State-owned parcels of aquatic lands, including those under lease or which may come under lease to a port, abutting port district uplands may be included in a management agreement if criteria set forth in RCW 79.90.475 are met and if there is documentation of ownership, a lease in good standing, or agreement for operating management, in the name of the port district for the upland parcel.

(3) A model management agreement and any amendments thereto shall be developed by the department and representatives of the port industry. The board of natural resources shall review and approve the model management agreement and any subsequent amendments.

(4) **Processing requests.** The following application requirements, review procedures, and time frame for responses involved in the issuance of a management agreement to a port district shall apply.

(a) **Application requirements.** The following items must be submitted to the department by the port district in order for its request to be an application for a management agreement:

(i) A copy of a resolution of the port commission that directs the port district to seek a management agreement;

(ii) An exhibit showing the location of and a description adequate to allow survey for each parcel of state-owned aquatic land to be included in the agreement, plus sufficient information on abutting port parcels to satisfy the requirements of subsection (2) of this section;

(iii) The name, address, and phone number of the person or persons that should be contacted if the department has any questions about the application.

(b) **Time frames for responses:**

(i) Within thirty days of receipt of an application, the department shall notify the port district if its application is complete or incomplete;

(ii) Within thirty days of receipt of notification by the department of any incompleteness in their application, the port district shall submit the necessary information;

(iii) Within ninety days of receipt of notification by the department that the application is complete, the port

district and department shall take all steps necessary to enter into an agreement.

NEW SECTION

WAC 332-30-122 AQUATIC LAND USE AUTHORIZATION. (1) **General requirements.**

(a) In addition to other requirements of law, aquatic land activities that interfere with the use by the general public of an area will require authorization from the department by way of agreement, lease, permit, or other instrument.

(i) Suitable instruments shall be required for all structures on aquatic lands except for those federal structures serving the needs of navigation.

(ii) The beds of navigable waters may be leased to the owner or lessee of the abutting tideland or shoreland. This preference lease right is limited to the area between the landward boundary of the beds and the -3 fathom contour, or 200 feet waterward, whichever is closer to shore. However, the distance from shore may be less in locations where it is necessary to protect the navigational rights of the public.

(iii) When proposing to lease aquatic lands to someone other than the abutting property owner, that owner shall be notified of the intention to lease the area. When not adverse to the public's ownership, the abutting owner's water access needs may be reasonably accommodated.

(b) Determination of the area encumbered by any authorization for use shall be made by the department based on the impact to public use and subsequent management of any remaining unencumbered public land.

(i) Operations involving fixed structures will include the area physically encumbered plus the open water area needed to operate the facility.

(ii) Areas for individual mooring buoys will be a circle with a radius equal to the expected swing of the vessel or object moored. Only the area encumbered at any given point in time shall be used to calculate any rentals due.

(iii) Areas for utility line easements will normally be ten feet wider than the overall width of the structure(s) placed in the right of way.

(c) All necessary federal, state and local permits shall be acquired by those proposing to use aquatic lands. Copies of permits must be furnished to the department prior to authorizing the use of aquatic lands. When evidence of interest in aquatic land is necessary for application for a permit, an authorization instrument may be issued prior to permit approval but conditioned on receiving the permit.

(2) **Application review.** In addition to overall management considerations described in this chapter, the following special analysis shall be given to specific proposed uses:

(a) **Environment.**

(i) Authorization instruments shall be written to insure that structures and activities on aquatic lands are properly designed, constructed, maintained and conducted to minimize environmental degradation or the interruption of natural biological or geological processes.

(ii) Proposed uses of aquatic lands and abutting department managed uplands may be authorized with appropriate provision to ensure that minimum changes occur within channel areas.

(iii) Water-dependent uses which cause adverse environmental impacts may be authorized on aquatic lands only if provisions are included to insure against substantial or irreversible damage to the environment.

(iv) Nonwater-dependent uses which have significant adverse environmental impacts shall not be authorized.

(b) Public use and access.

(i) Wherever practical, authorization instruments for use of aquatic lands shall be written to provide for public access to the water.

(ii) Areas allocated by the department for first-come, first-served public use shall not be managed to produce a profit for a concessionaire or other operator without a fee being charged by the department.

(iii) Notice will be served to lessees of tidelands and shorelands allocated for future public use that prior to renewal of current leases, such leases will be modified to permit public use or will be terminated.

(c) Authorization to use aquatic lands shall not be granted to any person or organization which discriminates on the basis of race, color, creed, religion, sex, age, or physical or mental handicap.

(d) Authorization instruments for the installation of underwater pipelines, outfalls and cables may be granted when proper provisions are included to insure against substantial or irreversible damage to the environment and there is no practical upland alternative.

(3) Rents and fees.

(a) When proposed uses of aquatic lands requiring a lease (other than in harbor areas) have an identifiable but acceptable adverse impact on department managed land, both within and outside the leased area, the value of that loss or impact shall be charged to the lessee in addition to normal rental (see WAC 332-30-128).

(b) Normal rentals shall be calculated based on the classification of the aquatic land use(s) occurring on the property. Methods for each class of use are described in specific WAC sections.

(c) Advance payments for two or more years may be collected in those situations where annual payments are less than document preparation and administration costs.

(d) Rentals for leases will normally be billed annually, in advance. If requested by a lessee in good standing, billings will be made:

(i) Quarterly on a prorated basis when annual rental exceeds four thousand dollars; or

(ii) Monthly on a prorated basis when annual rental exceeds twelve thousand dollars.

(e) A one percent per month charge shall be made on any amounts which are more than thirty days past due, unless those amounts are appealed under the procedure set forth in WAC 332-30-129. Users of aquatic properties shall not be considered in good standing when they have amounts more than thirty days past due.

(4) Structures and improvements on aquatic lands.

(a) Authorization for placing structures and improvements on public aquatic lands shall be based on the intended use, impact on department management

programs, and the affect on navigational rights of public and private aquatic land owners. Structures and improvements shall:

(i) Conform to the laws and regulations of any public authority;

(ii) Be kept in good condition and repair by the authorized user of the aquatic lands;

(iii) Not be, nor become, a hazard to navigation;

(iv) Be removed by the authorized user as stipulated in the authorization instrument.

(b) In addition to aquatic land rentals and fees, rent shall be charged for use of those structures and improvements:

(i) Owned by the department, under contract to the department for management; or that become state property under RCW 79.94.320;

(ii) As may be agreed upon as part of the authorization document;

(iii) Installed on an authorized area without written concurrence of the department; or

(iv) Not covered by an application for use of aquatic lands, or a lawsuit challenging such requirements, within ninety days after the date of mailing of the department's written notification of unauthorized occupancy of public aquatic lands.

(c) Only land rental and fees shall be charged for public aquatic lands occupied by those structures and improvements that are:

(i) Authorized in writing by the department;

(ii) Installed prior to June 1, 1971 (effective date of the Shoreline Management Act) on an area authorized for use from the department; or

(iii) Covered by an application for use of aquatic lands within ninety days after the date of mailing of the department's written notification of unauthorized occupancy of public aquatic lands.

(5) Insurance, bonds, and other security.

(a) The department may require authorized users of aquatic lands to carry insurance, bonding, or provide other forms of security as may be appropriate for the use or uses occurring on public property, in order to ensure its sustained utility and future value.

(b) Proof of coverage shall be acceptable to the department if provided by any of the following:

(i) Insurance and/or bonding companies licensed by the state;

(ii) Recognized insurance or bonding agent for the authorized user;

(iii) Saving account assignment from authorized user to department; or

(iv) Cash deposit.

(c) The amount of security required of each user shall be determined by the department and adjusted periodically as needed.

(i) Any portion of the required security relating to payment of rent or fees shall be limited to an amount not exceeding two year's rental or fees.

(ii) Required security related to other terms of the agreement shall be based on the estimated cost to the department of enforcing compliance with those terms.

(iii) Cash deposits shall not be required in an amount exceeding one-twelfth of the annual rental or fees. If

this amount is less than the total required security, the remainder shall be provided through other forms listed in (b) of this subsection.

(d) Security must be provided on a continual basis for the life of the agreement. Security arrangements for less than the life of the agreement shall be accepted as long as those arrangements are kept in force through a series of renewals or extensions.

NEW SECTION

WAC 332-30-123 AQUATIC LAND USE RENTALS FOR WATER-DEPENDENT USES. The annual rental for water-dependent use leases of state-owned aquatic land shall be: The per unit assessed value of the upland tax parcel, exclusive of improvements, multiplied by the units of lease area multiplied by thirty percent multiplied by the real rate of return. Expressed as a formula, it is: $UV \times LA \times .30 \times r = AR$. Each of the letter variables in this formula have specific criteria for their use as described below. This step by step presentation covers the typical situations within each section first, followed by alternatives for more unique situations.

(1) Overall considerations.

(a) Criteria for use of formula. The formula:

(i) Shall be applied to all leases having structural uses that require a physical interface with upland property when a water-dependent use occurs on such uplands (in conjunction with the water-dependent use on the aquatic lands);

(ii) Shall be used for remote moorage leases by selecting an upland parcel as detailed in subsection (2) of this section;

(iii) Shall not be used for areas of filled state-owned aquatic lands having upland characteristics where the department can charge rent for such fills (see WAC 332-30-125), renewable and nonrenewable resource uses (see WAC 332-30-126), or areas meeting criteria for public use (see WAC 332-30-130); and

(iv) Shall cease being used for leases intended for water-dependent uses when the lease area is not actively developed for such purposes as specified in the lease contract. Rental in such situations shall be determined under the appropriate section of this chapter.

(b) Criteria for applicability to leases. The formula shall be used to calculate rentals for:

(i) All new leases and all pending applications to lease or re-lease as of October 1, 1984;

(ii) All existing leases, if the language of the lease does not preclude the calculation of total rental by any method in effect at the time of rental adjustment. Annual rental shall be determined by the formula from the first date that a change in rent is scheduled after September 30, 1984. Those leases affected by previously legislated rental increase limits, shall have the formula applied on the first lease anniversary date after September 30, 1984. All other conditions of the lease shall continue until termination or amendment as specified by the lease contract; and

(iii) Any lease containing specific rent adjustment procedures or schedules shall only have the rent determined by the formula when requested by the lessee. The

department shall notify the holders of such leases that they may elect to have their rent determined by the formula. Both the lease contract rent and formula rent shall be provided to the lessee by the department. This change in their current lease language and rent shall only occur if the lessee agrees in writing to have the lease amended to include all current lease provisions as governed by the relevant provisions of the aquatic land laws and department WACs in existence at the time the request is made. Any approved change in language and rent shall become effective on the first lease anniversary following the receipt of the lessee's request.

(2) Criteria for selection of upland tax parcels. The upland tax parcel selected for use in the formula shall be waterfront and have some portion with upland characteristics.

(a) The upland tax parcel must be used in conjunction with and be supportive of the activities on the lease area. The priority for selection shall be the upland tax parcel (i) that is structurally connected with the lease area. If no upland tax parcels are so connected then, the upland tax parcel (ii) that physically abuts the lease area. If private aquatic land parcels that either connect with or abut the lease area are without any upland characteristics then the selection shall be the closest upland tax parcel abutting the private aquatic land parcel that is connected to or abuts the lease area. If no upland tax parcels can be so selected, then the upland tax parcel (iii) that is the shortest distance from the midpoint of the lease area to upland. This will typically be the case for remote moorage leases that are circular in shape.

(b) Only if more than one upland tax parcel meets the criteria within the selection priority, then each upland tax parcel will be used for its portion of the lease area. If there is mutual agreement between the department and the lessee, a single upland tax parcel may be used for the entire lease area. When the unit value of the upland tax parcels are equal, only one upland tax parcel shall be used for the lease area.

(c) The unit value of the upland tax parcel shall be expressed in terms of dollars per square foot or dollars per acre, by dividing the assessed value of the upland tax parcel by the number of square feet or acres in the upland tax parcel. This procedure shall be used in all cases even if the value attributable to the upland tax parcel was assessed using some other unit of value, e.g., front footage, or lot value. Only the "land value" category of the assessment record shall be used; not any assessment record category related to improvements.

(3) Consistent assessment. In addition to the upland tax parcel selection criteria in subsection (2) of this section, the upland tax parcel and its value must be consistent with the purposes of the lease and method of rental establishment. On this basis, the following situations will be considered inconsistent and shall require adjustment as specified or selection of an alternative upland tax parcel under subsection (4) of this section:

(a) The upland tax parcel is not assessed. (See chapter 84.36 RCW Exemptions);

(b) Official date of assessment is more than four years old. (See RCW 84.41.030);

(c) The "assessment" results from a special tax classification not reflecting fair market value. Examples include classifications under: State-regulated utilities (chapter 84.12 RCW), reforestation lands (chapter 84.28 RCW), timber and forest lands (chapter 84.33 RCW), and open space (chapter 84.34 RCW). This inconsistency may be corrected by substituting the full value for the parcel if such value is part of the assessment records;

(d) If the assessed valuation of the upland tax parcel to be used is under appeal as a matter of record before any county or state agency, the valuation on the assessor's records shall be used, however, any changes in valuation resulting from such appeal will result in an equitable adjustment of future rental;

(e) The majority of the upland tax parcel area is not used for a water-dependent purpose. This inconsistency may be corrected by using the value and area of the portion of the upland tax parcel that is used for water-dependent purposes if this portion can be segregated from the assessment records; and

(f) The size of the upland tax parcel in acres or square feet is not known or its small size results in a nominal valuation, e.g., unbuildable lot.

(4) Selection of the nearest comparable upland tax parcel. When the selected upland tax parcel has an inconsistent assessment that can't be corrected from the assessment records, an alternative upland tax parcel shall be selected which meets the criteria. The nearest upland tax parcel shall be determined by measurement along the shoreline from the inconsistent upland tax parcel.

(a) The alternative upland tax parcel shall be located by order of selection priority:

(i) Within the same city as the lease area, and if not applicable or found;

(ii) Within the same county and water body as the lease area, and if not found;

(iii) Within the same county on similar bodies of water, and if not found;

(iv) Within the state.

(b) Within each locational priority of (a) of this subsection, the priority for a comparable upland tax parcel shall be:

(i) The same use class within the water-dependent category as the lease area use;

(ii) Any water-dependent use within the same upland zoning;

(iii) Any water-dependent use; and

(iv) Any water-oriented use.

(5) Aquatic land lease area. The area under lease shall be expressed in square feet or acres.

(a) Where more than one use class separately exist on a lease area, the formula shall only be applied to the water-dependent use area. Other use areas of the lease shall be treated according to the regulations for the specific use.

(b) If a water-dependent and a nonwater-dependent use exist on the same portion of the lease, the rent for such portion shall be negotiated taking into account the proportion of the improvements each use occupies.

(6) Real rate of return.

(a) Until July 1, 1989, the real rate of return to be used in the formula shall be five percent.

(b) On July 1, 1989, and on each July 1 thereafter the department shall calculate the real rate of return for that fiscal year under the following limitations:

(i) It shall not change by more than one percentage point from the rate in effect for the previous fiscal year; and

(ii) It shall not be greater than seven percent nor less than three percent.

(7) Annual inflation adjustment of rent. The department shall calculate the inflation rate to be used each fiscal year and shall publish it in the Washington State Register. Adjustment to the annual rent of a lease shall occur on the anniversary date of the lease except when the rent is redetermined under subsection (9) of this section. The inflation adjustment each year is the inflation rate times the previous year's rent except in cases of stairstepping.

(8) Stairstepping rental changes.

(a) Initial increases for leases in effect on October 1, 1984. If the application of the formula results in an increase of more than one hundred dollars and more than thirty-three percent, stairstepping of the rent over the first three years shall occur according to the following formulas:

(i) The rent for the first year (RFY) is the previous year's rent (PR) plus thirty-three percent of the difference between the formula rent (FR) and the previous year's rent. $RFY = PR + .33(FR - PR)$;

(ii) The rent for the second year (RSY) is the rent for the first year plus thirty-three percent of the difference between the inflation adjusted (IA) formula rent and the previous year's rent. $RSY = RFY + .33((IA + FR) - PR)$;

(iii) The rent for the third year (RTY) is the rent for the second year plus thirty-three percent of the difference between the second inflation adjusted formula rent and the previous year's rent. $RTY = RSY + .33((IA + (IA + FR)) - PR)$; and

(iv) The rent for the fourth year is the formula rent plus the third inflation adjustment.

(b) Initial decreases for leases in effect on October 1, 1984. If the application of the formula results in a decrease of more than thirty-three percent, stairstepping of the rent over the first three years shall occur according to the following formulas:

(i) The rent for the first year is the previous rent minus thirty-three percent of the difference between the previous year's rent and the formula rent. $RFY = PR - .33(PR - FR)$;

(ii) The rent for the second year is the rent for the first year minus thirty-three percent of the difference between the previous year's rent and the first inflation adjusted formula rent. $RSY = RFY - .33(PR - (IA + FR))$;

(iii) The rent for the third year is the rent for the second year minus thirty-three percent of the difference between the previous year's rent and the second inflation adjusted formula rent. $RTY = RSY - .33(PR - (IA + FR))$; and

(iv) The rent for the fourth year is the formula rent plus the third inflation adjustment.

(c) If a lease in effect on October 1, 1984, contains more than one water-dependent or water-oriented use and the rental calculations for each such use (e.g., log booming and log storage) result in different rentals per unit of lease area, the total of the rents for those portions of the lease area shall be used to determine if the stairstepping provisions of (a) or (b) of this subsection apply to the lease.

(d) If a lease in effect on October 1, 1984, contains a nonwater-dependent use in addition to a water-dependent or oriented use, the stairstepping provisions of (a) or (b) of this subsection:

(i) Shall apply to the water-dependent use area if it exists separately (see subsection (5)(a) of this section);

(ii) Shall not apply to any portion of the lease area jointly occupied by a water-dependent and nonwater-dependent use (see subsection (5)(b) of this section).

(e) Subsequent increases. After completion of any initial stairstepping under (a) and (b) of this subsection due to the first application of the formula, the rent for any lease or portion thereof calculated by the formula shall not increase by more than fifty percent per unit area from the previous year's per unit area rent.

(9) The annual rental shall be redetermined by the formula every four years or as provided by the existing lease language.

(10) Administrative reviews. See WAC 332-30-129.

AMENDATORY SECTION (Amending Order 343, filed 7/3/80)

WAC 332-30-125 AQUATIC LAND USE RENTAL RATES FOR NONWATER-DEPENDENT USES. (1) The value of ((department managed tidelands, shorelands, harbor areas, and beds of navigable waters)) state-owned aquatic lands withdrawn from general public use for ((limited public or)) private non-water-dependent use shall be recognized by charging lessees the full fair market rental. No rent shall be charged for improvements, including fills, on aquatic lands unless owned by the state. The fair market rental is based on: (a) Comparable non-DNR market rents, whether based on land value exclusive of improvements, a percent of gross revenues, or other appropriate basis, or if not available (b) ((on)) the full market value (same as true and fair value) multiplied by the use rate percentage as ((approved by the commissioner of public lands. In addition to fair market rental fee for the land utilized, a charge (royalty) may be made for units of resource removed and/or a resource withdrawal fee (see WAC 332-30-125(7)))) determined under subsection (2) of this section and published in the Washington State Register.

(2) Use rate percentage.

(a) The percentage rate will be based on nondepartmental market rental rates of return for comparable ((aquatic)) properties leased on comparable terms in the locality, or when such do not exist;

(b) The percentage rate of return shall be ((equivalent to)) based on the average rate charged by lending institutions in the area for long term (or term equivalent to

the length of the lease) mortgages for comparable uses of ((the)) real property.

(3) Appraisals: The determination of fair market value ((of aquatic lands)) shall be based on the indications of value resulting from the application of as many of the following techniques as are appropriate for the use to be authorized:

(a) Shore contribution((s)); utilizing differences in value between waterfront properties and comparable nonwaterfront properties((=)). Generally best for related land-water uses which are independent of each other ((e.g. recreational docks)) or not needed for the upland use to exist.

(b) Comparable upland use (substitution)((:)); utilizing capacity, development, operation, and maintenance ratios between a use on upland and similar use on aquatic land with such ratios being applied to upland value to provide indication of aquatic land value for such use((=)). Generally best for aquatic land uses which are totally independent of adjacent upland yet may also occur on upland totally independent of direct contact with water((; e.g. log storage)).

(c) Extension((:)); utilizing adjacent upland value necessary for total use as the value of aquatic lands needed for use on a unit for unit basis((=)). Generally best for aquatic land uses which are integrated with and inseparable from adjacent upland use((; e.g. industrial shipping pier)).

(d) Market data((:)); utilizing verified transactions between knowledgeable buyers and sellers of comparable properties((=)). Generally best for tidelands or shorelands where sufficient data exists between knowledgeable buyers and sellers.

(e) Income((:)); utilizing residual net income of a commercial venture as the indication of investment return to the aquatic land((=)). This can be expressed either as a land rent per acre or as a percent of gross revenues. Generally best for income producing uses where it can be shown that an owner or manager of the operation is motivated to produce a profit while recognizing the need to obtain returns ((and)) on all factors of production.

((f) Such other techniques or procedures as may be needed to equitably)) (4) Negotiation of rental amounts may occur when necessary to address the uniqueness of a particular site or use ((so long as such techniques or procedures are based on valuation principles described in accredited appraisal textbooks, or conform to techniques or procedures used by the state board of tax appeals, or as negotiated as result of a significant difference in value as demonstrated by user's appraiser)).

((4) Fair market)) (5) Rental ((on tidelands, shorelands and beds may be reduced depending on the amount of area which the public may be allowed to use. Total withdrawal for private use requires full fair market rental value)) shall always be more than the amount that would be charged if the aquatic land parcel was used for water-dependent purposes.

((5) Rental adjustments:

(a) Rentals of leases shall be subject to adjustment at the end of every fourth year (or as presently stated in existing leases) of the lease term. Such adjustment shall

~~use the same change in total assessed land values, during the four-year period (newly issued leases) of the tax area code(s) in which the lease area occurs, as reported by the county assessor's office, to adjust the lease area value. Adjustment of the rental shall be the adjusted lease area value times the aquatic land lease percentage rate (WAC 332-30-125(2)) in effect at the time of adjustment. Rentals shall be adjusted every twelfth year (newly issued leases) based on an appraisal of the fair market value of the lease area at the time of adjustment.~~

~~(b) If the adjusted rental exceeds an increase of fifty percent over the previous rental, the annual rental shall be stair-stepped in increments of fifty percent over the each preceding year's rental until the full adjusted rental is achieved. In the event that the full adjusted rental is not achieved prior to the next adjustment date, the annual rental (under a four-year adjustment) shall be thirty percent of the adjusted rental for the first year, forty-five percent for the second year, sixty-seven percent for the third year, and one hundred percent of the adjusted rental for the fourth year.~~

~~(6) Rental of public access and use areas.~~

~~(a) Reduction in rental shall be allowed for the actual area within the lease that meets public access and use requirements:~~

~~(b) The amount of reduction shall be the percentage of the public access and use area to the total leased area.~~

~~(7) Resource withdrawal.~~

~~(a) Where federal, state, and local regulatory agencies grant permit approval to persons or corporations to install and operate waste outfalls or other activities or structures on aquatic lands, the department, if in agreement, will require a lease for use of the lands involved.~~

~~(b) The annual rental will be based upon the fair market value of the land used plus the actual values of quantifiable public resource elements being withdrawn. The size of the area withdrawn will vary with the type and volume of waste, type of treatment, type of outfall installation, or size and impact to other activity or structure and local conditions and extent of impacted natural resources. The value of resource withdrawn will depend on the size of the area and the number and identifiable economic value of natural resources affected.~~

~~(c) Future changes in volume of waste discharged and type of treatment or alteration in the structure or activity will be reflected in adjustment of annual rental.~~

~~(8) Leases for experimental production of renewable resources or energy on second class tidelands, shorelands or beds may be issued at rates of no less than fifty percent of fair market rental for no more than five years. At that time or earlier when the department determines the activity is economically viable, full fair market rental and if appropriate royalties will be charged.)~~

~~(6) Administrative reviews. See WAC 332-30-129.~~

AMENDATORY SECTION (Amending Order 343, filed 7/3/80)

WAC 332-30-145 BOOMING, RAFTING AND STORAGE OF LOGS. (1) Unless specifically exempted in writing, all log dumps located on aquatic lands, or operated in direct association with booming grounds on aquatic land, must provide facilities for lowering logs

into the water without tumbling, which loosens the bark. Free rolling of logs is not permitted.

(2) Provision must be made to securely retain all logs, chunks, and trimmings and other wood or bark particles of significant size within the leased area. Lessee will be responsible for regular cleanup and upland disposal sufficient to prevent excessive accumulation of any debris on the leased area.

(3) Unless permitted in writing, aquatic land leased for booming and rafting shall not be used for holding drift rafts except:

(a) Loads of logs averaging over 24" diameter.

(b) Raft assembly, disassembly and log sort areas.

(4) Unless permitted in writing, grounding of logs or rafts is not allowed on tidelands leased for booming and rafting. However, tidelands which were leased for booming and rafting prior to January 1, 1980, are exempt from this provision.

(5) No log raft shall remain on aquatic land for more than one year, unless specifically authorized in writing.

(6) For leases granted to serve the general needs of an area such as an island, the leased area shall be made available to others for booming and rafting and at a reasonable charge.

(7) Areas within a lease boundary meeting the definition of log booming are water-dependent uses. The rent for these areas will be calculated according to WAC 332-30-123.

(8) Areas leased for log storage shall have the rent calculated by applying a state-wide base unit rent per acre. Temporary holding of logs alongside a vessel for the purpose of loading onto the vessel is neither booming nor storage.

(9) The base unit rent, application to existing leases, and subsequent annual rents will be determined as provided for water-dependent uses under WAC 332-30-123 except for the following modifications:

(a) A formula rental calculation will be made for each such area leased as of July 1, 1984, as though the formula applied on July 1, 1984.

(b) The assessment for an upland parcel shall not be used when the following situations exist:

(i) The parcel is not assessed.

(ii) The size of the parcel in acres or square feet is not known.

(c) When necessary to select an alternative upland parcel, the nearest assessed waterfront parcel shall be used if not excluded by the criteria under (b) of this subsection.

(d) Because of the large size and shape of many log storage areas, there may be more than one upland parcel that could be used in the formula. The department shall treat such multiple parcel situations by using:

(i) The per unit value of each upland parcel applied to its portion of the lease area. If it is not possible or feasible to delineate all portions of the lease area by extending the boundaries of the upland parcel, then;

(ii) The total of the assessed value of all the upland parcels divided by the total acres of all the upland parcels shall be the per unit value applied in the formula.

(e) The total formula rents divided by the total acres under lease for log storage equals the annual base unit

rent for fiscal years 1985-1989. That figure is \$189.00 per acre.

(f) For purposes of calculating stairstepping of rentals allowed under WAC 332-30-123, the base unit rent multiplied by the number of acres shall be the formula rent. In cases of mixed uses, the log storage formula rent shall be added to the formula rent determinations for the other uses under leases before applying the criteria for stairstepping.

(g) Inflation adjustments to the base rent shall begin on July 1, 1990.

(10) On July 1, 1989, and each four years thereafter, the department shall establish a new base unit rent.

(a) The new base rent will be the previous base rent multiplied by the result of dividing the average water-dependent lease rate per acre for the prior fiscal year by the average water-dependent lease rate per acre for the fiscal year in which the base unit rent was last established. For example, the formula for the base unit rent for fiscal year 1990 would be:

(FY89 AWLR)

$FY90\ BUR = FY85\ BUR \times$

(FY85 AWLR)

(b) When necessary to calculate the average water-dependent lease rate per acre for a fiscal year, it shall be done on or near July 1. The total formula rent plus inflation adjustments divided by the total acres of water-dependent uses affected by the formula during the prior fiscal year shall be the prior fiscal year's average.

(11) If portions of a log storage lease area are open and accessible to the general public, no rent shall be charged for such areas provided that:

(a) The area meets the public use requirements under WAC 332-30-130(9);

(b) Such areas are in a public use status for a continuous period of three months or longer during each year;

(c) The lease includes language addressing public use availability or is amended to include such language;

(d) The department approves the lessee's operations plan for public use, including safety precautions;

(e) Changes in the amount of area and/or length of time for public use availability shall only be made at the time of rental adjustment to the lease; and

(f) Annual rental for such areas will be prorated by month and charged for each month or part of a month not available to the general public.

(12) Administrative reviews. See WAC 332-30-129.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 332-30-124 AQUATIC LAND USE AUTHORIZATION.

WSR 84-20-052

NOTICE OF PUBLIC MEETINGS HOSPITAL COMMISSION [Memorandum—September 28, 1984]

The Hospital Commission will meet in Seattle at the Hyatt Seattle, Sea-Tac, Satellite Room, on Thursday, October 11, 1984, at 9:00 a.m.

WSR 84-20-053

EMERGENCY RULES EMPLOYMENT SECURITY DEPARTMENT [Order 5-84—Filed October 1, 1984]

I, Ernest F. LaPalm, deputy commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Interpretive regulation—Failure to attend job search workshop or training or retraining course when directed, WAC 192-12-190.

I, Ernest F. LaPalm, deputy commissioner, find that an emergency exists and that this 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 the emergency is this regulation is to implement RCW 50.20.044 which became effective March 21, 1984. In view of the fact that the law is already in effect it is necessary that this regulation be enacted on an emergency basis.

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

This rule is promulgated pursuant to RCW 50.20.044 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Employment Security Department as authorized in RCW 50.12.010 and 50.12.040.

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

APPROVED AND ADOPTED October 1, 1984.

By Ernest F. LaPalm
Deputy Commissioner

WAC 192-12-190 INTERPRETIVE REGULATION—FAILURE TO ATTEND JOB SEARCH WORKSHOP OR TRAINING OR RETRAINING COURSE WHEN DIRECTED. RCW 50.20.044 provides that: "If an otherwise eligible individual fails without good cause, as determined by the commissioner under rules prescribed by the commissioner, to attend a job search workshop or a training or retraining course when directed by the department and such workshop or course is available at public expense, such individual shall not be eligible for benefits with respect to any week in which such failure occurred."

(1) Good cause may be established for failing to attend a job search workshop, training or retraining course if:

- (a) Cost of child care, transportation, or other training related expense would work an unreasonable hardship on the individual, or
- (b) The individual has a bona fide job offer with starting date within four weeks, or
- (c) The individual has a good prospect to return to work within four weeks, or
- (d) The individual fails to attend because of a job interview, or
- (e) The workshop or training is given at a location outside the individual's labor market, or
- (f) Attendance at the workshop or course would work an unreasonable hardship on the individual.

(2) To be considered available at public expense, a job search workshop, training or retraining course must be offered at no expense to the individual and must be offered by:

- (a) The Employment Security Department, or
- (b) Any other governmental or publicly funded organization, or
- (c) Any organization offering a job search workshop or training or retraining program funded privately, but open to the general public, or
- (d) Any educational institution, if expenses are paid by the institution, by a grant to the institution, or a grant to the individual for training expenses.

(3)(a) An individual will be disqualified for an entire week if the individual fails to attend, without good cause, one-half or more of the scheduled time of the job search workshop, training or retraining course during that week.

(b) If an individual attends one-half or more of the scheduled portion of the job search workshop, training or retraining course during any week, but fails without good cause to attend the remaining portion, the individual's weekly benefit amount will be reduced by one-seventh for each day the individual fails to attend during that week.

WSR 84-20-054
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed October 1, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- Amd WAC 388-82-115 Special categories eligible for medical assistance.
- New WAC 388-83-012 Assignment of rights.
- Amd WAC 388-85-105 Certification of eligibility.

It is the intention of the secretary to adopt these rules on an emergency basis on October 1, 1984;

that the agency will at 10:00 a.m., Wednesday, November 7, 1984, in the Third Floor Conference Room, H-19, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 14, 1984.

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

The specific statute these rules are intended to implement is chapter 74.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1984.

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

David A. Hogan, Director
 Division of Administration and Personnel
 Department of Social and Health Services
 Mailstop OB 14
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by October 24, 1984. The meeting site is in a location which is barrier free.

Dated: September 28, 1984

By: David A. Hogan, Director
 Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-82-115, 388-85-105 and new WAC 388-83-012.

Purpose of the Rule or Rule Change: WAC 388-82-115 and 388-85-105, add a new group of individuals to medical assistance and to continue eligibility for certain family units; and 388-83-012, provide for mandatory assignment of third party medical resources.

The Reason These Rules are Necessary: To implement the Deficit Reduction Act of 1984.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: WAC 388-82-115 and 388-85-105, a child under age 5, born after 9/30/83 who meets AFDC financial requirements will be eligible for Medicaid. Family units terminated from AFDC solely because of the loss of the \$30 plus 1/3 income exemption will continue to be eligible for Medicaid for nine months; and 388-83-012, provides for mandatory assignment of rights to DSHS of payments for medical support and other medical care owed to recipients.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Jim Sparks, Program Manager, Division of Medical Assistance, Mailstop: LK-11, Phone: 3-7316.

These rules are necessary as a result of federal law, P.L. 98-369, Sections 2361 through 2625, 98 STAT.1104 through 98 STAT.1135.

AMENDATORY SECTION (Amending Order 2074, filed 2/1/84)

WAC 388-82-115 SPECIAL CATEGORIES ELIGIBLE FOR MEDICAL ASSISTANCE. (1) Persons who, in August 1972, received OAA, AB, AFDC, or APTD, and also received RSDI benefits, and who became ineligible for OAA, AB, AFDC or APTD solely because of the twenty percent increase in Social Security benefits under Public Law 92-336, shall be eligible for medicaid as categorically needy. The provision applies to both current cash applicants and recipients.

(2) Applicants for SSI or AFDC who were entitled to RSDI benefits in August 1972, and would have been ineligible solely because of the Social Security benefits under Public Law 92-336 shall have the twenty percent increase disregarded in determining financial eligibility.

(3) An AFDC family unit which becomes ineligible solely because of increased hours or increased income from employment shall remain categorically eligible for medical assistance (MA) for four calendar months beginning with the month of ineligibility provided that:

(a) The family received AFDC in at least three of the six months immediately preceding the month of ineligibility.

(b) A member of such family continues to be employed, and

(c) The family is otherwise eligible for AFDC except for increased hours or increased income from employment.

(d) Earned income tax credits (EITC) must be considered as income for purposes of this subsection.

(4) Current recipients who become ineligible for SSI benefits and/or state supplementary payments after April 1, 1977, solely because of OASDI cost-of-living benefit increases under Public Law 94-566, section 503, shall remain categorically eligible for medical assistance (MA). Any subsequent OASDI cost-of-living benefit increase shall be disregarded for eligibility. For institutionalized recipients, the amount subsequently is considered in the cost of institutional care. This disregard does not apply to:

(a) New applicants (i.e., who were not receiving SSI/SSP prior to increase).

(b) Persons who were not actually receiving SSI/SSP payments for some other reason.

(c) Persons who would have received SSI/SSP if they had applied.

(d) Persons who would have received SSI/SSP if they were not living in a medical or intermediate care facility.

(5) Certain recipients of SSI, after January 1, 1981, will continue to be eligible for medical assistance (MA) under Public Law 96-265.

(6) Pregnant women, with no other eligible children, ineligible for AFDC cash assistance solely because they have not reached the sixth month of pregnancy shall be eligible for Medicaid as categorically needy.

(7) Individuals who are denied AFDC cash payments solely by reason of recovery of overpayment shall be eligible for Medicaid as categorically needy.

(8) A child under five years of age, born after September 30, 1983, and who meets the income and resource requirements of AFDC financial assistance shall be eligible for Medicaid as categorically needy.

(9) Family units which are terminated from AFDC financial assistance solely because of the loss of the thirty dollars plus one-third or the thirty-dollar income exemptions shall remain categorically eligible for medical assistance for nine calendar months beginning with the month of ineligibility for AFDC provided that:

(a) The family unit was terminated on or after October 1, 1984.

(b) Family units terminated prior to October 1, 1984, may be eligible for nine months of medicaid beginning with the month of application if they meet the following conditions:

(i) The family unit must apply for medical assistance.

(ii) The family unit must demonstrate that, if the income exemptions had been applied, the family unit would have been eligible for each month for AFDC from the time of termination of AFDC to the time of application for medical assistance.

(iii) The family unit must disclose any health insurance coverage in effect for members of the assistance unit.

NEW SECTION

WAC 388-83-012 ASSIGNMENT OF RIGHTS. To be eligible for medical assistance an applicant shall assign to the state of Washington, department of social and health services, all right, title, and interest to any medical care support available pursuant to an order of a court or administrative agency and any third party payments for medical care.

AMENDATORY SECTION (Amending Order 1930, filed 12/29/82)

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) For AFDC cash assistance due to reaching state legal age of majority, a determination and a certification of eligibility for medical assistance under another program category will be made.

(c) 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.

(d) For AFDC cash assistance due solely to the loss of the thirty dollars plus one-third or the thirty dollar income exemption, medical assistance shall continue for nine calendar months beginning with the month of ineligibility.

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

(a) For individuals under age eighteen not related to SSI, eligibility shall be redetermined every six months using AFDC financial criteria.

(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 reported within twenty days to the CSO.

(4) Client notification procedures for any change of eligibility shall be the same as for cash assistance.

WSR 84-20-055**EMERGENCY RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES****(Public Assistance)**

[Order 2129—Filed October 1, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Payment—Hospital care, amending WAC 388-87-070.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to control hospital cost increases and stay within budget limitations.

These 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 Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED October 1, 1984.

By David A. Hogan, Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2099, filed 5/22/84)

WAC 388-87-070 PAYMENT—HOSPITAL CARE. (1) The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020.

((+)) Recipients must have been approved as financially and medically eligible for hospitalization. They are:

- (a) Categorically needy recipients;
- (b) Limited casualty program recipients;
- (i) Medically needy recipients;
- (ii) Medically indigent recipients;
- (c) Recipients of continuing general assistance.

(2) For hospital admissions and outpatient services occurring between July 1, 1982, and September 30, 1984, and for services described in subsections (5)(a), (b) and (6) of this section, except for nonallowable revenue codes, reimbursable cost will be determined by the application of the ratio of hospital commission approved operating expense and total rate setting revenue. For all administrative days, days of hospitalization in which medical necessity is below that appropriate for acute hospital care, the departments maximum reimbursement level will be the adjusted state-wide average per diem rate for skilled nursing facilities.

(3) However, for the period February 15, 1983, through June 30, 1983, reductions in the payment rate will be applied to services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of continuing general assistance. For these two eligibility groups, hospitals will be statistically clustered into groupings on their base of full-charge paying patients. A different reduction in the payment rate will be applied to each group of hospitals as follows:

Hospital Group	Percent Revenue from Full-Charge Paying Patients	Percentage Point Reduction in Payment Rate	Percent Reduction Total Rate Setting Revenue
1	40.33 or less	4.4	0.30
2	40.34 - 45.98	17.9	0.36
3	45.99 - 57.28	18.7	0.42
4	57.29 - 68.59	28.0	0.48
5	68.60 or more	20.1	0.54

(4) However, for the period April 1, 1984, through ((June)) September 30, ((+1985)) 1984, and for services described in subsection (5)(a) through (d) of this section reductions in the payment rate will be applied to services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of continuing general assistance. For these two eligibility groups, hospitals will be statistically clustered into groupings on their base of full-charge paying patients. A different reduction in the payment rate will be applied to each group of hospitals as follows:

Hospital Group	Percent Revenue from Full-Charge Paying Patients	Percentage Point Reduction in Payment Rate	Percent Reduction Total Rate Setting Revenue
1	39.39 or less*	2.7	0.274
2	39.40 - 44.48	11.5	0.313
3	44.49 - 48.51	10.2	0.352

Hospital Group	Percent Revenue from Full-Charge Paying Patients	Percentage Point Reduction in Payment Rate	Percent Reduction Total Rate Setting Revenue
4	48.52 - 56.28	17.8	0.391
5	56.29 or more	22.9	0.430

* Plus Psychiatric Hospitals

(5) For inpatient hospital discharges related to admissions occurring on or after October 1, 1984, payment amounts will be determined according to a diagnosis-related group based pricing system. Payment amounts will be based upon historical average costs per discharge adjusted for case mix and indexed to the current period, with the following exceptions:

(a) The payment rates for certain rehabilitation, pain treatment, psychiatric, alcoholism treatment and detoxification, and long-term hospital-level care services will be determined in accordance with the methods described in subsections (2) and (4) of this section.

(b) The payment rate for services provided to patients occupying beds utilized by the Fred Hutchinson Cancer Research Center bone marrow transplant program will be determined by multiplying the applicable ratio of operating expense to revenue times allowable charges and applying the reduction described in subsection (4) of this section, as appropriate.

(c) The payment rate for children's hospitals will be determined by computing the ratio of indexed historical cost to total rate setting revenue, not to exceed the hospital commission approved ratio of operating expense to total rate setting revenue. This ratio shall be multiplied times allowable charges. As appropriate, the reduction described in subsection (4) of this section will be applied.

(d) The payment rates for cases meeting the criteria of cost outlier will be set at eighty percent of the rates determined in accordance with the methods described in subsections (2) and (4) of this section.

(e) For the period October 1, 1984, through June 30, 1985, reductions in the payment rate will be applied to services which are provided to persons eligible for the medically indigent component of the limited casualty program and recipients of continuing general assistance and are not covered under (a), (b), (c), or (d) of this subsection. For these two eligibility groups, hospitals will be statistically clustered into groupings on their base of full-charge paying patients. A different reduction in the per-case payment rate will be applied to each group of hospitals as follows:

Hospital Group	Percent Revenue from Full-Charge Paying Patients	Percentage Reduction in Payment Rate	Percent Reduction Total Rate-Setting Revenue
1	39.39 or less	2.7	0.274
2	39.40 - 44.48	11.5	0.313
3	44.49 - 48.51	10.2	0.352
4	48.52 - 56.28	17.8	0.391
5	56.29 or more	22.9	0.430

(6) For outpatient hospital services provided on or after October 1, 1984, payment rates will be determined in accordance with subsection (2) of this section.

WSR 84-20-056
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2151—Filed October 1, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-33-450 Protective payment—Employment or work incentive program refused without good cause.
- Amd WAC 388-33-453 Protective payment—Failure or refusal to cooperate with support enforcement.
- Amd WAC 388-57-061 Refusal of training or employment under WIN/E&T without good cause.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to comply with the Deficit Reduction Act of 1984 (DEFRA).

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

This rule is promulgated pursuant to RCW 74.22.110 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 1, 1984.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 831, filed 7/26/73)

WAC 388-33-450 PROTECTIVE PAYMENT—EMPLOYMENT OR WORK INCENTIVE PROGRAM REFUSED WITHOUT GOOD CAUSE. (1) If an individual certified to the work incentive program (WIN) has been determined to have refused without good cause to participate in the ((work incentive)) WIN program or to accept a bona fide offer of employment((; assistance in the form of protective or vendor payments will be provided under the conditions described in WAC 388-57-061)):

(a) Assistance to meet the requirements of other eligible members of the assistance unit will be provided in the form of protective payments under the conditions described in WAC 388-57-061; except

(b) If the department, after making reasonable efforts, is unable to locate an appropriate protective payee, assistance may be paid directly to the sanctioned individual.

~~(2) The ((local office)) department shall notify the relative payee in writing of ((his removal)) the establishment of a protective payment as described in WAC 388-33-444.~~

~~(3) Selection of another individual as payee shall follow criteria in WAC 388-33-440 (3)(a)(b)(c). ((When vendor payments are made, at least the greater part of the payment will be through this method. See WAC 388-33-440(4).))~~

~~(4) Payment to the relative payee shall promptly be resumed when notice is received from the department of employment security that the individual no longer refuses to participate in a ((work incentive)) WIN program or employment or had good cause for refusal to participate.~~

AMENDATORY SECTION (Amending Order 1195, filed 3/3/77)

WAC 388-33-453 PROTECTIVE PAYMENT—FAILURE OR REFUSAL TO COOPERATE WITH SUPPORT ENFORCEMENT. (1) If the parent or other caretaker relative fails or refuses to cooperate with the office of support enforcement or other agencies in obtaining support payments as stipulated in WAC 388-24-108 and 388-24-109((; assistance will be provided to meet the requirements of the otherwise eligible child(ren) in the form of protective or vendor payments)):

(a) Assistance to meet the requirements of other eligible members of the assistance unit will be provided in the form of protective payments, except

(b) If the department, after making reasonable efforts, is unable to locate an appropriate protective payee, assistance may be paid directly to the sanctioned individual.

~~(2) ((Criteria for expenditure of funds shall be as follows:~~

~~(a) Disposition of funds shall be made first to assure shelter costs, food, clothing and necessary utilities for the children.~~

~~(b) There shall be no proration of payments for the parent/caretaker relative's share of common household expenses.~~

~~(c) Payments for the requirements of the children shall not be used to meet the individual requirements of the parent(s) or caretaker relative.~~

~~(3) When a protective payment is established, the ESSO will notify the caretaker relative in writing of this fact, the name of the protective payee and the effective date of the change.~~

~~((4)) The department shall notify the relative payee in writing of the establishment of a protective payment as described in WAC 388-33-444.~~

~~(3) The selection of a protective payee shall be made in accordance with WAC 388-33-440 (3)(a)(b) and (c)((; with the exception that the protective payee shall not be the parent/caretaker relative or the spouse of the parent/caretaker relative)).~~

~~((5)) (4) The manner in which the protective payee performs will be reviewed at least every three months and the caretaker relative's circumstances will be reviewed as frequently as indicated.~~

~~((6))~~ (5) Payment to the relative payee shall not be resumed without written approval by the office of support enforcement stating that the individual is cooperating in obtaining support.

~~((7))~~ (6) The rules in this section as to the person selected as protective payee and manner of disbursements are not subject to a fair hearing.

AMENDATORY SECTION (Amending Order 2035, filed 10/6/83)

WAC 388-57-061 REFUSAL OF TRAINING OR EMPLOYMENT UNDER WIN/E&T WITHOUT GOOD CAUSE. (1) This section does not apply to a voluntary WIN/E&T registrant discontinuing participation in the program.

(2) If a mandatory registrant certified to the WIN/E&T program has been determined by DES/DSHS to have refused without good cause to participate in the WIN/E&T program or to accept a bona fide offer of employment in which he or she is able to engage:

(a) When such individual is a caretaker relative on an AFDC-R grant, ((his or her)) or a caretaker relative other than the qualifying parent on an AFDC-E grant, such caretaker relative's needs shall not be ((taken into account)) considered in determining the family's need for assistance. ((Assistance in the form of protective or vendor payments will be provided to WIN-related registrants only)) If such caretaker relative is a mandatory WIN registrant, assistance shall be provided in the form of protective payments as specified in WAC 388-33-450;

(b) If such individual is the unemployed parent who qualifies the assistance unit for the AFDC-E program, assistance for the entire assistance unit shall be terminated;

(c) When such individual is the only dependent child in the family, assistance for the family will be terminated; and

~~((c))~~ (d) When such individual is one of several dependent children in the family, assistance for such child will be terminated and his or her needs will not be taken into account in determining the family's need for assistance;

~~((d))~~ If such individual is the unemployed parent who qualifies the assistance unit for the AFDC-E program, assistance for the entire assistance unit shall be terminated; and

~~((e))~~ If such individual is a caretaker relative other than the qualifying parent receiving AFDC-E, his or her needs shall not be taken into account in determining the family's need for assistance.))

(3) In the event an individual certified to the WIN/E&T program refuses to accept employment offered to him or her by an employer, whether directly or through the employment service, the determination as to whether the offer was bona fide or there was good cause to refuse the offer will be made by DES/DSHS and will be binding on the department.

(4) In the event an individual certified to WIN/DSHS E&T is determined by that unit as having good cause for not continuing on a training plan or job

and who has therefore received a financial sanction, the CSO should promptly restore the assistance payment to the individual if otherwise eligible and/or make other necessary payment adjustments.

WSR 84-20-057
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2154—Filed October 1, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd	WAC 388-82-115	Special categories eligible for medical assistance.
New	WAC 388-83-012	Assignment of rights.
Amd	WAC 388-85-105	Certification of eligibility.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to implement the Deficit Reduction Act of 1984, which becomes effective on this date.

These 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 Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED October 1, 1984.

By David A. Hogan, Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2074, filed 2/1/84)

WAC 388-82-115 SPECIAL CATEGORIES ELIGIBLE FOR MEDICAL ASSISTANCE. (1) Persons who, in August 1972, received OAA, AB, AFDC, or APTD, and also received RSDI benefits, and who became ineligible for OAA, AB, AFDC or APTD solely because of the twenty percent increase in Social Security benefits under Public Law 92-336, shall be eligible for medicaid as categorically needy. The provision applies to both current cash applicants and recipients.

(2) Applicants for SSI or AFDC who were entitled to RSDI benefits in August 1972, and would have been ineligible solely because of the Social Security benefits under Public Law 92-336 shall have the twenty percent increase disregarded in determining financial eligibility.

(3) An AFDC family unit which becomes ineligible solely because of increased hours or increased income

from employment shall remain categorically eligible for medical assistance (MA) for four calendar months beginning with the month of ineligibility provided that:

(a) The family received AFDC in at least three of the six months immediately preceding the month of ineligibility.

(b) A member of such family continues to be employed, and

(c) The family is otherwise eligible for AFDC except for increased hours or increased income from employment.

(d) Earned income tax credits (EITC) must be considered as income for purposes of this subsection.

(4) Current recipients who become ineligible for SSI benefits and/or state supplementary payments after April 1, 1977, solely because of OASDI cost-of-living benefit increases under Public Law 94-566, section 503, shall remain categorically eligible for medical assistance (MA). Any subsequent OASDI cost-of-living benefit increase shall be disregarded for eligibility. For institutionalized recipients, the amount subsequently is considered in the cost of institutional care. This disregard does not apply to:

(a) New applicants (i.e., who were not receiving SSI/SSP prior to increase).

(b) Persons who were not actually receiving SSI/SSP payments for some other reason.

(c) Persons who would have received SSI/SSP if they had applied.

(d) Persons who would have received SSI/SSP if they were not living in a medical or intermediate care facility.

(5) Certain recipients of SSI, after January 1, 1981, will continue to be eligible for medical assistance (MA) under Public Law 96-265.

(6) Pregnant women, with no other eligible children, ineligible for AFDC cash assistance solely because they have not reached the sixth month of pregnancy shall be eligible for Medicaid as categorically needy.

(7) Individuals who are denied AFDC cash payments solely by reason of recovery of overpayment shall be eligible for Medicaid as categorically needy.

(8) A child under five years of age, born after September 30, 1983, and who meets the income and resource requirements of AFDC financial assistance shall be eligible for Medicaid as categorically needy.

(9) Family units which are terminated from AFDC financial assistance solely because of the loss of the thirty dollars plus one-third or the thirty-dollar income exemptions shall remain categorically eligible for medical assistance for nine calendar months beginning with the month of ineligibility for AFDC provided that:

(a) The family unit was terminated on or after October 1, 1984.

(b) Family units terminated prior to October 1, 1984, may be eligible for nine months of medicaid beginning with the month of application if they meet the following conditions:

(i) The family unit must apply for medical assistance.

(ii) The family unit must demonstrate that, if the income exemptions had been applied, the family unit would have been eligible for each month for AFDC from the time of termination of AFDC to the time of application for medical assistance.

(iii) The family unit must disclose any health insurance coverage in effect for members of the assistance unit.

NEW SECTION

WAC 388-83-012 ASSIGNMENT OF RIGHTS.

To be eligible for medical assistance an applicant shall assign to the state of Washington, department of social and health services, all right, title, and interest to any medical care support available pursuant to an order of a court or administrative agency and any third party payments for medical care.

AMENDATORY SECTION (Amending Order 1930, filed 12/29/82)

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) For AFDC cash assistance due to reaching state legal age of majority, a determination and a certification of eligibility for medical assistance under another program category will be made.

(c) 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.

(d) For AFDC cash assistance due solely to the loss of the thirty dollars plus one-third or the thirty dollar income exemption, medical assistance shall continue for nine calendar months beginning with the month of ineligibility.

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

(a) For individuals under age eighteen not related to SSI, eligibility shall be redetermined every six months using AFDC financial criteria.

(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 reported within twenty days to the CSO.

(4) Client notification procedures for any change of eligibility shall be the same as for cash assistance.

WSR 84-20-058
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed October 1, 1984]

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

- Amd WAC 356-05-120 Disability.
- Amd WAC 356-15-060 Shift differential provisions and compensation.
- Amd WAC 356-15-070 Split shift provisions and compensation.
- Amd WAC 356-15-090 Schedule/shift change provisions and compensation.
- Amd WAC 356-18-140 Leave without pay.
- Amd WAC 356-18-200 Unauthorized ((~~leave~~)) absence.
- Amd WAC 356-35-010 Disability—Separation—Appeals—Procedures;

that the agency will at 10:00 a.m., Thursday, November 8, 1984, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

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

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 6, 1984.

Dated: September 28, 1984
By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amend WAC 356-05-120.

Title: Disability.

Purpose: Defines the term "disability" as used through Title 356 WAC.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Proposed change would acknowledge that inability to perform duties adequately for a given job class can be due to physical and/or mental disabilities.

Responsibility for Drafting: Al Eckroth, Chief, Office of Employee Services, Department of Corrections, Capital Center Building, MS: FN-61, Olympia, WA 98504, Phone: 753-0388; Implementation and Enforcement: All state agencies.

Proposed by: Department of Corrections, governmental agency.

Amend WAC 356-15-060.

Title: Shift differential provisions and compensation.

Purpose: Specifies which employees are entitled to shift differential based on hours worked.

Statutory Authority: RCW 41.06.150.

Summary: Proposed change would clarify which employees are entitled to shift differential based on hours worked and work period designation of the class.

Reasons: The present language in the rule is ambiguous, which makes it difficult to interpret.

Responsibility for Drafting: Al Gonzales, Department of Social and Health Services, Office Building #2, MS: OB-13, Olympia, WA 98504, Phone: 753-5184; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-15-070.

Title: Split shift provisions and compensation.

Purpose: Denotes when a split shift employee is entitled to shift differential.

Statutory Authority: RCW 41.06.150.

Summary: Change would limit split shift compensation to scheduled work period employees when entitled to shift differential.

Reasons: To make authorization for shift differential compensation similar to that for overtime.

Responsibility for Drafting: Al Gonzales, Department of Social and Health Services, Office Building #2, MS: OB-13, Olympia, WA 98504, Phone: 753-5184; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-15-090.

Title: Schedule/shift change provisions and compensation.

Purpose: Prescribes the penalty that shall be paid to employees transitioning from one standard schedule to another. Such employees shall receive time and one-half for those days/hours they work during the transition month that exceeds the days/hours that a Monday-Friday counterpart employee is scheduled to work in that month.

Statutory Authority: RCW 41.06.150.

Summary: Proposal would change the time frame for comparing a transitioning employee's hours against those worked by the Monday-Friday counterpart employee. The hours worked should be compared on the basis of the pay period (two weeks) rather than the calendar month.

Reasons: Administration of the current rule is impractical under the new biweekly pay period.

Responsibility for Drafting: John Calhoun, Department of Transportation, Transportation Building, MS: KF-01, Olympia, WA 98504, Phone: 753-7337; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Transportation, governmental agency.

Amend WAC 356-18-140.

Title: Leave without pay.

Purpose: Outlines the reasons for authorizing leave without pay and sets limits on the amount of time taken for leave without pay.

Statutory Authority: RCW 41.06.150.

Summary: Proposal would exclude newborn or adoptive child care leave and leave taken to reduce the effect

of an agency reduction-in-force from the twelve months in any consecutive five-year period limitation.

Reasons: The changes would provide agencies additional flexibility in the authorization of leave without pay.

Responsibility for Drafting: Al Gonzales, Department of Social and Health Services, Office Building #2, MS: OB-13, Olympia, WA 98504, Phone: 753-5184; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-18-200.

Title: Unauthorized leave.

Purpose: States how unauthorized absence will be treated.

Statutory Authority: RCW 41.06.150.

Summary: Change would be to title only to change it from "unauthorized leave" to "unauthorized absence."

Reasons: The content of this rule refers to unauthorized absence rather than unauthorized leave. Proposal would clarify the content of the rule.

Responsibility for Drafting: Roger Sanford, Unit Manager, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5928; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-35-010.

Title: Disability—Separation—Appeals—Procedures.

Purpose: Outlines reasons and procedures for separating an employee from state service due to disability; states employee's appeal rights and return rights.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Proposed changes to subparagraph (1) would allow an agency to place an employee on approved leave without pay status if that employee was unable to work due to a disability during the 60 day notice period and paid leave is exhausted. Proposed change to subparagraph (2) would allow a written statement to be obtained from a physician or a licensed mental health professional depending on the nature of the disability. Proposed change to subparagraph (3) would distinguish between calendar days and work days due to employees working in settings on a 24-hour, 7 day a week basis. Proposed change to subparagraph (5) would provide for a medical determination by a physician or licensed mental health professional as to whether or not an employee who has been separated due to disability is again able to perform.

Responsibility for Drafting: Alan Eckroth, Chief, Office of Employee Services, Department of Corrections, Capital Center Building, MS: FN-61, Olympia, WA 98504, Phone: 753-0388; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-05-120 DISABILITY. An employee's (~~(bodily)~~) physical and/or mental inability to perform adequately the essential duties of the job class. (For purposes of WAC 356-35-010, this definition shall not include maternity.)

AMENDATORY SECTION (Amending Order 207, filed 6/22/84)

WAC 356-15-060 SHIFT DIFFERENTIAL PROVISIONS AND COMPENSATION. (1) (~~(Any)~~) A scheduled work period employee working a shift shall be paid a shift premium (as shown in the shift differential schedule) under any one of the following conditions:

(a) When her/his (~~(scheduled)~~) working hours extend before 6 a.m. or beyond 6 p.m., she/he shall receive the premium rate for those hours that so extend.

(b) The premium rate shall be paid for all hours worked on a scheduled evening or night shift. Evening or night shifts are defined as those in which four or more hours of a scheduled shift extend beyond 6 p.m. or in which (~~(three)~~) four or more hours of a scheduled shift are completed prior to 6 a.m. A shift premium shall not be paid for hours worked on a shift which does not qualify for shift premium except as outlined in (a) of this subsection.

(2) Nonscheduled work period employees shall be paid a shift premium for the appropriate hours worked in the same manner as scheduled work period employees.

(3) Exception work period employees may be paid a shift premium for hours worked in the same manner as scheduled work period employees if the appointing authority deems it appropriate.

(~~(2)~~) (4) Monthly shift differential rates: In cases where shift differential hours are regularly scheduled over a year, agencies may pay shift differential at a monthly rate which is equal for all months of the year. Such monthly rates shall be calculated by dividing twelve into the amount of shift premium an employee would earn in a year if the hourly rules in subsection (1) of this section were applied. This option is granted to simplify bookkeeping and is not authorized to establish shift differential rates higher or lower than those set by the board.

(~~(3)~~) (5) Shift differential and overtime: When a scheduled work period employee works overtime on a shift which qualifies for shift differential, her/his overtime shall be computed as one-and-one-half times her/his basic salary and shift differential combined.

(~~(4)~~) (6) Payment during leave periods: Scheduled work period employees eligible for shift differential will receive the shift differential rate for authorized periods of paid leave, i.e., vacation leave, sick leave, military leave, holiday leave, etc.

SHIFT DIFFERENTIAL SCHEDULE
(Effective 7-1-75)

Code	Title	Hourly Premium
5630-5634	Registered Nurses	23¢
0628-0641	Liquor Store Personnel/ working in the stores	23¢
	All Other Classes	20¢

AMENDATORY SECTION (Amending Order 98, filed 1/13/77, effective 2/13/77)

WAC 356-15-070 SPLIT SHIFT PROVISIONS AND COMPENSATION. When (~~(an)~~) a scheduled work period employee's (~~(assigned)~~) scheduled workshift is split (e.g., 6 a.m. to 10 a.m., 4 p.m. to 8 p.m. with the intervening hours not worked) she/he shall receive the premium rate set in the shift differential schedule for all hours worked. The provisions of WAC 356-15-060 (~~(2)~~ through) (4) through (6) shall apply to employees working split shifts.

AMENDATORY SECTION (Amending Order 191, filed 8/31/83)

WAC 356-15-090 SCHEDULE/SHIFT CHANGE PROVISIONS AND COMPENSATION. The appointing authority shall schedule the working days/hours of their scheduled work period employees.

(1) This schedule shall remain in effect for at least seven calendar days, and may only be changed with seven or more calendar days notice. If seven calendar days notice is not given, a new schedule does not exist until the notice period expires. Agencies may notify employees of more than one future schedule change in a single notice.

The seven calendar days notice of changes in working days and/or hours must be given to the affected employees during their scheduled working hours. The day that notification is given shall constitute a day of notice.

(2) If the appointing authority changes employees' assigned days/hours without giving them at least seven days notice of the change, employees will be paid for all time worked outside the scheduled days/hours at the overtime rate for the duration of the notice period.

(a) When changes in employees' assigned days/hours are made without proper notice, employees may work their scheduled days/hours unless the appointing authority deems that:

(i) The employees are unable to perform satisfactorily as the result of excessive overtime hours; or

(ii) the work which normally would have been performed within the scheduled days/hours cannot be performed.

(b) The state is not obligated to pay for those scheduled days/hours not worked, unless the employee is on an authorized leave of absence with pay.

(c) Overtime pay and schedule/shift change pay shall not be paid for the same incident.

(3) The transition period for necessary schedule changes from one scheduled standard work period to another scheduled standard work period shall be considered and filed as a scheduled alternate work period in accordance with WAC 356-15-020 (1)(b) except that:

(a) Transitioning employees may receive the overtime rate for all hours worked in the ~~((month))~~ pay period which exceed the number of ~~((scheduled))~~ hours ((of)) that Monday through Friday counterpart employees are scheduled to work during the ((month of the transition)) same pay period; or

(b) Transitioning employees may receive the overtime rate of pay for those shifts actually worked that would be the sixth and/or seventh scheduled shift in the previous work week if the employee is not scheduled to have two consecutive days off.

The new scheduled standard work period and work day shall be identified and begin during the schedule transition period.

(4) Contingency scheduling is allowed for those positions having the following responsibilities: Highway snow, ice and avalanche control, grain inspection, horticulture inspection, and in the department of natural resources, forest fire suppression, "hoot owl," forest fuels management and aerial applications.

Therefore, for those positions, the appointing authority shall not be bound by the above scheduled shift change notice requirement, if the appointing authority notifies affected employees of the contingency schedule in writing when they enter the position or not less than 30 days prior to implementation.

When conditions mandate the activating of the contingency schedule, the appointing authority shall pay affected employees the overtime rate for all hours worked outside the original schedule at least the employee's first shift of the contingency schedule.

AMENDATORY SECTION (Amending Order 161, filed 10/5/81)

WAC 356-18-140 LEAVE WITHOUT PAY. (1) Leave without pay may be allowed when such leave will not operate to the detriment of the state service.

(2) Leave without pay may be authorized for any reasons applicable to:

(a) Leave with pay.

(b) Educational leave.

(c) Newborn or adoptive child care leave as provided in WAC 356-18-150.

(d) Military and U.S. Public Health Service and Peace Corps leave.

(e) Specific leaves granted for government service in the public interest upon specific request of an employee, concurred in by the appointing authority and approved by the director of personnel.

(f) Leave taken voluntarily to reduce the effect of an agency reduction-in-force, leaving the employee's standing with regard to the RIF register in tact.

(3) Leave without pay shall not total more than 12 months in any consecutive five-year period, except for:

(a) Leaves without pay for military, U.S. Public Health Service or Peace Corps;

(b) Authorized government leave not exceeding two years;

(c) Employees receiving time loss compensation; ~~((or))~~

(d) Educational leaves under provisions of WAC 356-39-120;

(e) Newborn or adoptive child care leave under provisions of WAC 356-18-150; or

(f) Leave taken voluntarily to reduce the effect of an agency reduction-in-force under the provisions of WAC 356-30-335.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-18-200 UNAUTHORIZED ~~((LEAVE))~~ ABSENCE. Unauthorized absence shall be treated as absence without pay and may be grounds for disciplinary action. Upon return the employee shall give a written statement to the appointing authority explaining the reason for the absence.

AMENDATORY SECTION (Amending Order 193, filed 11/28/83)

WAC 356-35-010 DISABILITY—SEPARATION—APPEALS—PROCEDURES. (1) When a permanent employee becomes disabled, employment may be terminated by the appointing authority after a minimum of 60 calendar days written notice, provided that the employee shall be allowed to exhaust accrued sick leave before separation if the disability prevents attendance at work. If the employee is unable to work due to the disability during the notice period and there is no paid leave available, the absence shall be considered approved leave without pay. Separations due to disability shall not be considered disciplinary actions and shall be appealable to the personnel appeals board on grounds that a disability does not exist. The 60 calendar days notice shall not be required when the employee requests and the appointing authority approves a shorter notice period.

(2) For purposes of this rule, determinations of disability shall be made by an appointing authority only at the employee's written request or after obtaining a ~~((physician's))~~ written statement from a physician or a licensed mental health professional. The appointing authority may require an employee to obtain a medical examination at agency expense from a physician or a licensed mental health professional of the agency's choice. In such cases, the agency shall provide the ~~((physician))~~ licensed medical provider with the specification for the employee's class and a description of the employee's position. Evidence may be requested from the ~~((physician))~~ licensed medical provider regarding the employee's ~~((physical))~~ ability to perform the specified duties.

(3) At the time of notification that his/her employment will be terminated because of disability, the employee shall be informed by the appointing authority of the right to appeal. The appeal must be filed in writing to the personnel appeals board as provided in Title 358 WAC within 30 calendar days after notice of separation is given.

(4) During the notice period required by ~~((paragraph))~~ subsection (1) of this section an employee being separated due to disability shall be counseled by the agency regarding benefits for which the employee may be eligible through employees' insurance plans, social security, worker's compensation, veteran's benefits, public assistance, disability retirement, vocational rehabilitation, and such other related programs as may be available.

(5) The names of permanent employees who have been separated because of disability shall be placed on reduction in force and promotional registers by the director of personnel as provided in WAC 356-26-030 upon submission of a ~~((physician's))~~ statement from a physician or licensed mental health professional that they are ((physically)) able to perform the duties of the class(es) for which the registers are established.

WSR 84-20-059 EMERGENCY RULES DAIRY PRODUCTS COMMISSION [Order 84-1—Filed October 1, 1984]

Be it resolved by the Washington State Dairy Products Commission, acting at 1107 Northeast 45th Street, Seattle, WA 98105, that it does adopt the annexed rules relating to temporary reduction of milk assessment, WAC 142-30-010.

We, the Washington State Dairy Products Commission, find that an emergency exists and that this 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 the emergency is Title I, subtitle B, of the Dairy and Tobacco Adjustment Act of 1983 establishes a dairy research and promotion order to implement a national program for dairy product promotion, research and nutrition education. The program is funded by a mandatory 15 cent per cwt. assessment.

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

This rule is promulgated pursuant to RCW 14.44.130 [15.44.130] and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 1, 1984.

By Robert M. Hallberg
Secretary-Treasurer

AMENDATORY SECTION (Amending Order 83-2, filed 3/29/83)

WAC 142-30-010 DECLARATION OF PURPOSE—EFFECTIVE DATE—~~((SUBJECT TO REFERENDUM.))~~ ~~((+))~~ To effectuate the purposes of RCW 15.44.080 and .130 ~~((as amended by chapter 44, Laws of 1975.))~~ there is hereby levied upon all milk produced in this state ~~((an assessment of 1.0 percent))~~ a temporary assessment of 0.75 percent of the Class I price for 3.5% butterfat milk as established in any market area by a market order in effect in that area or by the state department of agriculture in case there is no market order for that area effective ~~((April 1, 1983.))~~ October 1, 1984 through December 31, 1984.

~~((2) The proposed assessment increase shall not become effective until approved by fifty-one percent of the producers voting in a referendum conducted by the commission.))~~

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 84-20-060
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 1, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning WAC 296-27-16009 Follow-up inspection,

in the administrative rule standard is amended to allow employers to send written verification that a violation has been abated following issuance of a citation. Currently a reinspection of premises is required; chapter 296-52 WAC, Safety standards for the possession and handling of explosives is amended to clarify certain sections of the code and to update the standard to current levels of nationally recognized safe practices; chapter 296-56 WAC, Longshore, stevedore and related waterfront activities is amended following changes published in the Federal Register Vol. 48, No. 129 on Tuesday, July 5, 1983; WAC 296-62-07353 Ethylene oxide is promulgated as a new standard mirroring federal regulations published in the Federal Register on Friday June 22, 1984, in Vol. 49, No. 122; 296-62-07515 Control of chemical agents is amended to include ethylene oxide on Table 1, permissible exposure limits (PEL); 296-62-09004 Ionizing radiation is amended to update the current standard to federal regulation levels; 296-62-09005 Nonionizing radiation is amended to update current standard to ANSI C95.1 - 1982 levels; 296-155-140 Sanitation is amended to update requirements for toilet facilities on the worksite; 296-155-145 Occupational noise exposure is amended to reference the requirements of chapter 296-62 WAC which is currently enforceable; 296-155-155 Nonionizing radiation is amended to update the standard to ANSI C95.1-1982 levels; 296-155-215 Eye and face protection is amended to update the laser protection section to current ANSI C95.1-1982 levels; and repealing 296-52-9001 Appendix figure 1—Application for user's (blaster's) license; 296-52-9002 Appendix figure 2—Request for inspection; 296-52-9003 Appendix figure 3—Application for license to manufacture explosives; 296-52-9004 Appendix figure 4—Application for license to operate a storage magazine for explosives; 296-52-9005 Appendix figure 5—Application for dealer's license; 296-52-9006 Appendix figure 6—Application for license to purchase explosives; 296-52-9007 Appendix figure 7—Dealer's record; and 296-56-401 through 296-56-560 Safety standards for longshore, stevedore and related waterfront operations;

that the agency will at 9:30 a.m., Thursday, November 15, 1984, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 11, 1984.

The authority under which these rules are proposed is RCW 49.17.040 and 49.17.050.

The specific statute these rules are intended to implement is RCW 49.17.050 (5), (9), (10) and 49.17.240 (1) and (2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

Written or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules and 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.

The agency may need to change the date for public hearing or adoption on short notice. To ascertain that the public hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Richard E. Martin, Assistant Director
Industrial Safety and Health Division
Post Office Box 207
Olympia, Washington 98507
(206) 753-6500

Dated: October 1, 1984

By: Sam Kinville
Director

STATEMENT OF PURPOSE

Title and Number of Chapter: WAC 296-27-16009 Follow-up inspections from chapter 296-27 WAC, Administrative rules; chapter 296-52 WAC, Safety standards for the possession, handling and use of explosives; chapter 296-56 WAC Longshore, stevedore, and related waterfront activities; WAC 296-62-07353 Ethylene oxide; 296-62-07515 Control of chemical agents; 296-62-09004 Ionizing radiation; 296-62-09005 Nonionizing radiation in chapter 296-62 WAC, Occupational safety and health; 296-155-140 Sanitation; 296-155-145 Occupational exposure; 296-155-155 Nonionizing radiation; and 296-155-215 Eye and face protection.

Statutory Authority: RCW 49.17.040 and 49.17.050.

Specific Statute that Rules are Intended to Implement: RCW 49.17.050 (5), (9), (10) and 49.17.240 (1) and (2).

Summary of the Rule: WAC 296-27-16009 Follow-up inspections, in the administrative rules standard is amended to allow employers to send written verification that a violation has been abated following a citation; it is the purpose of chapter 296-52 WAC, Safety standards for the possession and handling of explosives to implement the Washington State Explosives Act, chapter 70.74 RCW. Changes have been made to chapter 296-52 WAC to clarify certain sections of the code. There is minimal economic impact; chapter 296-56 WAC is amended to follow federal guidelines according to the Federal Register published on Tuesday, July 5, 1983, in Volume 48, No. 129; WAC 296-62-07353 Ethylene oxide is promulgated mirroring federal regulations as published in Federal Register Vol. 49, No. 122 on Friday, June 22, 1984; 296-62-07515 Control of chemical agents. Table 1 permissible exposure limits (PEL) is updated to amend ethylene oxide, WAC 296-62-07353, according to new federal requirements; 296-62-07004 Ionizing radiation is amended to update the standard to enforceable federal regulation levels; 296-62-09005 Nonionizing radiation is amended to update the standard to current ANSI C95.1-1982; 296-155-140 Sanitation is amended to update requirements for toilet

facilities on worksites; 296-155-145 Occupational noise exposure is amended to reference the requirements of chapter 296-62 WAC which are currently enforceable; 296-155-155 Nonionizing radiation is amended to update the standard to ANSI C95.1-1982 requirements as required in chapter 296-62 WAC, General occupational safety and health; 296-62-215 Eye and face protection is amended to update the laser protection section to current ANSI C95.1-1982 levels as required by chapter 296-62 WAC, General occupational safety and health.

Reasons Supporting the Proposed Rule: To ensure safe and healthful working conditions for every person working in the state of Washington and to be in compliance with federal regulations.

The Agency Personnel Responsible for Drafting: Steve Cant, Chief Industrial Hygienist, Division of Industrial Safety and Health, 814 East Fourth, Olympia, Washington 98504, (206) 753-6497; Implementation and Enforcement: Richard E. Martin, Assistant Director, Division of Industrial Safety and Health, 814 East Fourth, Olympia, Washington 98504, (206) 753-6500.

Name of Person or Organization, Whether Private, Public or Governmental that is Proposing the Rule: Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: These are basic rules that will not be difficult or expensive for employers who must comply with them. However, the rules will likely prevent many costly injuries, including death, to employees in the state of Washington.

Portions of the rules are necessary to comply with a federal law, 29 U.S.C. subsection 667(c)(2).

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: It is determined that there is little or no economic impact for the following amended sections: WAC 296-27-16009, chapter 296-52 WAC, 296-62-07515, 296-62-09004, 296-62-09005, 296-155-140, 296-155-145, 296-155-155 and 296-155-215.

Chapter 296-56 WAC is amended to follow federal guidelines and according to the Federal Register published on Tuesday, July 5, 1983, in Volume 48, No. 129, "The variable costs are proportional to the firm's size and small businesses will not find it more difficult than larger businesses to comply. OSHA estimates total first-year costs of compliance for a small business to be about \$1,150 per firm and \$54.74 per employee." WAC 296-62-07353 is promulgated according to federal regulations as published in Federal Register Vol. 49, No. 122 on Friday, June 22, 1984. Quoting the Federal Register, "The Secretary has determined that this regulation does not constitute a major regulatory action, as defined by the criteria of section 1(b) of E.O. 12291. The Secretary also certifies that this action will not have a significant impact on a substantial number of small entities." The Division of Industrial Safety and Health has determined that there will be less impact in the state of Washington due to lack of ethylene oxide producers in the state.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-56-401 through 296-56-560—Safety Standards for Longshore, Stevedore and Related Waterfront Operations

AMENDATORY SECTION (Amending Order 81-13, filed 6/22/81)

WAC 296-27-16009 FOLLOW-UP INSPECTIONS. When an employer has been cited for a violation, the department conducts follow-up inspections or obtains written verification that the violation has been abated from the employer to ensure that the violation has been corrected.

(1) If the department cited a serious violation, or a general violation for which a penalty was proposed, the department shall conduct a follow-up inspection. If there is more than one abatement date, more than one follow-up inspection may be necessary.

(2) The department may, but is not required, to conduct follow-up inspections after issuing a citation other than those set out in subsection (1) of this section.

AMENDATORY SECTION (Amending Order 84-1, filed 3/17/81)

WAC 296-52-030 DEFINITIONS. Definitions as used in this chapter, unless a different meaning is plainly required by the context:

(1) "Attend" shall mean the physical presence of an authorized person within the field of vision of explosives. The said attendant shall be awake, alert and not engaged in activities which may divert his attention so that in case of an emergency he can get to the explosives quickly and without interference, except for brief periods of necessary absence, during which absence simple theft of explosives is not ordinarily possible.

(2) "Authorized," "approved" or "approval" shall be held to mean authorized, approved, or approval by the department of labor and industries or other approving agency or individual as specified by the provisions of this chapter.

(3) "Blaster" shall be held to mean that qualified person in charge of and responsible for the loading and firing of a blast.

(4) "Blasting agent" shall be held to mean and include any material or mixture consisting of a fuel and oxidizer, intended for blasting, not otherwise classified as an explosive, and in which none of the ingredients are classified as an explosive, provided that the finished product, as mixed and packaged for use or shipment, cannot be detonated when unconfined by means of a No. 8 test blasting cap.

(5) "Day box" shall denote a box which is not approved as a magazine for unattended storage of explosives. Such box may be used for storage of explosives during working hours on a job site, provided that it shall always be guarded against theft, particularly in inhabited areas, and shall either be attended, locked or secured against outright lifting, as the risk demands. Caps shall be safely separated from other explosives. Such day boxes shall be marked with the word "explosives."

(6) "Dealer" shall be held to mean and include any person who purchases explosives or blasting agents for the sole purpose of resale, and not for use or consumption.

(7) "Department" shall denote the department of labor and industries.

(8) "Detonating cord" (fuse) shall mean a round, flexible cord containing a center core of high explosive.

(9) "Detonator" shall mean a blasting cap, an electric blasting cap or a delay electric blasting cap.

(10) "Director" shall denote the director of the department of labor and industries, or his designated representative.

(11) "Division" shall denote the division of industrial safety and health of the department.

(12) "Efficient artificial barricade" shall be held to mean an artificial mound or properly revetted wall of earth of a minimum thickness of not less than three feet or such other artificial barricade as approved by the department of labor and industries.

(13) "Explosive" or "explosives" whenever used in this chapter shall be held to mean and include any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing, that an ignition by fire, by friction, by concussion, by percussion, or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous

objects or of destroying life or limb. In addition, the term "explosives" shall include all material which is classified as Class A, Class B, and Class C explosives by the federal Department of Transportation: PROVIDED, That for the purposes of this chapter small arms ammunition, small arms ammunition primers, smokeless powder not exceeding fifty pounds, and black powder not exceeding five pounds shall not be defined as explosives: PROVIDED, That such black powder is intended to be used solely for sporting, recreational, or cultural purposes in antique firearms. Classification of explosives shall include but not be limited to the following:

NOTE: Classification of explosives is described by the U.S. Department of Transportation as follows (see 49 CFR Chapter I):

- (a) Class A explosives: (Possessing detonating hazard) dynamite, nitroglycerin, picric acid, lead azide, fulminate of mercury, black powder exceeding five pounds, blasting caps in quantities of 1001 or more, and detonating primers.
- (b) Class B explosives: (Possessing flammable hazard) propellant explosives, including smokeless propellants exceeding fifty pounds.
- (c) Class C explosives: (Including certain types of manufactured articles which contain Class A or Class B explosives, or both, as components but in restricted quantities) blasting caps in quantities of 1000 or less.

(14) "Explosive-actuated power devices" shall be held to mean any tool or special mechanized device which is actuated by explosives, but not to include propellant-actuated power devices.

(15) "Explosives manufacturing building" shall be held to mean and include any building or other structure (excepting magazines) containing explosives, in which the manufacture of explosives, or any processing involving explosives, is carried on, and any building where explosives are used as a component part or ingredient in the manufacture of any article or device.

(16) "Explosives manufacturing plant" shall be held to mean and include all lands, with the buildings situated thereon, used in connection with the manufacturing or processing of explosives or in which any process involving explosives is carried on, or the storage of explosives thereat, as well as any premises where explosives are used as a component part or ingredient in the manufacture of any article or device.

(17) "Factory building" shall denote the same as "manufacturing building."

(18) "Forbidden or not acceptable explosives" shall be held to mean and include explosives which are forbidden or not acceptable for transportation by common carriers by rail freight, rail express, highway, or water in accordance with the regulations of the federal Department of Transportation.

(19) "Fuel" shall be held to mean and include a substance which may react with the oxygen in the air or with the oxygen yielded by an oxidizer to produce combustion.

(20) "Handling" shall denote any one or more of manufacturing, buying, selling, transporting, storing or using of explosives.

(21) "Handloader" shall be held to mean and include any person who engages in the noncommercial assembling of small arms ammunition for his own use, specifically the operation of installing new primers, powder, and projectiles into cartridge cases.

(22) "Handloader components" means small arms ammunition, small arms ammunition primers, smokeless powder not exceeding fifty pounds, and black powder as used in muzzle loading firearms not exceeding five pounds.

(23) "Highway" shall be held to mean and include any public street, public alley, or public road.

(24) "Inhabited building" shall be held to mean and include only a building regularly occupied in whole or in part as a habitation for human beings, or any church, schoolhouse, railroad station, store, or other building where people are accustomed to assemble, other than any building or structure occupied in connection with the manufacture, transportation, storage, or use of explosives.

The magazine for indoor storage is not required to be a cubic yard in size as long as it is constructed as stated in WAC 296-52-090(3).

The interpretation of an uninhabited building as defined by the "Bureau of Alcohol, Tobacco, and Fire Arms" Department of the Treasury, which is the federal regulatory agency of explosives, allows 50 pounds of high explosives or 5,000 caps in a warehouse, wholesale, or retail establishments. It also states: "No indoor facilities for storage of high explosive shall be located in a residence or dwelling."

We only allow 1,000 caps, which is computed to 1-1/2 pounds of explosives and is much less than the Bureau of Alcohol, Tobacco, and Firm Arms allows. Therefore, we will allow indoor storage to include shops and maintenance buildings.

(25) "Magazine" shall be held to mean and include any building or other structure, other than a factory building, used for the storage of explosives.

(26) "Motor vehicle" shall be held to mean and include any self-propelled automobile, truck, tractor, semi-trailer or full trailer, or other conveyance used for the transportation of freight.

(27) "Mudcap" shall be held to mean covering the required number of cartridges that have been laid on top of a boulder with a three or four inch layer of mud (free from rocks or other material which might constitute a missile hazard). Mudcapping is also commonly known as "bulldozing" and "dobyng."

(28) "Natural barricade" shall be held to mean and include any natural hill, mound, wall, or barrier composed of earth or rock or other solid material of a minimum thickness of not less than three feet.

(29) "Oxidizer" shall be held to mean a substance that yields oxygen readily to stimulate the combustion of organic matter or other fuel.

(30) "Permanent magazines" shall denote magazines that are permanently fastened to a foundation and that are left unattended. The capacity of said permanent magazines shall not exceed the limits stated in RCW 70.74.040. Permanent magazines shall be approved and licensed.

(31) "Person" shall be held to mean and include any individual, firm, copartnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee, or personal representative thereof.

(32) "Person responsible," for an explosives magazine, shall mean the legal person who actually operates the magazine and who is responsible for the proper storage, protection and removal of the explosives. The responsible person may be the owner or the lessee or the authorized operator of the magazine.

(33) "Portable magazines" also called "field" magazines shall denote magazines that are designed to be unattended and that are not permanently fastened to a foundation. Said magazines shall be so constructed or secured that they can not be readily lifted and carried away by unauthorized persons. The capacity of said portable magazines shall be limited to the amount of explosives required for efficient operation. Portable magazines shall be approved and licensed.

(34) "Possess" shall denote in this code the physical possession of explosives in one's hand, vehicle, magazine or building.

(35) "Primer" shall be held to mean a cartridge or container of explosives into which a detonator or detonating cord is inserted or attached and whose purpose is to initiate the main explosive charge.

(36) "Propellant-actuated power device" shall be held to mean and include any tool or special mechanized device or gas generator system which is actuated by a propellant or which releases and directs work through a propellant charge.

(37) "Public conveyance" shall be held to mean and include any railroad car, streetcar, ferry, cab, bus, airplane, or other vehicle which is carrying passengers for hire.

(38) "Public utility transmission system" shall mean power transmission lines over 10 KV, telephone cables, or microwave transmission systems, or buried or exposed pipelines carrying water, natural gas, petroleum, or crude oil, or refined products and chemicals, whose services are regulated by the utilities and transportation commission, municipal, or other publicly owned systems.

(39) "Purchaser" shall be held to mean any person who buys, accepts, or receives any explosives or blasting agents.

(40) "Pyrotechnics" shall be held to mean and include any combustible or explosive compositions or manufactured articles designed and prepared for the purpose of producing audible or visible effects which are commonly referred to as fireworks.

(41) "Railroad" shall be held to mean and include any steam, electric, or other railroad which carries passengers for hire.

(42) "Railroad freight car" shall denote cars that are built for and loaded with explosives and operated in accordance with DOT rules.

(43) "Semiconductive hose" means a hose with an electrical resistance high enough to limit flow of stray electric currents to safe levels, yet not so high as to prevent drainage of static electric charges to ground; hose of not more than 2 megohms resistance over its entire length and of not less than 5,000 ohms per foot meets the requirement.

(44) "Shall" means that the rule establishes a minimum standard which is mandatory. The department welcomes better or higher standards than the minimums. If extenuating circumstances make even the minimum standard impractical, supporting evidence shall be submitted in writing to the department for review and granting of a variance in accordance with WAC 296-52-025.

(45) "Small arms ammunition" shall be held to mean and include any shotgun, rifle, pistol, or revolver cartridge, and cartridges for propellant-actuated power devices and industrial guns. Military-type ammunition containing explosive bursting charges, incendiary, tracer, spotting, or pyrotechnic projectiles is excluded from this definition.

(46) "Small arms ammunition primers" shall be held to mean small percussion-sensitive explosive charges encased in a cup, used to ignite propellant powder and shall include percussion caps as used in muzzle loaders.

(47) "Smokeless propellants" shall be held to mean and include solid chemicals or solid chemical mixtures in excess of fifty pounds which function by rapid combustion.

(48) "Special industrial explosive devices" means explosive-actuated power devices and propellant-actuated power devices.

(49) "Special industrial explosives materials" means shaped materials and sheet forms and various other extrusions, pellets, and packages of high explosives, which include dynamite, trinitrotoluene (TNT), pentaerythritol tetranitrate (PETN), hexahydro-1, 3, 5-trinitro-s-triazine (RDX), and other similar compounds used for high-energy-rate forming, expanding, and shaping in metal fabrication, and for dismemberment and quick reduction of scrap metal.

(50) "Sprung holes" shall mean to spring or chamber the bottom of the drilled hole to allow room for additional explosives as a bottom load.

(51) "Trailer" shall denote semi-trailers or full trailers as defined by DOT, that are built for and loaded with explosives and operated in accordance with DOT rules.

(52) "Unclassified explosives" shall be held to mean any two components which, when mixed become capable of detonation by a No. 6 test blasting cap.

(53) "User" shall be held to mean and include any natural person, manufacturer, or blaster who acquires, purchases, or uses explosives as an ultimate consumer or who supervises such use.

(54) "Water gels or slurry explosives" comprise a wide variety of materials used for blasting. They all contain substantial proportions of water and high proportions of ammonium nitrate, some of which is in solution in the water. Two broad classes of water gels are:

(a) Those which are sensitized by a material classed as an explosive, such as TNT or smokeless powder.

(b) Those which contain no ingredient classified as an explosive; these are sensitized with metals such as aluminum or with other fuels. Water gels may be premixed at an explosives plant or mixed at the site immediately before delivery into the bore hole.

(55) "DOT specification" are regulations of the department of transportation published in 49 CFR Chapter 1.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-52-040 USER'S (BLASTER'S) LICENSE. RCW 70.74.020, applies.

(1) The application for a user's (blaster's) license to use, blast or dispose explosives and blasting agents shall be made by means of ~~((a form substantially similar to that shown in Fig. 1, of this code. (See Appendix)~~

Application forms may be obtained at any of the department district offices, or from explosives dealers)) an application form which is available at any of the department's district offices or from explosives' dealers.

A "hand loader" as defined in RCW 70.74.010, does not require a user's license.

((An applicant shall submit to the department either a certification from another state, or a certification by a public agency, corporation or blaster's school, or a resume of successful blasting experience, properly witnessed. If said certifications are not satisfactory, the department may establish an examination board which shall prepare an examination procedure for certification:)) In addition to the submission of the application form, all new applicants and all applicants requesting change in classification of their license will be required to pass a written examination prepared and administered by the department.

The department will issue a user's license card which shall state the limitations imposed on the licensee and shall be presented by the user

to authorized persons, upon request, together with valid personal identification.

The user's license shall be valid for one year.

Request for renewal application may be made at any of the department district offices, or from explosives dealers.

(2) The request for an inspection of compounds, mixtures or materials that may become explosive due to drying out or undergoing other physical changes within the definition of RCW 70.74.020, shall be made by any possessor of suspect compounds to the chief explosives inspector by means of a form similar to that shown in Fig. 2, of this code. (See Appendix)

(3) The safety rules on using, blasting or disposing explosives in specific industries are stated in chapters listed under WAC 296-52-010.

AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

WAC 296-52-043 USE OF EXPLOSIVES AND BLASTING AGENTS. (1) General provisions.

(a) While explosives are being handled or used, smoking, matches, or any other source of fire or flame shall not be allowed within 100 feet of the blast area. No person shall be allowed to handle explosives while under the influence of intoxicating liquors, narcotics, or other dangerous drugs. 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.

(b) Original containers or ~~(Class H)~~ day box magazines shall be used for taking detonators and other explosives from storage magazines to the blasting area.

(c) When blasting is done in congested areas or in close proximity to a structure, railway, or highway or any other installation that may be damaged, the blast shall be covered before firing with a mat or material that is capable of preventing fragments from being thrown.

(d) Persons authorized to prepare explosive charges or conduct blasting operations shall use every reasonable precaution, including but not limited to warning signals, flags and barricades.

(e) Blasting operations shall be conducted during daylight hours whenever possible.

(f) Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, telegraph, and steam utilities, the user (blaster) shall notify the appropriate representatives of such utilities at least 24 hours in advance of blasting, specifying the location and intended item of such blasting. Verbal notice shall be confirmed with written notice.

(g) Due precautions shall be taken to prevent accidental discharge of electric blasting caps from current induced by radar, radio transmitters, lightning, adjacent powerlines, dust storms, or other sources of extraneous electricity. These precautions shall include:

(i) The suspension of all blasting operations and removal of persons from the blasting area during the approach and progress of an electric storm.

(ii) The posting of signs, warning against the use of mobile radio transmitters, on all roads shall be in accordance with the applicable provisions of the American National Standards Institute D6.1-1971, Manual on Uniform Traffic Control Devices for Streets and Highways, as amended by Washington State Department of Highways Manual M24-01 (HT), (February 22, 1972).

(iii) Ensuring that mobile radio transmitters which are less than 100 feet away from electric blasting caps, when the caps are in other than original containers, shall be deenergized and effectively locked.

(iv) Compliance with the recommendations of The Institute of the Makers of Explosives (IME) with regard to blasting in the vicinity of radio transmitters as stipulated in Radio Frequency Energy—A Potential Hazard in the Use of Electric Blasting Caps, IME Publication No. 20, March 1971.

(v) When electric blasting caps are being used in blasting operations in the proximity of fixed radio transmitters, the following table of distances must be observed, unless it is determined by designated test procedures that there is not sufficient radio frequency energy present to create a hazard. The test procedure shall be to attach a No. 47 Radio Pilot Lamp in place of the cap in the blasting circuit progressively as the circuit is connected, starting with the initial hole. In the event the lamp glows, the length of the wires connecting the circuit shall be altered by adding or cutting off wire until the lamp does not glow. A radio frequency field strength meter may be used in lieu of the test lamp.

Electromagnetic radiation. Blasting operations or storage of electrical detonators shall be prohibited in vicinity of operating radio frequency (RF) transmitter stations except where the clearances given below can be observed.

Transmitter Power Except FM Mobile (Watts)	Minimum Distance (Feet)
5 - 25	100
25 - 50	150
50 - 100	220
100 - 250	350
250 - 500	450
500 - 1,000	650
1,000 - 2,500	1,000
2,500 - 5,000	1,500
5,000 - 10,000	2,200
10,000 - 25,000	3,500
25,000 - 50,000	5,000
50,000 - 100,000	7,000

Transmitter Power FM Mobile (Watts)	Minimum Distance (Feet)
1 - 10	5
10 - 30	10
30 - 60	15
60 - 250	30

(vi) When necessary to perform blasting operations at distances less than those shown in table, detonating type fuse or other approved type systems shall be used.

~~(h) (All loading and firing shall be directed and supervised by a licensed blaster thoroughly experienced in this field. The employer shall permit only licensed persons to prepare explosives at the blasting site.~~

~~(i))~~ All explosives shall be accounted for at all times. Explosives not being used shall be kept in a locked magazine, unavailable to persons not authorized to handle them. The employer shall maintain an inventory and use record of all explosives. Appropriate authorities shall be notified of any loss, theft, or unauthorized entry into a magazine.

~~(j))~~ (i) No fire shall be fought where the fire is in imminent danger of contact with explosives. All employees shall be removed to a safe area and the fire area guarded against intruders.

~~(k))~~ (j) Electric detonators shall be shunted until wired into the blasting circuit.

~~(l))~~ (k) Explosives shall not be handled near open flames, uncontrolled sparks or open electric circuits.

~~(m))~~ (l) Delivery and issue of explosives shall only be made by and to authorized persons and into authorized magazines or approved temporary storage or handling area.

~~(n))~~ (m) All loading and firing shall be directed and supervised by licensed persons thoroughly experienced in this field.

(n) The employer shall permit only persons having proof of valid safety explosive training to handle explosives at the blasting site.

(o) User (blaster) qualifications:

(i) A user (blaster) shall be able to understand given written and oral orders.

(ii) A user (blaster) shall be in good physical condition and not be addicted to narcotics, intoxicants, or similar types of drugs. 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.

(iii) A user (blaster) shall be qualified by reason of training, knowledge, or experience, in the field of transporting, storing, handling, and use of explosives, and have a working knowledge of state and local laws and regulations which pertain to explosives.

(iv) User (blaster) shall be required to furnish satisfactory evidence of competency in handling explosives and performing in a safe manner the type of blasting that will be required.

(v) The user (blaster) shall be knowledgeable and competent in the use of each type of blasting method used.

(2) Storage at use sites.

(a) Empty boxes and paper and fiber packing materials which have previously contained high explosives shall not be used again for any

purpose, but shall be destroyed by burning at an approved isolated location out of doors, and no person shall be nearer than 100 feet after the burning has started.

(b) Containers of explosives shall not be opened in any magazine or within 50 feet of any magazine. In opening kegs or wooden cases, no sparking metal tools shall be used; wooden wedges and either wood, fiber or rubber mallets shall be used. Nonsparking metallic slitters may be used for opening fiberboard cases.

(c) Should cartridges or packages of explosives show signs of discoloration or deterioration, the manufacturer or the department shall be notified. Such explosives must be carefully set aside and must not be used.

(3) Loading of explosives or blasting agents.

(a) Procedures that permit safe and efficient loading shall be established before loading is started.

(b) All drill holes shall be sufficiently large to admit freely the insertion of the cartridges of explosives.

(c) Tamping shall be done only with wood rods or with approved plastic tamping poles without exposed metal parts, but nonsparking metal connectors may be used for jointed poles. Violent tamping shall be avoided. The primer shall never be tamped.

(d) No holes shall be loaded except those to be fired in the next round of blasting. After loading, all remaining explosives and detonators shall be immediately returned to an authorized magazine.

(e) Drilling shall not be started until all remaining butts of old holes are examined for unexploded charges, and if any are found, they shall be refired before work proceeds.

(f) When a charge of explosives has been exploded in a bore hole to enlarge or "spring" it, an interval of at least two hours must be allowed to pass before an additional charge of explosives can be loaded into the hole.

NOTE: Where it is necessary to clear obstacles for the moving of equipment there may be an exception made to this rule provided the sprung hole is thoroughly wet down with water before it is loaded.

(g) No person shall be allowed to deepen drill holes which have contained explosives or blasting agents.

(h) No explosives or blasting agents shall be left unattended at the blast site, unless properly stored.

(i) Users (blasters) shall not load, store or use explosives closer than the length of the steel being used for drilling and in no event nearer than fifty feet of drilling operations.

(j) Machines and all tools not used for loading explosives into bore holes shall be removed from the immediate location of holes being loaded with explosives. Equipment shall not be operated within 50 feet of loaded holes except when equipment is needed to add burden, mats or tracking of drills out of the loading area.

(k) Powerlines and portable electric cables for equipment being used shall be kept a safe distance from explosives or blasting agents being loaded into drill holes. Cables in the proximity of the blast area shall be deenergized and locked out.

(l) Holes shall not be drilled where there is danger of intersecting a charged or misfired hole.

(m) No explosives for underground operations other than those in Fume Class 1, as set forth by the Institute of Makers of Explosives, shall be used; however, explosives complying with the requirements of Fume Class 2 and Fume Class 3 may be used if adequate ventilation has been provided.

(n) Warning signs, indicating a blast area, shall be maintained at all approaches to the blast area. The warning sign lettering shall not be less than 4 inches in height on a contrasting background. All loaded stumps must be marked for identification on logging sites.

(o) A bore hole shall never be sprung when it is adjacent to or near a hole which has been loaded.

(p) No loaded holes shall be left unattended.

(q) The user (blaster) shall keep an accurate, up-to-date record of explosives, blasting agents, and blasting supplies used in a blast and shall keep an accurate running inventory of all explosives and blasting agents stored on the operation.

(r) When loading blasting agents pneumatically over electric blasting caps, semiconductive delivery hose shall be used and the equipment shall be bonded and grounded.

(4) Initiation of explosive charges - electric blasting.

(a) Only electric blasting caps shall be used for blasting operations in congested districts, or on highways, or adjacent to highways open to

traffic, except where sources of extraneous electricity make such use dangerous. Blasting cap leg wires shall be kept short-circuited (shunted) until they are connected into the circuit for firing.

(b) Before adopting any system of electrical firing, the user (blaster) shall conduct a thorough survey for extraneous currents, and all dangerous currents shall be eliminated before any holes are loaded.

(c) In any single blast using electric blasting caps, all caps shall be of the same manufacture.

(d) Electric blasting shall be carried out by using blasting circuits or power circuits in accordance with the electric blasting cap manufacturer's recommendations.

(e) The firing line shall be checked with an approved testing device at the terminals before being connected to the blasting machine or other power source.

(f) The circuit including all caps shall be tested with an approved testing device before being connected to the firing line.

(g) When firing a circuit of electric blasting caps, care shall be exercised to ensure that an adequate quantity of delivered current is available, in accordance with the manufacturer's recommendations.

(h) Connecting wires and lead wires shall be insulated single solid wires of sufficient current-carrying capacity, and shall not be less than twenty gauge (American wire gauge) solid core insulated wire.

(i) Firing line or leading wires shall be solid single wires of sufficient current-carrying capacity, and shall be not less than fourteen gauge (American wire gauge) solid core insulated wire. Bus wires - depends on the size of the blast, fourteen gauge (American wire gauge) copper is recommended.

(j) The ends of lead wires which are to be connected to a firing device shall be shorted by twisting them together or otherwise connecting them before they are connected to the leg wires or connecting wires, and they shall be kept in the possession of the person who is doing the loading until loading is completed and the leg wires attached. Lead wires shall not be attached to the firing device until the blaster is ready to fire the shot and must be attached by the user (blaster) themselves.

(k) The ends of the leg wires on electric detonators shall be shorted in a similar manner and not separated until all holes are loaded and the loader is ready to connect the leg wires to the connecting wires or lead wires.

(l) When firing electrically, the insulation on all firing lines shall be adequate and in good condition.

(m) A power circuit used for firing electric blasting caps shall not be grounded.

(n) In underground operations when firing from a power circuit, a safety switch shall be placed at intervals in the permanent firing line. This switch shall be made so it can be locked only in the "off" position and shall be provided with a short-circuiting arrangement of the firing lines to the cap circuit.

(o) In underground operations there shall be a "lightning" gap of at least 5 feet in the firing system ahead of the main firing switch; that is, between this switch and the source of power. This gap shall be bridged by a flexible jumper cord just before firing the blast.

(p) When firing from a power circuit, the firing switch shall be locked in the open or "Off" position at all times, except when firing. It shall be so designed that the firing lines to the cap circuit are automatically short-circuited when the switch is in the "off" position. Keys to this switch shall be entrusted only to the user (blaster).

(q) Blasting machines shall be in good condition and the efficiency of the machine shall be tested periodically to make certain that it can deliver power at its rated capacity.

(r) When firing with blasting machines, the connections shall be made as recommended by the manufacturer of the electric blasting caps used.

(s) The number of electric blasting caps connected to a blasting machine shall not be in excess of its rated capacity. Furthermore, in primary blasting, a series circuit shall contain no more caps than the limits recommended by the manufacturer of the electric blasting caps in use.

(t) The user (blaster) shall be in charge of the blasting machines, and no other person shall connect the leading wires to the machine.

(u) Users (blasters), when testing circuits to charged holes, shall use only blasting testers especially designed for this purpose.

(v) Whenever the possibility exists that a leading line or blasting wire might be thrown over a live powerline by the force of an explosion, care shall be taken to see that the total length of wires are kept too short to hit the lines, or that the wires are securely anchored to the ground. If neither of these requirements can be satisfied, a nonelectric system shall be used.

(w) In electrical firing, only the person making leading wire connections shall fire the shot. All connections shall be made from the bore hole back to the source of firing current, and the leading wires shall remain shorted and not be connected to the blasting machine or other source of current until the charge is to be fired.

(x) After firing an electric blast from a blasting machine, the leading wires shall be immediately disconnected from the machine and short-circuited.

(y) When electric blasting caps have been used, workers shall not return to misfired holes for at least thirty minutes.

(5) Use of safety fuse.

(a) A fuse that is deteriorated or damaged in any way shall not be used.

(b) The hanging of fuse on nails or other projections which will cause a sharp bend to be formed in the fuse is prohibited.

(c) Before capping safety fuse, a short length shall be cut from the end of the supply reel so as to assure a fresh cut end in each blasting cap.

(d) Only a cap crimper of approved design shall be used for attaching blasting caps to safety fuse. Crimpers shall be kept in good repair and accessible for use.

(e) No unused cap or short capped fuse shall be placed in any hole to be blasted; such unused detonators shall be removed from the working place and disposed of or properly stored.

(f) No fuse shall be capped, or primers made up, in any magazine or near any possible source of ignition.

(g) Capping of fuse and making of primers shall only be done in a place selected for this purpose and at least one hundred feet distant from any storage magazine.

(h) Fuse must be cut long enough to reach beyond the collar of the bore hole and in no case less than three feet. When shooting choker holes, not less than three feet of fuse shall be used.

(i) At least two persons shall be present when multiple cap and fuse blasting is done by hand lighting methods.

(j) Not more than 12 fuses shall be lighted by each blaster when hand lighting devices are used. However, when two or more safety fuses in a group are lighted as one by means of igniter cord, or other similar fuse-lighting devices, they may be considered as one fuse.

(k) The so-called "drop fuse" method of dropping or pushing a primer or any explosive with a lighted fuse attached is prohibited.

(l) Cap and fuse shall not be used for firing mudcap charges unless charges are separated sufficiently to prevent one charge from dislodging other shots in the blast.

(m) When blasting with safety fuses, consideration shall be given to the length and burning rate of the fuse. Sufficient time, with a margin of safety, shall always be provided for the blaster to reach a place of safety.

(n) The burning rate of the safety fuse in use at any time shall be measured, posted in conspicuous locations, and brought to the attention of all workers concerned with blasting. No fuse shall be used that burns faster than one foot in forty seconds or slower than one foot in fifty-five seconds.

(o) For use in wet places the joint between the cap and fuse shall be waterproofed with a compound prepared for this purpose.

(p) In making up primers only nonsparking skewers shall be used for punching the hole in the cartridge to insert the capped fuse.

(q) Only sufficient primers for one day's use shall be made up at one time. They shall be stored in a box type magazine in which no other explosives are stored.

(r) Any loose cartridges of explosives, detonators, primers and capped fuse unused at the end of the shift shall be returned to their respective magazines and locked up.

(6) Use of detonating cord.

(a) Care shall be taken to select a detonating cord consistent with the type and physical condition of the bore hole and stemming and the type of explosives used.

(b) Detonating cord shall be handled and used with the same respect and care given other explosives.

(c) For quantity and distance purposes detonating fuse up to 60 grains per foot should be calculated as equivalent to 9 lbs. of high explosives per 1,000 feet. Heavier cord loads should be rated proportionately.

(d) If using a detonating type cord for blasting the double-trunk-line or loop systems shall be used.

(e) Trunk lines in multiple-row blasts shall make one or more complete loops, with crossies between loops at intervals of not over two hundred feet.

(f) All detonating cord knots shall be tight and all connections shall be kept at right angles to the trunk lines.

(g) The line of detonating cord extending out of a bore hole or from a charge shall be cut from the supply spool before loading the remainder of the bore hole or placing additional charges.

(h) Detonating cord shall be handled and used with care to avoid damaging or severing the cord during and after loading and hooking-up.

(i) Detonating cord connections shall be competent and positive in accordance with approved and recommended methods. Knot-type or other cord-to-cord connections shall be made only with detonating cord in which the explosive core is dry.

(j) All detonating cord trunklines and branchlines shall be free of loops, sharp kinks, or angles that direct the cord back toward the oncoming line of detonation.

(k) All detonating cord connections shall be inspected before firing the blast.

(l) When detonating cord millisecond-delay connectors or short-interval-delay electric blasting caps are used with detonating cord, the practice shall conform strictly to the manufacturer's recommendations.

(m) When connecting a blasting cap or an electric blasting cap to detonating cord, the cap shall be taped or otherwise attached securely along the side or the end of the detonating cord, with the end of the cap containing the explosive charge pointed in the direction in which the detonation is to proceed.

(n) Detonators for firing the trunkline shall not be brought to the loading area nor attached to the detonating cord until everything else is in readiness for the blast.

(7) Firing the blast.

(a) A code of blasting signals equivalent to Table T-1 shall be posted on one or more conspicuous places at the operation, and all employees shall be required to familiarize themselves with the code and conform to it. Danger signs shall be placed at suitable locations.

(b) All charges shall be covered with blasting mats before firing, where blasting may cause injury or damage by flying rock or debris.

(c) Before a blast is fired, a loud warning signal shall be given by the blaster in charge, who has made certain that all surplus explosives are in a safe place and all employees, vehicles, and equipment are at a safe distance, or under sufficient cover.

(d) Flagmen shall be safely stationed on highways which pass through the danger zone so as to stop traffic during blasting operations.

(e) It shall be the duty of the blaster to fix the time of blasting.

(f) Before firing an underground blast, warning shall be given, and all possible entries into the blasting area, and any entrances to any working place where a drift, raise, or other opening is about to hole through, shall be carefully guarded. The blaster shall make sure that all employees are out of the blast area before firing a blast.

TABLE T-1

WARNING SIGNAL	— A 1-minute series of long blasts 5 minutes prior to blast signal.
BLAST SIGNAL	— A series of short blasts 1 minute prior to the shot.
ALL CLEAR SIGNAL	— A prolonged blast following the inspection of blast area.

(8) Inspection after blasting.

(a) Immediately after the blast has been fired, the firing line shall be disconnected from the blasting machine, or where power switches are used, they shall be locked open or in the off position.

(b) Sufficient time shall be allowed, for the smoke and fumes to leave the blasted area before returning to the shot. An inspection of the area and the surrounding rubble shall be made by the user (blaster) to determine if all charges have been exploded before employees are allowed to return to the operation, and in tunnels, after the muck pile has been wetted down.

(9) Misfires.

(a) If a misfire is found, the user (blaster) shall provide proper safeguards for excluding all employees from the danger zone.

(b) No other work shall be done except that necessary to remove the hazard of the misfire and only those employees necessary to do the work shall remain in the danger zone.

(c) No attempt shall be made to extract explosives from any charged or misfired hole; a new primer shall be put in and the hole re-blasted. If re-firing of the misfired hole presents a hazard, the explosives

may be removed by washing out with water or, where the misfire is under water, blown out with air.

(d) If there are any misfires while using cap and fuse, all employees shall remain away from the charge for at least one hour. Misfires shall be handled under the direction of the person in charge of the blasting.

(e) When electric blasting caps have been used, workers shall not return to misfired holes for at least thirty minutes. All wires shall be carefully traced and a search made for unexploded charges.

(f) If explosives are suspected of burning in a hole, all persons in the endangered area shall move to a safe location and no one shall return to the hole until the danger has passed, but in no case within one hour.

(g) No drilling, digging, or picking shall be permitted until all missed holes have been detonated or the authorized representative has approved that work can proceed.

(10) Underwater blasting.

(a) A user (blaster) shall conduct all blasting operations.

(b) Loading tubes and casings of dissimilar metals shall not be used because of possible electric transient currents from galvanic action of the metals and water.

(c) Only water-resistant blasting caps and detonating cords shall be used for all underwater blasting. Loading shall be done through a non-sparking metal loading tube when tube is necessary.

(d) No blast shall be fired while any vessel under way is closer than 1,500 feet to the blasting area. Those on board vessels or craft moored or anchored within 1,500 feet shall be notified before a blast is fired.

(e) No blast shall be fired while any swimming or diving operations are in progress in the vicinity of the blasting area. If such operations are in progress, signals and arrangements shall be agreed upon to assure that no blast shall be fired while any persons are in the water.

(f) Blasting flags shall be displayed.

(g) The storage and handling of explosives aboard vessels used in underwater blasting operations shall be according to provisions outlined herein on handling and storing explosives.

(h) When more than one charge is placed under water, a float device shall be attached to an element of each charge in such manner that it will be released by the firing. Misfires shall be handled in accordance with the requirements of WAC 296-52-043(9).

(11) Blasting in excavation work in pressurized air locks.

(a) Detonators and explosives shall not be stored or kept in tunnels, shafts, or caissons. Detonators and explosives for each round shall be taken directly from the magazines to the blasting zone and immediately loaded. Detonators and explosives left over after loading a round shall be removed from the working chamber before the connecting wires are connected up.

(b) When detonators or explosives are brought into an air lock, no employee except the powderman, user (blaster), lock tender and the employees necessary for carrying, shall be permitted to enter the air lock. No material, supplies, or equipment shall be brought through with the explosives.

(c) Primers, detonators and explosives shall be taken separately into pressure working chambers.

(d) The user (blaster) or powderman shall be responsible for the receipt, unloading, storage, and on-site transportation of explosives and detonators.

(e) All metal pipes, rails, air locks, and steel tunnel lining shall be electrically bonded together and grounded at or near the portal or shaft, and such pipes and rails shall be cross-bonded together at not less than 1,000-foot intervals throughout the length of the tunnel. In addition, each air supply pipe shall be grounded at its delivery end.

(f) The explosives suitable for use in wet holes shall be water-resistant and shall be Fume Class 1, or other approved explosives.

(g) When tunnel excavation in rock face is approaching mixed face, and when tunnel excavation is in mixed face, blasting shall be performed with light charges and with light burden on each hole. Advance drilling shall be performed as tunnel excavation in rock face approaches mixed face, to determine the general nature and extent of rock cover and the remaining distance ahead to soft ground as excavation advances.

(12) Vibration and damage control. Blasting operations in or adjacent to cofferdams, piers, underwater structures, buildings, structures, or other facilities shall be carefully planned with full consideration for all forces and conditions involved.

(13) Black blasting powder shall not be used for blasting except when a desired result cannot be obtained with another type of explosive such as in quarrying certain types of dimension stone.

(14) In the use of black blasting powder:

(a) Containers shall not be opened in, or within fifty feet of any magazine; within any building in which a fuel-fired or exposed-element electric heater is in operation; where electrical or incandescent-particle sparks could result in powder ignition; or within fifty feet of any open flame.

(b) Granular powder shall be transferred from containers only by pouring.

(c) Spills of granular powder shall be cleaned up promptly with nonsparking equipment, contaminated powder shall be put into a container of water and its content disposed of promptly after the granules have disintegrated, or the spill area shall be flushed with a copious amount of water to completely disintegrate the granules.

(d) Containers of powder shall be kept securely closed at all times other than when the powder is being transferred from or into a container.

(e) Containers of powder transported by vehicles shall be in a wholly enclosed cargo space.

(f) Misfires shall be disposed of by:

(i) Washing the stemming and powder charge from the bore hole, and

(ii) Removal and disposal of the initiator as a damaged explosive.

(iii) Bore holes of shots that fire but fail to break, or fail to break promptly, shall not be recharged for at least twelve hours.

(15) No person shall store, handle, or transport explosives or blasting agents when such storage, handling, and transportation of explosives or blasting agents constitutes an undue hazard to life.

(16) It shall be unlawful for any person to abandon explosives or explosive substances.

AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

WAC 296-52-090 CONSTRUCTION OF MAGAZINES. (1) Construction of permanent storage facilities.

(a) Definition. A Class 1 storage facility shall be a permanent structure; a building, an igloo or army-type structure, a tunnel, or a dugout. It shall be bullet-resistant, fire-resistant, weather-resistant, theft-resistant, and well ventilated.

(b) Buildings. All building type storage facilities shall be constructed of masonry, wood, metal, or a combination of these materials and shall have no openings except for entrances and ventilation. Ground around such storage facilities shall slope away for drainage.

(c) Masonry wall construction. Masonry wall construction shall consist of brick, concrete, tile, cement block, or cinder block and shall be not less than 6 inches in thickness. Hollow masonry units used in construction shall have all hollow spaces filled with well tamped coarse dry sand or weak concrete (a mixture of one part cement and eight parts of sand with enough water to dampen the mixture while tamping in place). Interior wall shall be covered with a nonsparking material.

(d) Fabricated metal wall construction. Metal wall construction shall consist of sectional sheets of steel or aluminum not less than number 14 gauge, securely fastened to a metal framework. Such metal wall construction shall be either lined inside with brick, solid cement blocks, hardwood not less than 4 inches in thickness or material of equivalent strength, or shall have at least a 6 inch sand fill between interior and exterior walls. Interior walls shall be constructed of or covered with a nonsparking material.

(e) Wood frame wall construction. The exterior of outer wood walls shall be covered with iron or aluminum not less than number 26 gauge. An inner wall of nonsparking materials shall be constructed so as to provide a space of not less than 6 inches between the outer and inner walls, which space shall be filled with coarse dry sand or weak concrete.

(f) Floors. Floors shall be constructed of a nonsparking material and shall be strong enough to bear the weight of the maximum quantity to be stored.

(g) Foundations. Foundations shall be constructed of brick, concrete, cement block, stone, or wood posts. If piers or posts are used, in lieu of a continuous foundation, the space under the buildings shall be enclosed with metal.

(h) Roof.

(i) Except for buildings with fabricated metal roofs, the outer roof shall be covered with no less than number 26-gauge iron or aluminum fastened to a 7/8 inch sheathing.

(ii) Where it is possible for a bullet to be fired directly through the roof and into the storage facility at such an angle that the bullet would strike a point below the top of inner walls, storage facilities shall be protected by one of the following methods:

(A) A sand tray shall be located at the tops of inner walls covering the entire ceiling area, except that necessary for ventilation, lined with a layer of building paper, and filled with not less than 4 inches of coarse dry sand.

(B) A fabricated metal roof shall be constructed of 3/16 inch plate steel lined with 4 inches of hardwood or material of equivalent strength (for each additional 1/16 inch of plate steel, the hardwood or material of equivalent strength lining may be decreased one inch).

(i) Doors. All doors shall be constructed of 1/4 inch plate steel and lined with 2 inches of hardwood or material of equivalent strength. Hinges and hasps shall be attached to the doors by welding, riveting or bolting (nuts on inside of door). They shall be installed in such a manner that the hinges and hasps cannot be removed when the doors are closed and locked.

(j) Locks. Each door shall be equipped with two mortise locks; or with two padlocks fastened in separate hasps and staples; or with a combination of mortise lock and a padlock, or with a mortise lock that requires two keys to open; or a three-point lock. Locks shall be five-tumbler proof. All padlocks shall be protected with 1/4 inch steel caps constructed so as to prevent sawing or lever action on the locks or hasps.

(k) Ventilation. Except at doorways, a 2 inch air space shall be left around ceilings and the perimeter of floors. Foundation ventilators shall be not less than 4 by 6 inches. Vents in the foundation, roof, or gables shall be screened and offset.

(l) Exposed metal. No sparking metal construction shall be exposed below the top of walls in the interior of storage facilities, and all nails therein shall be blind-nailed or countersunk.

(m) Igloos, army-type structures, tunnels and dugouts. Storage facilities shall be constructed of reinforced concrete, masonry, metal or a combination of these materials. They shall have an earthmound covering of not less than 24 inches on the top, sides and rear. Interior walls and floors shall be covered with a nonsparking material. Storage facilities of this type shall also be constructed in conformity with the requirements of subsection (1), subdivisions (a), (b), (f), (i), (j), (k) and (l) of this section.

(2) Construction of portable (field) storage facilities.

(a) Definition. A Class 2 storage facility shall be a box, a trailer, a semitrailer or other mobile facility. It shall be bullet-resistant, fire-resistant, weather-resistant, theft-resistant, and well ventilated. Except as provided in subsection (3) of this section, hinges and hasps shall be attached to the covers or doors in the manner prescribed in subsection (1), subdivision (i) and the locking system shall be that prescribed in subsection (1) subdivision (j).

(b) Outdoor storage facilities. Outdoor storage facilities shall be at least one cubic yard in size and supported in such a manner so as to prevent direct contact with the ground. The sides, bottoms, tops and covers or doors shall be constructed of 1/4 inch steel and shall be lined with two inches of hardwood or material of equivalent strength. Edges of metal covers shall overlap sides at least one inch. The ground around such storage facilities shall slope away for drainage. When unattended, vehicular storage facilities shall have wheels removed or shall be otherwise effectively immobilized by kingpin locking devices or other methods approved by the division of industrial safety and health.

NOTE: The following alternatives may be used. (All steel and wood dimensions indicated are actual thicknesses. To meet the concrete block and brick dimensions indicated, the manufacturer's represented thicknesses may be used.)

(i) Exterior of 5/8-inch steel, lined with an interior of any type of nonsparking material.

(ii) Exterior of 1/2-inch steel, lined with an interior of not less than 3/8-inch plywood.

(iii) Exterior of 3/8-inch steel, lined with an interior of two inches of hardwood.

(iv) Exterior of 3/8-inch steel, lined with an interior of three inches of softwood [of] [or] 2-1/4-inches of plywood.

(v) Exterior of 1/4-inch steel, lined with an interior of five inches of softwood or 5-1/4-inches of plywood.

(vi) Exterior of 3/16-inch steel, lined with an interior of four inches of hardwood.

(vii) Exterior of 3/16-inch steel, lined with an interior of seven inches of softwood or 6-3/4-inches of plywood.

(viii) Exterior of 3/16-inch steel, lined with an intermediate layer of three inches of hardwood and an interior lining of 3/4-inch plywood.

(ix) Exterior of 1/8-inch steel, lined with an interior of five inches of hardwood.

(x) Exterior of 1/8-inch steel, lined with an interior of nine inches of softwood.

(xi) Exterior of 1/8-inch steel, lined with an intermediate layer of four inches of hardwood and an interior lining of 3/4-inch plywood.

(xii) Exterior of any type of fire-resistant material which is structurally sound, lined with an intermediate layer of four inches solid concrete block or four inches solid brick or four inches of solid concrete, and an interior lining of 1/2-inch plywood placed securely against the masonry lining.

(xiii) Standard eight-inch concrete block with voids filled with well-tamped sand/cement mixture.

(xiv) Standard eight-inch solid brick.

(xv) Exterior of any type of fire-resistant material which is structurally sound, lined with an intermediate six-inch space filled with well-tamped dry sand or well-tamped sand/cement mixture.

(xvi) Exterior of 1/8-inch steel, lined with a first intermediate layer of 3/4-inch plywood, a second intermediate layer of 3-5/8 inches well-tamped dry sand or sand/cement mixture and an interior lining of 3/4-inch plywood.

(xvii) Exterior of any type of fire-resistant material, lined with a first intermediate layer of 3/4-inch plywood, a second intermediate layer of 3-5/8-inch well-tamped dry sand or sand/cement mixture, a third intermediate layer of 3/4-inch plywood, and a fourth intermediate layer of two inches of hardwood or 14-gauge steel and an interior lining of 3/4-inch plywood.

(xviii) Eight-inch thick solid concrete.

(3) Class 3 storage for 1,000 or less blasting caps in a locked uninhabited building. Storage facilities for blasting caps in quantities of 1,000 or less shall have sides, bottoms, and covers constructed of number 12 gauge metal and lined with a nonsparking material. Hinges and hasps shall be attached thereto by welding. A single five-tumble proof lock shall be sufficient for locking purposes.

(4) Construction of blasting agent storage facilities.

(a) A Class 4 storage facility may be a building, an igloo, or army-type structure, a tunnel, a dugout, a box, a trailer, or a semi-trailer or other mobile facility and shall be fire-resistant, weather-resistant, theft-resistant, and ventilated. They shall be constructed of masonry, metal-covered wood, fabricated metal, or a combination of these materials. The walls and floors of such storage facilities shall be lined with a nonsparking material. The doors or covers shall be metal or solid wood covered with metal. The foundations, (~~(locks, lock protection;)~~) hinges, hasps, and interior shall be in conformity with the requirements of subsection (1)(~~(subdivisions)~~) (g), (i), (~~((f;))~~) (k), and (l) of this section. Locks and lock protection shall be in conformity with the requirements of subsection (1)(j) of this section except that only one lock is required on each door of trailers, semi-trailers and other mobile equipment.

(b) Outdoor storage facilities. The ground around such storage facilities shall slope away for drainage. When unattended, vehicular storage facilities shall have wheels removed or otherwise effectively immobilized by kingpin locking devices or other methods approved by the division of industrial safety and health.

(5) Smoking and open flames.

Smoking, matches, open flames, and spark-producing devices shall not be permitted in, or within 50 feet of, any outdoor storage facility.

(6) Quantity and storage restrictions.

General. Explosive materials in excess of 300,000 pounds and blasting caps in excess of ((20)) 200 million shall not be stored in one storage facility. Blasting caps shall not be stored with other explosive materials in the same storage facility.

(7) Construction of day box storage facilities.

(a) A temporary storage facility shall be a "day-box" or other portable magazine. It must be fire-resistant, weather-resistant, and theft-resistant. A magazine is to be constructed of not less than number 12-gauge (.1046 inches) steel, lined with at least either 1/2-inch plywood or 1/2-inch Masonite-type hardboard. Doors must overlap sides by at least one inch. Hinges and hasps are to be attached by welding, riveting or bolting (nuts on inside). One steel padlock (which need not be protected by a steel hood) having at least five tumblers and a case-hardened shackle of at least 3/8-inch diameter is sufficient for locking purposes. Explosive materials are not to be left unattended in magazines and must be removed to class 1 or 2 magazines for unattended storage.

(b) The ground around such storage facilities shall slope away for drainage.

(c) No explosive materials shall be left in such facilities if unattended. The explosive materials contained therein must be removed to licensed storage facilities for unattended storage.

(d) When used for temporary storage at a site for blasting operations, magazines shall be located away from neighboring inhabited buildings, railways, highways, and other magazines. A distance of at least one hundred and fifty feet shall be maintained between magazines and the work in progress when the quantity of explosives kept therein is in excess of 25 pounds, and at least 50 feet when the quantity of explosives is 25 pounds, or less.

(8) Cap day box.

(a) Temporary storage facilities for blasting caps in quantities of 100 or less shall have sides, bottoms and covers constructed of number 12 gauge metal and lined with a nonsparking material. Hinges and hasps shall be attached thereto by welding. A single five-tumbler proof lock shall be sufficient for locking purposes.

(b) No explosive materials shall be left in such facilities if unattended. The explosive materials contained therein must be removed to licensed storage facilities for unattended storage.

(9) Storage within magazines.

(a) Packages of explosives shall be laid flat with top side up. Black powder when stored in magazines with other explosives shall be stored separately. Black powder stored in kegs shall be stored on ends, bungs down, or on side, seams down. Corresponding grades and brands shall be stored together in such a manner that brands and grade marks show. All stocks shall be stored so as to be easily counted and checked. Packages of explosives shall be piled in a stable manner. When any kind of explosive is removed from a magazine for use, the oldest explosive of that particular kind shall always be taken first.

(b) Packages of explosives shall not be unpacked or repacked in a magazine nor within 50 feet of a magazine or in close proximity to other explosives. Tools used for opening packages of explosives shall be constructed of nonsparking materials, except that metal slitters may be used for opening fiberboard boxes. A wood wedge and a fiber, rubber, or wood mallet shall be used for opening or closing wood packages of explosives. Opened packages of explosives shall be securely closed before being returned to a magazine.

(c) Magazines shall not be used for the storage of any metal tools nor any commodity except explosives, but this restriction shall not apply to the storage of blasting agents and blasting supplies.

(d) Magazine floors shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages, and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings from floors of magazines shall be properly disposed of. Magazine floors stained with nitroglycerin shall be cleaned according to instructions by the manufacturer.

(e) When any explosive has deteriorated to an extent that it is in an unstable or dangerous condition, or if nitroglycerin leaks from any explosives, then the person in possession of such explosive shall immediately proceed to destroy such explosive in accordance with the instructions of the manufacturer. Only experienced persons shall be allowed to do the work of destroying explosives.

(f) When magazines need inside repairs, all explosives shall be removed therefrom and the floors cleaned. In making outside repairs, if there is a possibility of causing sparks or fire the explosives shall be removed from the magazine. Explosives removed from a magazine under repair shall either be placed in another magazine or placed a safe distance from the magazine where they shall be properly guarded and protected until repairs have been completed, when they shall be returned to the magazine.

(g) Smoking, matches, open flames, spark-producing devices, and firearms (except firearms carried by guards) shall not be permitted inside of or within 50 feet of magazines. The land surrounding a magazine shall be kept clear of all combustible materials for a distance of at least 25 feet. Combustible materials shall not be stored within 50 feet of magazines.

(h) Magazines shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions.

(i) Explosives recovered from blasting misfires shall be placed in a separate magazine until competent personnel has determined from the manufacturer the method of disposal. Caps recovered from blasting misfires shall not be reused. Such explosives and caps shall then be disposed of in the manner recommended by the manufacturer.

(10) Magazine heating systems requirements, NFPA Code No. 495, "Manufacture, Transportation, Storage and Use of Explosive Materials, 1973." The following will apply:

(a) Magazines requiring heat shall be heated by either hot water radiant heating within the magazine building; or air directed into the magazine building over either hot water or low pressure steam (15 psig) coils located outside the magazine building.

(b) The magazine heating systems shall meet the following requirements:

(i) The radiant heating coils within the building shall be installed in such a manner that the explosive materials or their containers cannot contact the coils and air is free to circulate between the coils and the explosive materials or their containers.

(ii) The heating ducts shall be installed in such a manner that the hot air discharge from the duct is not directed against the explosive materials or their containers.

(iii) The heating device used in connection with a magazine shall have controls which prevent the ambient building temperature from exceeding 130°F.

(iv) The electric fan or pump used in the heating system for a magazine shall be mounted outside and separate from the wall of the magazine and shall be grounded.

(v) The electric fan motor and the controls for electrical heating devices used in heating water or steam shall have overloads and disconnects, which comply with the National Electrical Code, (National Fire Protection Association, NFPA No. 70-1971). All electrical switch gear shall be located a minimum distance of 25 feet from the magazine.

(vi) The heating source for water or steam shall be separated from the magazine by a distance of not less than 25 feet when electrical and 50 feet when fuel-fired. The area between the heating unit and the magazine shall be cleared of all combustible materials.

(vii) The storage of explosive materials and their containers in the magazine shall allow uniform air circulation so temperature uniformity can be maintained throughout the explosive materials.

(11) Lighting. No lighting shall be placed or used in a storage facility of Class 1, 2, 3 or 4 except battery-activated safety lanterns.

(12) Underground storage.

(a) Explosives and related materials shall be stored in approved facilities required under the applicable provisions of WAC 296-61-280(7), (8), safety standard metal and nonmetallic mines, quarries, pits, and crushing operations.

(b) No explosives or blasting agents shall be permanently stored in any underground operation until the operation has been developed to the point where at least two modes of exit have been developed.

(c) Permanent underground storage magazines shall be at least 300 feet from any shaft, adit, or active underground working area.

(d) Permanent underground magazines containing detonators shall not be located closer than 50 feet to any magazine containing other explosives or blasting agents.

(e) Upon the approach of an electrical storm, unless a greater hazard would be created thereby, explosives at the adit or the top of any shaft leading to where persons are working shall be moved away from such location a distance equal to that required for inhabited buildings, as listed in the American table of distances for storage of explosive materials.

AMENDATORY SECTION (Amending Order 81-4, filed 3/17/81)

WAC 296-52-095 STORAGE OF EXPLOSIVES. General provisions. (1) All Class A, Class B, Class C explosives, and special industrial explosives, and any newly developed and unclassified explosives, shall be kept in magazines which meet the requirements of this section as defined in RCW 70.74.030, 70.74.040, 70.74.050, 70.74.061, 70.74.100 and the following shall apply.

NOTE: RCW 70.74.297 Separate storage of components capable of detonation when mixed. Any two components which, when mixed, become capable of detonation by a number 6 cap must be stored in separate locked containers or in a licensed, approved magazine. [1972 1st ex.s. c 88 § 4.]

(2) Blasting caps, electric blasting caps, detonating primers and primed cartridges shall not be stored in the same magazine with other explosives.

(3) Ground around magazines shall slope away for drainage. The land surrounding magazines shall be kept clear of brush, dried grass, leaves, and other materials for a distance of at least 25 feet.

(4) Magazines as required by this chapter shall be of four classes as defined in WAC 296-52-090.

(5) All explosive manufacturing buildings and magazines in which explosives or blasting agents, except small arms ammunition and smokeless powder are had, kept, or stored, must be located at distances

from inhabited buildings, railroads, highways, and public utility transmission systems in conformity with the following quantity and distance tables, and these tables shall be the basis on which applications for license for storage shall be made and license for storage issued, as provided in RCW 70.74.110 and 70.74.120. All distances prescribed in the following quantity and distance tables are unbarricaded, and, if there is an efficient artificial barricade or natural barricade between the explosives manufacturing building or magazine and another explosives manufacturing building or magazine, building, railroad, highway, or public utility transmission system, the distance prescribed in the following quantity and distance tables may be reduced by one-half. Blasting and electric blasting caps in strength through number 8 should be rated as one and one-half pounds of explosives per one thousand caps. Blasting and electric blasting caps of strength higher than number 8 should be computed on the combined weight of explosives.

(6) When two or more storage magazines are located on the same property, each magazine must comply with the minimum distances specified from inhabited buildings, railways, and highways, and in addition, they should be separated from each other by not less than the distances shown for "separation of magazines," except that the quantity of explosives contained in cap magazines shall govern in regard to the spacing of said cap magazines from magazines containing other explosives. If any two or more magazines are separated from each other by less than the specified "separation of magazines" distances, then such two or more magazines, as a group, must be considered as one magazine, and the total quantity of explosives stored in such group must be treated as if stored in a single magazine located on the site of any magazine of the group, and must comply with the minimum of distances specified from other magazines, inhabited buildings, railways and highways.

~~((7) Magazine locations and access roads shall be posted with signs reading "explosives — keep off" — so placed that a bullet passing through any sign will not strike the magazine:))~~

AMENDATORY SECTION (Amending Order 70-4, filed 4/29/70)

WAC 296-52-160 LICENSE FOR MANUFACTURING. RCW 70.74.110, applies.

The application for license for manufacturing explosives and/or blasting agents shall be made on a form substantially similar to that shown in Fig. 3, of this code.

The manufacturer's license shall be valid for one year. Request for renewal may be made at any of the department district offices.

A copy of the plan of the plant submitted with said application and approved by the department shall be kept in the plant open to inspection by the department.

The manufacturing of explosives is covered by chapter((s)) 296-50 (and 296-51) WAC.

AMENDATORY SECTION (Amending Order 70-4, filed 4/29/70)

WAC 296-52-400 ENFORCEMENT. The department of labor and industries, through the division of industrial safety and health, shall enforce the entire code, particularly all items affecting persons covered under Title 51 RCW, the transportation and storage of explosives not exempted under RCW 70.74.191, and the licensing required under this code.

Other law enforcement agencies, city, municipal, county, Washington state, other states and federal are obliged, under their own laws, codes, and ordinances, to enforce specific aspects of the possession and handling of explosives (RCW 70.74.201).

The division of industrial safety and health shall cooperate with all other law enforcement agencies in carrying out the intent of the Explosives Code and the Explosives Act.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-52-9001 APPENDIX FIGURE 1—APPLICATION FOR USER'S (BLASTER'S) LICENSE.

WAC 296-52-9002 APPENDIX FIGURE 2—REQUEST FOR INSPECTION.

WAC 296-52-9003 APPENDIX FIGURE 3—APPLICATION FOR LICENSE TO MANUFACTURE EXPLOSIVES.

WAC 296-52-9004 APPENDIX FIGURE 4—APPLICATION FOR LICENSE TO OPERATE A STORAGE MAGAZINE FOR EXPLOSIVES.

WAC 296-52-9005 APPENDIX FIGURE 5—APPLICATION FOR DEALER'S LICENSE.

WAC 296-52-9006 APPENDIX FIGURE 6—APPLICATION FOR LICENSE TO PURCHASE EXPLOSIVES.

WAC 296-52-9007 APPENDIX FIGURE 7—DEALER'S RECORD.

NEW SECTION

WAC 296-56-600 MARINE TERMINALS.

NEW SECTION

WAC 296-56-60001 SCOPE AND APPLICABILITY. (1) The rules included in this chapter apply throughout the state of Washington, to any and all waterfront operations under the jurisdiction of the department of labor and industries, division of industrial safety and health.

(2) These minimum requirements are promulgated to augment the general safety and health standards, and any other safety and health standards promulgated by the department of labor and industries which are applicable to all places of employment under the jurisdiction of the department of labor and industries. The rules of this chapter, and the rules of chapters 296-24 and 296-62 WAC are applicable to all longshore, stevedore and related waterfront operations: PROVIDED, That such rules shall not be applicable to those operations under the exclusive safety jurisdiction of the federal government.

(3) The provisions of this chapter shall prevail in the event of a conflict with, or duplication of, provisions contained in chapters 296-24 and 296-62 WAC.

(4) These standards are consolidated with the intent that they will meet or exceed all mandatory requirements included in 29 CFR Part 1917.

(5) The provisions of WAC 296-56-600 through 296-56-60255 do not apply to the following:

(a) Fully automated bulk coal handling facilities contiguous to electrical power generating plants.

(b) Electrical.

(c) Toxic and hazardous substances. Chapter 296-62 WAC applies where specifically referenced in this standard, except that the requirements of chapter 296-62 WAC do not apply when a substance or cargo is contained within a sealed, intact means of packaging or containment complying with department of transportation or International Maritime Organization requirements.

(d) Noise—WAC 296-62-09015.

(e) Commercial diving operations—Chapter 296-37 WAC.

(f) Safety requirements for scaffolding—WAC 296-24-825.

(g) Abrasive blasting—WAC 296-24-675.

(h) Access to employee exposure and medical records—WAC 296-62-052.

(i) Respiratory protection—WAC 296-62-071.

(j) Grain elevators—Chapter 296-88 WAC.

NEW SECTION

WAC 296-56-60003 VARIANCE AND PROCEDURE. Any employer may apply to the director for an order for a variance from any rule or regulation establishing a safety and health standard promulgated under this chapter. Affected employees shall be given notice of each such application and in the manner prescribed by this chapter shall be informed of their right to request a hearing on any such application. The director shall issue such order granting a variance, after opportunity for an inspection, if he determines or decides after a hearing has been held, if request for hearing has been made, that the applicant for the variance has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations, or processes used or proposed to be used by such applicant employer will provide employment and places of employment to his employees which are as safe and healthful as those which would prevail if he complied with the safety and health standard or standards from which the variance is sought. The order so issued shall prescribe the conditions the employer must maintain, and the practices, means, methods, operations, and processes which he must adopt and utilize to the extent they differ from the standard in question. At any time after six months has elapsed from the date of the issuance of the order granting a variance

upon application of an employer, employee or the director on his own motion, after notice has been given in the manner prescribed for the issuance of such order may modify or revoke the order granting the variance from any standard promulgated under the authority of this chapter.

NEW SECTION

WAC 296-56-60005 DEFINITIONS. (1) "Apron" means that open portion of a marine terminal immediately adjacent to a vessel berth and used in the direct transfer of cargo between the terminal and vessel.

(2) "Assistant director of industrial safety and health" means the assistant director of industrial safety and health, department of labor and industries or his authorized representative.

"Authorized," in reference to an employee's assignment, means selected by the employer for that purpose.

(3) "Cargo door" (transit shed door) means a door designed to permit transfer of cargo to and from a marine terminal structure.

(4) "Cargo packaging" means any method of containment for shipment, including cases, cartons, crates and sacks, but excluding large units such as intermodal containers, vans or similar devices.

(5) "Confined space" means a space having all of the following characteristics:

- (a) Small size;
- (b) Severely limited natural ventilation;
- (c) Capability to accumulate or contain a hazardous atmosphere;
- (d) Exits that are not readily accessible; and
- (e) A design not meant for continuous human occupancy.

Examples of confined spaces are intermodal tank containers, brailwater tanks and portable tanks.

(6) "Conveyor" means a device designed exclusively for transporting bulk materials, packages or objects in a predetermined path and having fixed or selective points of loading or discharge.

(7) "Danger zone" means any place in or about a machine or piece of equipment where an employee may be struck by or caught between moving parts, caught between moving and stationary objects or parts of the machine, caught between the material and a moving part of the machine, burned by hot surfaces or exposed to electric shock. Examples of danger zones are nip and shear points, shear lines, drive mechanisms, and areas beneath counterweights.

(8) "Designated person" means a person who possesses specialized abilities in a specific area and is assigned by the employer to perform a specific task in that area.

(9) "Dock" means any wharf, pier, terminal, warehouse, or any other place where cargo is stored, assembled, received, or prepared for transfer to or from a vessel, railway car or truck.

(10) "Dock facilities" means all piers, wharves, sheds, aprons, dolphins, cranes, or other gear or equipment owned or controlled by the dock or facility owner, where cargo or materials are loaded, moved, or handled to or from a vessel.

(11) "Dockboard" (bridge plate or car plate) means a device utilized to span the gap between railroad cars, or between railroad cars or highway vehicles and the loading dock or platform. A car plate may be fixed, adjustable, portable, powered, or unpowered.

(12) "Enclosed space" means an indoor space, other than a confined space, that may contain or accumulate a hazardous atmosphere due to inadequate natural ventilation. Examples of enclosed spaces are trailers, railcars, and storage rooms.

(13) "Examination," as applied to material handling devices required by this section to be certificated, means a comprehensive survey consisting of the criteria outlined in WAC 296-56-60093 as applicable to the type of gear or device. The examination is supplemented by a unit proof test in the case of annual survey.

(14) "Flammable atmosphere" means an atmosphere containing more than ten percent of the lower flammable limit of a flammable or combustible vapor or dust mixed with air.

(15) "Front-end attachments."

(a) As applied to power-operated industrial trucks, means the various devices, such as roll clamps, rotating and sideshifting carriages, magnets, rams, crane arms or booms, load stabilizers, scoops, buckets, and dumping bins, attached to the load end for handling lifts as single or multiple units.

(b) As applied to cranes, means various attachments applied to the basic machine for the performance of functions such as lifting, clamshell or magnet services.

(16) "Fumigant" is a substance or mixture of substances, used to kill pests or prevent infestation, which is a gas or is rapidly or progressively transformed to the gaseous state, even though some nongaseous or particulate matter may remain and be dispersed in the treatment space.

(17) "Hazardous cargo, material, substance or atmosphere" means:

(a) Any substance listed in chapter 296-62 WAC;

(b) Any material in the hazardous materials table and hazardous materials communications regulations of the department of transportation, 49 CFR Part 172;

(c) Any article not properly described by a name in the hazardous materials table and hazardous materials communications regulations of the department of transportation, 49 CFR Part 172 but which is properly classified under the definition of those categories of dangerous articles given in 49 CFR Part 173; or

(d) Any atmosphere with an oxygen content of less than nineteen and one-half percent.

(18) "House falls" means spans and supporting members, winches, blocks, and standing and running rigging forming part of a marine terminal and used with a vessel's cargo gear to load or unload by means of married falls.

(19) "Inspection," as applied to material handling devices required by this part to be certificated, means a complete visual examination of all visible parts of the device.

(20) "Intermodal container" means a reusable cargo container of rigid construction and rectangular configuration, intended to contain one or more articles of cargo or bulk commodities for transportation by water and one or more other transport modes without intermediate cargo handling. The term includes completely enclosed units, open top units, fractional height units, units incorporating liquid or gas tanks and other variations fitting into the container system, demountable or with attached wheels. It does not include cylinders, drums, crates, cases, cartons, packages, sacks, unitized loads or any other form of packaging.

(21) "Loose gear" means removable and replaceable components of equipment or devices which may be used with or as a part of assembled material handling units for purposes such as making connections, changing line direction and multiplying mechanical advantage. Examples are shackles and snatch blocks.

(22) "Marina" means a small harbor or boat basin providing dockage, supplies, and services for small craft.

(23) "Marine terminal" means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or contiguous areas and structures associated with the primary movements of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidation, and loading or delivery of waterborne shipments and passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas having their own docking facilities and located at a marine terminal nor does the term include storage facilities directly associated with those production or manufacturing areas.

NEW SECTION

WAC 296-56-60007 HOUSEKEEPING. (1) Active work areas shall be kept free of equipment and materials not in use, and clear of debris, projecting nails, strapping and other sharp objects not necessary for the work in progress.

(2) Hatch beams, covers, and pontoons placed in terminal working areas shall be stowed in stable piles with beams secured against tipping or falling. Alternatively, beams may be laid on their sides. When beams and pontoons are stowed in tiers more than one high, dunnage or other suitable material shall be used under and between tiers.

(3) Cargo and material shall not obstruct access to vessels, cranes, vehicles, or buildings. Means of access and egress within buildings shall be similarly unobstructed.

(4) The employer shall eliminate, to the extent possible, conditions causing slippery working and walking surfaces in immediate work areas used by employees.

NEW SECTION

WAC 296-56-60009 ACCIDENT PREVENTION PROGRAM. (1) An accident prevention program, wherein there is equitable management-employee participation, shall be established in all establishments, industrial plants, or operations.

(2) It shall be the responsibility of the employer to initiate and maintain such accident prevention programs as may be necessary to comply with this section. The division of industrial safety and health may be contacted for assistance in initiating and maintaining an effective accident prevention program.

(3) All accident prevention programs shall be tailored to the needs of the particular operation.

(4) Employer and employee representatives, as elected, delegated or appointed, shall attend and actively take part in frequent and regular safety committee meetings.

(5) Accident prevention programs shall provide for employer-employee safety meetings and frequent and regular safety inspections of job sites, materials, equipment, and operating procedures.

(6) A record of safety activities, such as inspections and meetings, shall be maintained by the employer for a period covering the previous twelve months and shall be made available, upon request, to noncompliance personnel of the department of labor and industries.

(7) The employees shall individually comply with all safety rules and cooperate with management in carrying out the accident prevention program.

(8) To make effective the preceding statement and promote on-the-job accident prevention, committees shall be established in each port. These committees shall consist of an equal number of port or stevedore company and longshoremen representatives at the job level with the industry or company safety supervisor serving as secretary and coordinator. A function of this committee is to obtain the interest of the workers in accident prevention by providing for their actual participation in the program, to direct their attention to the real causes of accidents, and provide a means for making practical use of their intimate knowledge of working conditions and practices.

(9) It is further intended that this program will produce mutually practical and effective recommendations regarding correction of accident-producing circumstances and conditions.

NEW SECTION

WAC 296-56-60011 SLINGING. (1) Drafts shall be safely slung before being hoisted. Loose dunnage or debris hanging or protruding from loads shall be removed.

(2) Bales of cotton, wool, cork, wood pulp, gunny bags, or similar articles shall be hoisted only by straps strong enough to support the weight of the bale. At least two hooks, each in a separate strap, shall be used.

(3) Unitized loads bound by bands or straps may be hoisted by the banding or strapping only if the banding or strapping is suitable for hoisting and is strong enough to support the weight of the load.

(4) Additional means of hoisting shall be employed to ensure safe lifting of unitized loads having damaged banding or strapping.

(5) Case hooks shall be used only with cases designed to be hoisted by these hooks.

(6) Loads requiring continuous manual guidance during handling shall be guided by guide ropes (tag lines) that are long enough to control the load.

(7) Intermodal containers shall be handled in accordance with WAC 296-56-60103(5).

(8) Cargo handling bridles, such as pallet bridles, which are to remain attached to the hoisting gear while hoisting successive drafts, shall be attached by shackles, or other positive means shall be taken to prevent them from becoming accidentally disengaged from the cargo hook.

(9) Drafts of lumber, pipe, dunnage and other pieces, the top layer of which is not bound by the sling, shall be slung in such a manner as to prevent sliders. Double slings shall be used on unstrapped dunnage, except when, due to the size of hatch or deep tank openings, it is impractical to use them.

(10) Hand loaded buckets, tubs, bins and baskets used in handling bulk cargo shall not be loaded above their rim.

NEW SECTION

WAC 296-56-60013 STACKING OF CARGO AND PALLETS. Cargo, pallets, and other material stored in tiers shall be stacked in such a manner as to provide stability against sliding and collapse.

NEW SECTION

WAC 296-56-60015 COOPERING. Repair and reconditioning of damaged or leaking cargo packaging (coopering) shall be performed so as not to endanger employees.

NEW SECTION

WAC 296-56-60017 LINE HANDLING. (1) In order to provide safe access for handling lines while mooring and unmooring vessels, cargo or material shall not be stowed or vehicles placed where they obstruct the work surface to be used.

(2) When stringpiece or apron width is insufficient for safe footing, grab lines on rails shall be installed on the sides of permanent structures. ("Stringpiece" means a narrow walkway between the water edge of a berth and a shed or other structure.)

(3) Areas around bits or cleats where workers perform their duties as line handlers shall be lighted as required in this section and have a nonslip surface around each bit or cleat.

(4) Walkways on which mooring hausers must be moved may have the handrail omitted on the line handling side provided a six-inch toeboard is installed.

NEW SECTION

WAC 296-56-60019 STANDARD GAUGE RAILROAD OPERATIONS. All sections of this chapter which include WAC 296-56-60019 through 296-56-60041 apply to standard gauge railroad operations.

(1) Work shall be performed in railcars only if floors of the railcars are in visibly safe condition for the work activity being conducted and equipment being used.

(2) A route shall be established to allow employees to pass to and from places of employment without passing under, over or through railcars, or between cars less than ten feet (3 m) apart on the same track.

(3) The employer shall direct that no employees remain in railcars after work is concluded.

(4) Railcars shall be chocked or otherwise prevented from moving:

(a) While dockboards or carplates are in position; or

(b) While employees are working within, on or under the railcars or near the tracks at the ends of the cars.

(5) When employees are working in, on, or under a railcar, positive means shall be taken to protect them from exposure to impact from moving railcars.

(6) Work being carried on, in, or under cars which subjects employees to the hazard of moving railroad equipment shall be protected by flags and derails set a minimum of fifty feet from one or both ends of the worksite. Where the spur track switch is less than fifty feet from the work location, the switch padlocked in the open position will take the place of the derail and the blue flag shall be placed at that point.

(7) Before cars are moved, unsecured and over-hanging stakes, wire straps, banding, and similar objects shall be removed or placed so as not to create hazards.

(8) The employer shall institute all necessary controls during railcar movement to safeguard personnel. If winches or capstans are employed for movement, employees shall stand clear of the hauling rope and shall not stand between the rope and the cars.

(9) Before being opened fully, doors shall be opened slightly to ensure that the load has not shifted during transit. Special precautions shall be taken if the doors being opened are visibly damaged.

(10) If power industrial trucks are used to open freight car doors, the trucks or the railcar doors shall be equipped with door opening attachments. Employees shall stand clear of the railcar doors while they are being opened and closed.

(11) Only railcar door openers or power trucks equipped with door opening attachments shall be used to open jammed doors.

(12) Employees shall not remain in or on gondolas or flat cars when drafts that create overhead, caught-in, caught-between or stuck-by hazards are being landed in or on the railcar; end gates, if raised, shall be secured.

(13) Operators of railcar dumps shall have an unrestricted view of dumping operations and shall have emergency means of stopping movement.

(14) Recessed railroad switches shall be enclosed to provide a level surface.

(15) Warning signs shall be posted where doorways open onto tracks, at blind corners and at similar places where vision may be restricted.

(16) Warning signs shall be posted if insufficient clearance for personnel exists between railcars and structures.

NEW SECTION

WAC 296-56-60021 SIGNALS DISPLAYED BY EACH MAINTENANCE CREW. Each maintenance crew shall display and remove its own set of blue signals.

NEW SECTION

WAC 296-56-60023 WARNING FLAGS OR LIGHTS. A blue flag, bright colored flag or blue light shall be displayed at one or both ends of an engine, car(s), or train, to indicate that workers are under or about the railway equipment. When such warning devices are displayed, the equipment shall not be coupled to, or moved. On a deadend spur, a blue light or flag may be displayed adjacent to the switch opening while cars are being loaded or unloaded.

NEW SECTION

WAC 296-56-60025 SIGNALS UNOBSCURED. Equipment which would obscure signals shall not be placed on the track.

NEW SECTION

WAC 296-56-60027 AUDIBLE WARNING SYSTEM. A clearly audible warning system shall be employed when cars are being moved in areas where workers are in the vicinity of the tracks. When the audible warning signal may not be heard above the surrounding noises, a person shall be delegated and stationed close enough to the track crew to warn them, by contact, of the oncoming equipment.

NEW SECTION

WAC 296-56-60029 SAFETY OBSERVER ON RAILROAD SWITCHING. When persons are required to work between railway cars, underneath railway cars or in areas where switching is done, there shall be a person who shall be charged with the responsibility to warn of an approaching switch of the railway car or cars, unless other reasonable and practical safeguards are provided.

NEW SECTION

WAC 296-56-60031 WARNING AT ROAD CROSSING. An audible whistle, horn or bell shall be sounded by the locomotive engineer to give adequate warning prior to switching across any road crossing. In the case of pushing cars with a locomotive, a signalman shall be located at the crossing to give signals in conjunction with other warnings by the engineer.

NEW SECTION

WAC 296-56-60033 FLYING SWITCHES. Flying switches shall not be used when switching railroad equipment in congested areas or across roadways or walkways.

NEW SECTION

WAC 296-56-60035 CLEARANCE FROM RAILROAD TRACKS. Materials shall not be stacked or piled closer than eight and one-half feet from the center line of the railroad tracks.

NEW SECTION

WAC 296-56-60037 CAR PLATES. Whenever workers are required to move cargo into or out of a railway car, a railway car plate shall be used which shall meet the following specifications:

(1) All car plates shall be strong enough to carry maximum loads with a safety factor of three.

(2) All car plates shall be provided with positive stops to prevent shifting of plates. One set of these stops shall be adjustable to take care of different spaces between car door and platform.

(3) Car plates shall be so shaped that edges will always bear on floor of car and platform to prevent "teetering" or rocking.

(4) All car plates shall have skid resistant surfaces.

(5) All car plates are to be provided with toe or guard plates at the sides with a minimum height of four inches.

(6) All car plates must bear no less than six inches back from edge of platform.

(7) Maximum capacity of car plates shall be marked in a conspicuous place.

(8) Car plates shall be provided with an appropriate fixture to enable the plates to be lifted and moved by fork trucks.

NEW SECTION

WAC 296-56-60039 DOCKBOARDS (BRIDGE PLATES). (1) Portable and powered dockboards shall be strong enough to carry the load imposed on them.

(2) Portable dockboards shall be secured in position, either by being anchored or equipped with devices which will prevent their slipping.

(3) Powered dockboards shall be designed and constructed in accordance with commercial standards CS202-56 (1956) "Industrial Lifts and Hinged Loading Ramps" published by the United States Department of Commerce.

(4) Handholds or other effective means, shall be provided on portable dockboards to permit safe handling.

(5) Positive protection shall be provided to prevent railroad cars from being moved while dockboards or bridge plates are in position.

NEW SECTION

WAC 296-56-60041 LOG HANDLING. (1) The employer shall ensure that structures (bunks) used to contain logs have rounded corners and rounded structural parts to avoid sling damage.

(2) Two or more binders or equivalently safe means of containment shall remain on logging trucks and railcars to secure logs during movement of the truck or car within the terminal. During unloading, logs shall be prevented from moving while binders are being removed.

(3) Logs shall be hoisted by two slings or by other gear designed for safe hoisting.

(4) Logs placed adjacent to vehicle curbs on the dock shall not be over one tier high unless placed in bunks or so stacked as not to roll or otherwise create a hazard to employees.

(5) Before logs are slung up from the dock, they shall be stably supported to prevent spreading and to allow passage of slings beneath the load. When bunks or similar retaining devices are used, no log shall be higher than the stanchions or retaining members of the device.

(6) Draft of logs for hoisting aboard ship shall not vary in length more than twenty percent.

(7) Audible alarms.

(a) All bidirectional machines, shall be equipped with a horn, distinguishable from the surrounding noise level, which shall be operated as needed when the machine is moving in either direction. The horn shall be maintained in an operative condition.

(b) Automatic back-up alarms shall be installed on bidirectional equipment used to handle logs or containers and shall be maintained in an operative condition.

NEW SECTION

WAC 296-56-60043 MOVEMENT OF BARGES AND RAILCARS. Barges and railcars shall not be moved by cargo runners (running rigging) from vessel cargo booms, cranes or other equipment not suitable for the purpose.

NEW SECTION

WAC 296-56-60045 COMMUNICATION. (1) Radio. When practical and safe, crane operators shall be provided with a radio or telephone to be in contact with the signalman or crane chaser in those cases where a signalman or crane chaser is required.

(2) Interference. Cargo handling operations shall not be carried on when noise-producing maintenance, construction or repairs work interferes with communication of warnings or instructions.

NEW SECTION

WAC 296-56-60047 OPEN FIRES. Open fires and fires in drums or similar containers are prohibited.

NEW SECTION

WAC 296-56-60049 HAZARDOUS CARGO. (1) Before cargo handling operations begin, the employer shall ascertain whether any hazardous cargo is to be handled and shall determine the nature of the hazard. The employer shall inform employees of the nature of any hazard and any special precautions to be taken to prevent employee exposure, and shall instruct employees to notify him of any leaks or spills.

(2) All hazardous cargo shall be slung and secured so that neither the draft nor individual packages can fall as a result of tipping the draft or slacking of the supporting gear.

(3) If hazardous cargo is spilled or if its packaging leaks, employees shall be removed from the affected area until the employer has ascertained the specific hazards, provided any equipment, clothing and ventilation and fire protection equipment necessary to eliminate or protect against the hazard, and has instructed cleanup employees in a safe method of cleaning up and disposing of a spill and handling and disposing of leaking containers. Actual cleanup or disposal work shall be conducted under the supervision of a designated person.

(4) The department of transportation and the United States coast guard apply requirements related to handling, storing and transportation of hazardous cargo (see 33 CFR Part 126, 46 CFR, 49 CFR).

NEW SECTION

WAC 296-56-60051 HANDLING EXPLOSIVES OR HAZARDOUS MATERIALS. (1) Dangerous or explosive nature to be made known. All workers handling explosive or other hazardous material which is properly labeled pursuant to the Washington state labeling code promulgated by the department of labor and industries, or the Explosive Act, or the Federal and Washington State Food, Drug and Cosmetic Acts, the Federal Insecticide, Fungicide and Rodenticide Act, the Washington Pesticide Act, the Federal Hazardous Substances Labeling Act, the Interstate Commerce Commission and Foreign Commerce regulations, or explosives or other dangerous cargo which is reasonably known by the employers to be mislabeled or to be lacking a required label, shall be thoroughly informed by the employer of the explosive or dangerous nature of the cargo.

(2) Preparation and handling of explosive or hazardous materials. In all shipping operations including, but not limited to, handling, storing, and preparation, compliance with the standards of the Interstate Commerce Commission, the United States Coast Guard, or the safety rules developed by the Institute of Makers of Explosives shall be deemed proper and safe methods of operation.

(3) Handling of breakage. If breakage should occur while handling explosives or other hazardous materials, the foreman shall order the work in the immediate area to cease until the hazard has been removed. It shall be the responsibility of the employer to use a safe method of handling such breakage and placing the same in a location safety remote from the work area.

(4) No smoking. All workers supervising or engaged in the handling, hoisting, stowing of explosives, combustible oxidizing materials or flammable materials shall smoke only in designated areas.

(5) Loading chute. In chuting packaged explosives, care must be exercised to make sure that one package shall have been taken from the mat before starting another. Each package shall have been completely removed from the mat before another is placed on the chute.

(6) Specifications for chutes. In the loading of explosive merchandise in package form where chutes are used, the chutes shall be constructed only of wood. All fastenings thereon shall be of wooden pins, dowelings, or pegs. Metal fastenings may be used, provided they are countersunk.

(7) Mattress landing buffer. The bottoms of the chutes shall be provided with a stuffed mattress not less than four inches thick and of sufficient width and length to allow for safe landing of packages.

(8) Drafts of cargo ascertained by the employer to be hazardous shall be so slung and secured that neither the draft nor individual packages can fall as a result of tipping the draft or slacking the supporting gear.

NEW SECTION

WAC 296-56-60053 HAZARDOUS ATMOSPHERES AND SUBSTANCES. (1) Purpose and scope. This section covers areas in which the employer is aware that a hazardous atmosphere or substance may exist, except where one or more of the following sections apply:

WAC 296-56-60049 Hazardous cargo; 296-56-60055 Carbon monoxide; 296-56-60057 Fumigants, pesticides, insecticides and hazardous preservatives; 296-56-60107 Menhaden terminals; 296-56-60235 Welding, cutting, and heating (hot work); and 296-56-60237 Spray painting.

(2) Determination of hazard.

(a) When the employer is aware that a room, building, vehicle, railcar or other space contains or has contained a hazardous atmosphere, a designated and appropriately equipped person shall test the atmosphere before employee entry to determine whether a hazardous atmosphere exists.

(b) Records of results of any tests required by this section shall be maintained for at least thirty days.

(3) Testing during ventilation. When mechanical ventilation is used to maintain a safe atmosphere, tests shall be made by a designated person to ensure that the atmosphere is not hazardous.

(4) Entry into hazardous atmospheres. Only designated persons shall enter hazardous atmospheres, in which case the following provisions shall apply:

(a) Persons entering a space containing a hazardous atmosphere shall be protected by respiratory and emergency protective equipment meeting the requirements of WAC 296-62-071;

(b) Persons entering a space containing a hazardous atmosphere shall be instructed in the nature of the hazard, precautions to be taken, and the use of protective and emergency equipment. Standby observers, similarly equipped and instructed, shall continuously monitor the activity of employees within such space;

(c) Except for emergency or rescue operations, employees shall not enter into any atmosphere which has been identified as flammable or oxygen deficient (less than nineteen and one-half percent oxygen). Persons who may be required to enter flammable or oxygen deficient atmospheres in emergency operations shall be instructed in the dangers attendant to those atmospheres and instructed in the use of self-contained breathing apparatus, which shall be utilized.

(d) To prevent inadvertent employee entry into spaces that have been identified as having hazardous, flammable or oxygen deficient atmospheres, appropriate warning signs or equivalent means shall be posted at all means of access to those spaces.

(5) When the packaging of asbestos cargo leaks, spillage shall be cleaned up by designated employees protected from the harmful effects of asbestos as required by WAC 296-62-07517.

NEW SECTION

WAC 296-56-60055 CARBON MONOXIDE. (1) Exposure limits. The carbon monoxide content of the atmosphere in a room, building, vehicle, railcar or any enclosed space shall be maintained at not more than fifty parts per million (0.005%) as an eight-hour time-weighted average and employees shall be removed from the enclosed space if the carbon monoxide concentration exceeds one hundred parts per million (0.01%).

(2) Testing. Tests to determine carbon monoxide concentration shall be made when necessary to ensure that employee exposure does not exceed the limits specified in subsection (1) of this section.

(3) Instrumentation. Tests for carbon monoxide concentration shall be made by designated persons using gas detector tube units certified by NIOSH under 30 CFR Part 11 or other measuring instruments whose accuracy is as great or greater.

(4) Records. A record of the date, time, location and results of carbon monoxide tests shall be available for at least thirty days.

NEW SECTION

WAC 296-56-60057 FUMIGANTS, PESTICIDES, INSECTICIDES AND HAZARDOUS PRESERVATIVES. (1) When the employer is aware that cargo in a space is or has been stowed, handled, or treated with a fumigant, pesticide, insecticide, or hazardous preservative, a determination shall be made as to whether a hazardous atmosphere is present in the space, and only employees protected as required in subsection (5) of this section shall enter the space if it is hazardous.

(2) Tests to determine the atmospheric concentration of chemicals used to treat cargo shall be:

(a) Appropriate for the hazard involved;

(b) Conducted by designated persons; and

(c) Performed at the intervals necessary to ensure that employee exposure does not exceed the permissible exposure limit for the chemical involved.

(3) Results of any tests shall be available for at least thirty days.

(4) Chemicals shall only be applied to cargoes by designated persons.

(5) Only designated persons shall enter hazardous atmospheres, in which case the following provisions apply.

(a) Persons entering a space containing a hazardous atmosphere shall be protected by respiratory and emergency protective equipment meeting the requirements of WAC 296-62-071; and

(b) Persons entering a space containing a hazardous atmosphere shall be instructed in the nature of the hazard, precautions to be taken, and the use of protective and emergency equipment. Standby observers, similarly equipped and instructed, shall continuously monitor the activity of employees within such a space.

(6) Signs shall be clearly posted where fumigants, pesticides or hazardous preservatives have created a hazardous atmosphere. These signs shall note the danger, identify specific chemical hazards, and give appropriate information and precautions, including instructions for the emergency treatment of employees affected by any chemical in use.

NEW SECTION

WAC 296-56-60059 FIRST-AID AND LIFESAVING FACILITIES. (1) Employers shall instruct employees to report every injury, regardless of severity, to the employer.

(2) A first-aid kit shall be available at the terminal, and at least one person holding a valid first-aid certificate shall be at the terminal when work is in progress.

(3) First-aid kits shall be weatherproof and contain individual sealed packages for each item that must be kept sterile. Each kit shall include at least the following items: Gauze roller bandages, 1 inch and 2 inch (25.4 mm and 50.8 mm); gauze compress bandages, 4 inch (101.6 mm); adhesive bandages, 1 inch (25.4 mm); triangular bandage, 40 inch (101.6 cm); ammonia inhalants and ampules; antiseptic applicators or swabs; eye dressing; wire or thin board splints; forceps and tourniquet; and first-aid dressing.

(4) Stretchers permanently equipped with bridles for hoisting shall be readily accessible. A blanket or other suitable covering shall be available.

(5) Telephone or equivalent means of communication shall be readily available.

(6) 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.

(7) Employees working on any bridge or structure leading to a detached vessel berthing installation shall wear United States Coast Guard approved personal flotation devices except where protected by railings, nets, or safety belts and lifelines.

(8) Life ladders. On all docks spaced at intervals not to exceed four hundred feet, there shall be provided substantial built-in-place ladders to reach lowest water use. When portable ladders are to be used, ladder may be bolted to the bullrail or dock structure or ladder can be secured to an embedded eye bolt in a concrete dock surface. The immediate area where such ladders or fastenings are located shall be painted with a bright color or of a color which contrasts with the surrounding area. There shall be a ladder at each end of the dock.

(9) Life rings. On all docks, spaced at intervals not to exceed two hundred feet, and so located to be readily available in case of emergency, there shall be at least one life ring of an approved standard type with ninety feet of line attached.

NEW SECTION

WAC 296-56-60060 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 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 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 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 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 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 296-56-60062.

(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.

NEW SECTION

WAC 296-56-60062 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 safety, 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 workmen 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 two layers of fifteen ounce 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 296-56-60065 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 296-56-60067 FIRST-AID ROOM. (1) A first-aid room meeting the requirements of this section shall be required when:

(a) A fixed establishment employs more than two hundred employees at one central location,

EXCEPTION: The department may permit the employer to follow the requirements of WAC 296-56-60060, 296-56-60062 and 296-56-60065, 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 two hundred 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.

(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.

(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

(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.

NEW SECTION

WAC 296-56-60069 PERSONNEL. (1) Qualifications of machinery operators.

(a) Only those employees determined by the employer to be competent by reason of training or experience, and who understand the signs, notices and operating instructions and are familiar with the signal code in use shall be permitted to operate a crane, winch or other power-operated cargo handling apparatus, or any power-operated vehicle, or give signals to the operator of any hoisting apparatus. Exception: Employees being trained and supervised by a designated person may operate such machinery and give signals to operators during training.

(b) No employee known to have defective uncorrected eyesight or hearing, or to be suffering from heart disease, epilepsy, or similar ailments which may suddenly incapacitate him shall be permitted to operate a crane, winch or other power-operated vehicle.

(2) Supervisory accident prevention proficiency.

(a) After October 3, 1985, immediate supervisors of cargo-handling operations of more than five persons shall satisfactorily complete a course in accident prevention. Employees newly assigned to supervisory duties after that date shall be required to meet the provisions of this paragraph within ninety days of such assignment.

(b) The course shall consist of instruction suited to the particular operations involved.

(c) No minor under eighteen years of age shall be employed in occupations involving the operation of any power-operated hoisting apparatus or assisting in such operations by performing work such as hooking on or landing drafts, rigging gear, etc.

CARGO HANDLING GEAR AND EQUIPMENT

NEW SECTION

WAC 296-56-60071 HOUSE FALLS. (1) Span beams shall be secured to prevent accidental dislodgement.

(2) A safe means of access shall be provided for employees working with house fall blocks.

(3) Designated employees shall inspect chains, links, shackles, swivels, blocks and other loose gear used in house fall operations before each day's use. Defective gear shall not be used.

NEW SECTION

WAC 296-56-60073 MISCELLANEOUS AUXILIARY GEAR. (1) Routine inspection.

(a) At the completion of each use, loose gear such as slings, chains, bridles, blocks, and hooks shall be so placed as to avoid damage to the gear. Loose gear shall be inspected and any defects corrected before reuse.

(b) All loose gear shall be inspected by the employer or his authorized representative before each use and, when necessary, at intervals during its use, to ensure that it is safe. Any gear which is found upon such inspection to be visibly unsafe shall not be used until it is made safe.

(c) Defective gear shall not be used. Distorted hooks, shackles, or similar gear shall be discarded.

(d) Chains or other gear which have been lengthened, altered, or repaired by welding shall be properly heat treated where necessary, and, before again being put into use, shall be tested and reexamined in the manner set forth in WAC 296-56-60097 and 296-56-60098.

(2) The employer shall maintain a record of the dates and results of the tests with each unit of gear concerned clearly identifiable. The records shall be available for examination by representatives of the division of industrial safety and health personnel and the employee safety committee.

(3) Wire rope and wire rope slings.

(a) The employer shall ascertain and adhere to the manufacturer's recommended ratings for wire rope and wire rope slings and shall have such ratings available for inspection. When the manufacturer is unable to supply such ratings, the employer shall use the tables for wire rope and wire rope slings found in American National Safety Standard for Slings, current ANSI B30.9. A design safety factor of at least five shall be maintained for the common sizes of running wire used as falls, in purchases or in such uses as light load slings. Wire rope with a safety factor of less than five may be used only:

(i) In specialized equipment, such as but not limited to cranes, designed to be used with lesser wire rope safety factors;

(ii) In accordance with design factors in standing rigging applications; or

(iii) For heavy lifts or other purposes for which a safety factor of five is impracticable and for which the employer can demonstrate that equivalent safety is ensured.

(b) Wire rope or wire rope slings having any of the following conditions shall not be used:

(i) Ten randomly distributed broken wires in one rope lay or three or more broken wires in one strand in one rope lay;

(ii) Kinking, crushing, bird caging, or other damage resulting in distortion of the wire rope structure;

(iii) Evidence of heat damage;

(iv) Excessive wear or corrosion, deformation or other defect in the wire or attachments, including cracks in attachments;

(v) Any indication of strand or wire slippage in end attachments; or

(vi) More than one broken wire in the close vicinity of a socket or swaged fitting.

(c) Protruding ends of strands in splices on slings and bridles shall be covered or blunted. Coverings shall be removable so that splices can be examined. Means used to cover or blunt ends shall not damage the wire.

(d) Where wire rope clips are used to form eyes, the employer shall adhere to the manufacturer's recommendations, which shall be available at the terminal. If "U" bolt clips are used and the manufacturer's recommendations are not available, Table C-1 shall be used to determine the number and spacing of clips. "U" bolts shall be applied with the "U" section in contact with the dead end of the rope.

Table C-1—Number and Spacing of U-Bolt Wire Rope Clips

Improved plow steel, rope diameter inches/(cm)	Minimum number of clips		Minimum spacing inches/(cm)
	Drop forged	Other material	
1/4 or less (1.3)	3	4	3(7.6)
5/16 (1.6)	3	4	3 3/4 (9.5)
3/8 (1.9)	4	5	4 1/2 (11.4)
1/2 (2.2)	4	5	5 1/4 (13.3)
1 1/2 (2.5)	5	7	6 (15.2)
1 3/4 (2.7)	6	7	6 3/4 (17.1)
1 7/8 (3.2)	6	8	7 1/4 (18.1)
1 5/8 (3.5)	7	8	8 1/4 (21.0)
1 3/4 (3.8)	7	9	9 (22.9)

(e) Wire rope shall not be secured by knots.

(f) Eyes in wire rope bridles, slings, bull wires, or in single parts used for hoisting shall not be formed by wire rope clips or knots.

(g) Eye splices in wire ropes shall have at least three tucks with a whole strand of the rope and two tucks with one-half of the wire cut from each strand. Other forms of splices or connections which are shown to be equivalently safe may be used.

(h) Except for eye splices in the ends of wires and for endless rope slings, each wire rope used in hoisting or lowering, or in bulling cargo, shall consist of one continuous piece without knot or splice.

(4) Natural fiber rope.

(a) The employer shall ascertain the manufacturer's ratings for the specific natural fiber rope used and have such ratings available at the terminal. The manufacturer's ratings shall be adhered to and a minimum design safety factor of five maintained.

(b) Eye splices shall consist of at least three full tucks. Short splices shall consist of at least six full tucks, three on each side of the center line.

(5) Synthetic rope.

(a) The employer shall adhere to the manufacturer's ratings and use recommendations for the specific synthetic fiber rope used and shall have such ratings available at the terminal.

(b) Unless otherwise recommended by the manufacturer, when synthetic fiber ropes are substituted for manila ropes of less than three inches (7.62 cm) in circumference, the substitute shall be of equal size. Where substituted for manila rope of three inches or more in circumference, the size of the synthetic rope shall be determined from the formula:

$$C = \sqrt{0.6C_s^2 + 0.4C_m^2}$$

where C = the required circumference of the synthetic rope in inches, C_s = the circumference to the nearest one-quarter inch of a synthetic rope having a breaking strength not less than that of the size manila rope that would be required by subsection (4) of this section, and C_m = the circumference of manila rope in inches which would be required by subsection (4) of this section. In making such substitution, it shall be ascertained that the inherent characteristics of the synthetic fiber are suitable for hoisting.

(6) Removal of natural and synthetic rope from service. Natural and synthetic rope having any of the following defects shall be removed from service:

(a) Abnormal wear;

(b) Powdered fiber between strands;

(c) Sufficient cut or broken fibers to affect the capability of the rope;

(d) Variations in the size or roundness of strands;

(e) Discolorations other than stains not associated with rope damage;

(f) Rotting; or

(g) Distortion or other damage to attached hardware.

(7) Thimbles. Properly fitting thimbles shall be used where any rope is secured permanently to a ring, shackle or attachment, where practicable.

(8) Synthetic web slings.

(a) Slings and nets or other combinations of more than one piece of synthetic webbing assembled and used as a single unit (synthetic web slings) shall not be used to hoist loads in excess of the sling's rated capacity.

(b) Synthetic web slings shall be removed from service if they exhibit any of the following defects:

(i) Acid or caustic burns;

(ii) Melting or charring of any part of the sling surface;

(iii) Snags, punctures, tears or cuts;

(iv) Broken or worn stitches; or

(v) Distortion or damage to fittings.

(c) Defective synthetic web slings removed from service shall not be returned to service unless repaired by a sling manufacturer or similar entity. Each repaired sling shall be proof tested by the repairer to twice the slings' rated capacity prior to its return to service. The employer shall retain a certificate of the proof test and make it available for examination.

(d) Synthetic web slings provided by the employer shall only be used in accordance with the manufacturer's use recommendations, which shall be available.

(e) Fittings shall have a breaking strength at least equal to that of the sling to which they are attached and shall be free of sharp edges.

(9) Chains and chain slings used for hoisting.

(a) The employer shall adhere to the manufacturer's recommended ratings for safe working loads for the sizes of alloy steel chains and chain slings used and shall have such ratings available. When the manufacturer is unable to provide such ratings, the employer shall use the tables for chains and chain slings found in American National Safety Standard for Slings, ANSI B30.9—current revision.

(b) Proof coil steel chain, also known as common or hardware chain, and other chain not recommended by the manufacturer for slinging or hoisting shall not be used for slinging or hoisting.

(c)(i) Sling chains, including end fastenings, shall be inspected for visible defects before each day's use and as often as necessary during use to ensure integrity of the sling.

(ii) Thorough inspections of chains in use shall be made quarterly to detect wear, defective welds, deformation or increase in length or stretch. The month of inspection shall be indicated on each chain by color of paint on a link or by other equally effective means.

(iii) Chains shall be removed from service when maximum allowable wear, as indicated in Table C-2, is reached at any point of link.

(iv) Chain slings shall be removed from service when stretch has increased the length of a measured section by more than five percent; when a link is bent, twisted or otherwise damaged; or when a link has a raised scarf or defective weld.

(v) Only designated persons shall inspect chains used for slinging and hoisting.

Table C-2.—Maximum Allowable Wear at Any Point of Link

Chain size		Maximum allowable wear	
Inches	(cm)	Inches	(cm)
3/8	(0.6)	1/16	(0.1)
1/2	(1.0)	1/8	(0.2)
5/8	(1.3)	3/16	(0.3)
3/4	(1.6)	1/4	(0.4)
7/8	(1.9)	5/16	(0.4)
1	(2.2)	3/8	(0.4)
1 1/8	(2.5)	7/16	(0.5)
1 1/4	(2.9)	1/2	(0.6)
1 3/8	(3.2)	5/8	(0.6)
1 1/2	(3.5)	3/4	(0.7)
1 5/8	(3.8)	7/8	(0.8)
2	(4.4)	1 1/8	(0.9)

(d) Chains shall only be repaired under qualified supervision. Links or portions of chain defective under any of the criteria of WAC 296-56-60073(9)(c)(v) shall be replaced with properly dimensioned links or connections of material similar to that of the original chain. Before repaired chains are returned to service, they shall be tested to the proof test load recommended by the manufacturer for the original chain. Tests shall be performed by the manufacturer or shall be certified by an agency accredited for the purpose under WAC 296-56-60093. Test certificates shall be available at the terminal.

(e) Wrought iron chains in constant use shall be annealed or normalized at intervals not exceeding six months. Heat treatment certificates shall be available at the terminal. Alloy chains shall not be annealed.

(f) Kinked or knotted chains shall not be used for lifting. Chains shall not be shortened by bolting, wiring or knotting. Makeshift links or fasteners such as wire, bolts or rods shall not be used.

(g) Hooks, rings, links and attachments affixed to sling chains shall have rated capacities at least equal to that of the chains to which they are attached.

(h) Chain slings shall bear identification of size, grade and rated capacity.

(10) Shackles.

(a) If available, the manufacturer's recommended safe working loads for shackles shall not be exceeded. In the absence of manufacturer's recommendations, Table C-3 shall apply.

(b) Screw pin shackles used aloft in house fall or other gear, except in cargo hook assemblies, shall have their pins moused or otherwise effectively secured.

Table C-3.—Safe Working Loads for Shackles

Material size		Pin diameter		Safe working load in 2,000 lb tons
Inches	(cm)	Inches	(cm)	
3/8	(1.3)	1/4	(1.6)	1.4
1/2	(1.6)	3/8	(1.9)	2.2
5/8	(1.9)	1/2	(2.2)	3.2
3/4	(2.2)	5/8	(2.5)	4.3
1	(2.5)	3/4	(2.9)	5.6
1 1/8	(2.9)	1 1/8	(3.2)	6.7
1 1/4	(3.2)	1 1/4	(3.5)	8.2
1 3/8	(3.5)	1 3/8	(3.8)	10.0
1 1/2	(3.8)	1 1/2	(4.1)	11.9
1 5/8	(4.4)	2	(5.0)	16.2
2	(5.0)	2 1/4	(6.7)	21.2

(c) Tables G-2 through G-5 shall be used to determine the safe working loads of various sizes and classifications of improved plow steel wire rope slings with various types of terminals. For sizes, classifications and grades not included in these tables the safe working load recommended by the manufacturer for specific, identifiable products shall be followed: PROVIDED, That a safety factor of not less than five is maintained.

**TABLE G-1
MANILA ROPE
(In pounds or tons of 2000 pounds)**

Circumference	Diameter in Inches	Single Leg	60°	45°	30°
3/4	1/4	120 lbs.	204 lbs.	170 lbs.	120 lbs.
1	5/16	200	346	282	200
1-1/8	3/8	270	467	380	270
1-1/4	7/16	350	605	493	350
1-3/8	15/32	450	775	635	450
1-1/2	1/2	530	915	798	530
1-3/4	9/16	690	1190	973	690
2	5/8	880	1520	1240	880
2-1/4	3/4	1080	1870	1520	1080
2-1/2	13/16	1300	2250	1830	1300
2-3/4	7/8	1540	2660	2170	1540
3	1	1800	3120	2540	1800
3-1/4	1-1/16	1.0 Tons	1.7 Tons	1.4 Tons	1.0 Tons
3-1/2	1-1/8	1.2	2.1	1.7	1.2
3-3/4	1-1/4	1.35	2.3	1.9	1.35
4	1-5/16	1.5	2.6	2.1	1.5
4-1/2	1-1/2	1.8	3.1	2.5	1.8
5	1-5/8	2.25	3.9	3.2	2.25
5-1/2	1-3/4	2.6	4.5	3.7	2.6
6	2	3.1	5.4	4.4	3.1
6-1/2	2-1/8	3.6	6.2	5.1	3.6

In making such a substitution it should be ascertained that the inherent characteristics of the synthetic fiber are suitable for the intended service of the rope.

**TABLE G-2
RATED CAPACITIES FOR IMPROVED PLOW STEEL,
INDEPENDENT WIRE ROPE CORE,
WIRE ROPE AND WIRE ROPE SLINGS
(In tons of 2000 pounds)**

Rope Dia. Inches	SINGLE LEG					
	Vertical			Choker		
	A	B	C	A	B	C
6x19 CLASSIFICATION						
1/4"	.59	.56	.53	.44	.42	.40
3/8"	1.3	1.2	1.1	.98	.93	.86
1/2"	2.3	2.2	2.0	1.7	1.6	1.5
5/8"	3.6	3.4	3.0	2.7	2.5	2.2
3/4"	5.1	4.9	4.2	3.8	3.6	3.1
7/8"	6.9	6.6	5.5	5.2	4.9	4.1
1"	9.0	8.5	7.2	6.7	6.4	5.4
1-1/8"	11.	10.	9.0	8.5	7.8	6.8
6x37 CLASSIFICATION						
1-1/4"	13.	12.	10.	9.9	9.2	7.9
1-3/8"	16.	15.	13.	12.	11.	9.6
1-1/2"	19.	17.	15.	14.	13.	11.
1-3/4"	26.	24.	20.	19.	18.	15.
2"	33.	30.	26.	25.	23.	20.
2-1/4"	41.	38.	33.	31.	29.	25.

(A) - Socket or Swaged Terminal Attachment.
(B) - Mechanical Sleeve Attachment.
(C) - Hand Tucked Splice Attachment.

**TABLE G-3
RATED CAPACITIES FOR IMPROVED PLOW STEEL, INDEPENDENT
WIRE ROPE CORE, WIRE ROPE SLINGS
(In tons of 2000 pounds)**

Rope Dia. Inches	TWO-LEG BRIDLE OR BASKET HITCH											
	Vertical			60°			45°			30°		
	A	B	C	A	B	C	A	B	C	A	B	C
6x19 CLASSIFICATION												
1/4"	1.2	1.1	1.0	1.0	.97	.92	.83	.79	.75	.59	.56	.53
3/8"	2.6	2.5	2.3	2.2	2.1	2.0	1.8	1.6	1.3	1.2	1.1	1.1
1/2"	4.6	4.4	3.9	4.0	3.8	3.4	3.2	3.1	2.8	2.3	2.2	2.0
5/8"	7.2	6.8	6.0	6.2	5.9	5.2	5.1	4.8	4.2	3.6	3.4	3.0
3/4"	10.	9.7	8.4	8.9	8.4	7.3	7.2	6.9	5.9	5.1	4.9	4.2
7/8"	14.	13.	11.	12.	11.	9.6	9.8	9.3	7.8	6.9	6.6	5.5
1"	18.	17.	14.	15.	15.	12.	13.	12.	10.	9.0	8.9	7.2
1-1/8"	23.	22.	18.	19.	18.	16.	16.	15.	13.	11.	10.	9.0
6x37 CLASSIFICATION												
1-1/4"	26.	24.	21.	23.	21.	18.	19.	17.	15.	13.	12.	10.
1-3/8"	32.	29.	25.	28.	25.	22.	22.	21.	18.	16.	15.	13.
1-1/2"	38.	35.	30.	33.	30.	26.	27.	25.	21.	19.	17.	15.
1-3/4"	51.	47.	41.	44.	41.	35.	36.	33.	29.	26.	24.	20.
2"	66.	61.	53.	57.	53.	46.	47.	43.	37.	33.	30.	26.
2-1/4"	83.	76.	66.	72.	66.	57.	58.	54.	47.	41.	38.	33.

(A) - Socket or Swaged Terminal Attachment.
(B) - Mechanical Sleeve Attachment.
(C) - Hand Tucked Splice Attachment.

TABLE G-4
RATED CAPACITIES FOR IMPROVED PLOW STEEL,
FIBER CORE, WIRE ROPE AND
WIRE ROPE SLINGS
(In tons of 2000 pounds)

Rope Dia. Inches	SINGLE LEG					
	Vertical			Choker		
	A	B	C	A	B	C
6x19 CLASSIFICATION						
1/4	.55	.51	.49	.41	.38	.37
3/8	1.2	1.1	1.1	.91	.85	.80
1/2	2.1	2.0	1.8	1.6	1.5	1.4
5/8	3.3	3.1	2.8	2.5	2.3	2.1
3/4	4.8	4.4	3.9	3.6	3.3	2.9
7/8	6.4	5.9	5.1	4.8	4.5	3.9
1	8.4	7.7	6.7	6.3	5.8	5.0
1-1/8	10.	9.5	8.4	7.9	7.1	6.3
6x37 CLASSIFICATION						
1-1/4	12.	11.	9.8	9.2	8.3	7.4
1-3/8	15.	13.	12.	11.	10.	8.9
1-1/2	17.	16.	14.	13.	12.	10.
1-3/4	24.	21.	19.	18.	16.	14.
2	31.	28.	25.	23.	21.	18.

(A) - Socket or Swaged Terminal attachment.
(B) - Mechanical Sleeve attachment.
(C) - Hand Tucked Splice attachment.

TABLE G-5
RATED CAPACITIES FOR IMPROVED PLOW STEEL,
FIBER CORE, WIRE ROPE SLINGS
(In tons of 2000 pounds)

Rope Dia. Inches	TWO-LEG BRIDLE OR BASKET HITCH											
	Vertical			60°			45°			30°		
	A	B	C	A	B	C	A	B	C	A	B	C
6x19 CLASSIFICATION												
1/4	1.1	1.0	.89	.85	.77	.73	.70	.65	.61	.51	.48	.44
3/8	2.4	2.2	2.1	2.1	1.9	1.8	1.7	1.6	1.5	1.2	1.1	1.1
1/2	4.3	3.9	3.7	3.7	3.4	3.2	3.0	2.8	2.6	2.1	2.0	1.8
5/8	6.7	6.2	5.6	5.4	5.3	4.8	4.7	4.4	4.0	3.3	3.1	2.8
3/4	9.5	8.8	7.8	7.6	7.6	6.8	6.7	6.2	5.5	4.6	4.4	3.9
7/8	13.	12.	10.	11.	10.	8.9	8.9	8.4	7.3	6.4	5.9	5.1
1	17.	15.	13.	14.	13.	11.	12.	11.	9.4	8.4	7.7	6.7
1-1/8	21.	19.	17.	18.	16.	14.	15.	13.	12.	10.	9.5	8.4
6x37 CLASSIFICATION												
1-1/4	25.	23.	20.	21.	19.	17.	17.	16.	14.	12.	11.	9.8
1-3/8	30.	27.	24.	26.	23.	20.	21.	19.	17.	15.	13.	12.
1-1/2	35.	32.	28.	30.	27.	24.	25.	22.	20.	17.	16.	14.
1-3/4	48.	43.	38.	41.	37.	33.	34.	30.	27.	24.	21.	19.
2	62.	55.	49.	53.	48.	43.	43.	39.	35.	31.	28.	25.

(A) - Socket or Swaged Terminal attachment.
(B) - Mechanical Sleeve attachment.
(C) - Hand Tucked Splice attachment.

TABLE G-6
ALLOY STEEL CHAIN
(In tons of 2000 pounds)

Nominal Size Chain Stock Inch.	Single Leg	60°	45°	30°
1/4	1.62	2.82	2.27	1.62
3/8	3.30	5.70	4.65	3.30
1/2	5.62	9.75	7.90	5.62
5/8	8.25	14.25	11.65	8.25
3/4	11.5	19.9	16.2	11.5
7/8	14.3	24.9	20.3	14.3
1	19.3	33.5	27.3	19.8
1-1/8	22.2	38.5	31.5	22.2
1-1/4	28.7	49.7	40.5	28.7
1-3/8	33.5	58.0	47.0	33.5
1-1/2	39.7	68.5	56.0	39.7
1-5/8	42.5	73.5	59.5	42.5
1-3/4	47.0	81.5	62.0	47.0

(11) Hooks other than hand hooks.

(a) The manufacturer's recommendations shall be followed in determining the safe working loads of the various sizes and types of specific and identifiable hooks. All hooks for which no applicable manufacturer's recommendations are available shall be tested to twice the intended safe working load before they are initially put into use. The employers shall maintain a record of the dates and results of such tests.

(b) Loads shall be applied to the throat of the hook since loading the point overstresses and bends or springs the hook.

(c) Hooks shall be inspected once a month to see that they have not been bent by overloading. Bent or sprung hooks shall not be used.

(d) Crane hooks. Magnetic particle or other suitable crack detecting inspection should be performed at least once each year. When testing by x-ray, the pertinent provisions of the Nuclear Regulatory Commission's standards for protection against radiation, relating to protection against occupational radiation exposure, shall apply.

(e) Any activity which involves the use of radioactive materials or x-rays, whether or not under license from the Nuclear Regulatory Commission, shall be performed by competent persons specially trained in the proper and safe operation of such equipment. In the case of materials used under commission license, only persons actually licensed, or competent persons under direction and supervision of the licensee, shall perform such work.

(f) Teeth of case hooks shall not be split, cracked, or deformed.

(g) Jaws of patent clamp type plate hooks shall be kept in safe condition so that they will grip plates securely.

(12) Pallets.

(a) Pallets shall be made and maintained to safely support and carry loads being handled. Fastenings of reusable pallets used for hoisting shall be bolts and nuts, drive screws (helically threaded nails), annular threaded nails of fastenings, or equivalent holding strength.

(b) Damaged pallets shall be stored in designated areas and identified.

(c) Reusable wing or lip-type pallets shall be hoisted by bar bridles or other suitable gear and shall have an overhanging wing or lip of at least three inches (76.2 mm). They shall not be hoisted by wire slings alone.

(d) Loaded pallets that do not meet the requirements of this paragraph shall be hoisted only after being placed on pallets meeting such requirements or shall be handled by other means providing equivalent safety.

(e) Bridles for handling flush end or box-type pallets shall be designed to prevent disengagement from the pallet under load.

(f) Pallets shall be stacked or placed to prevent falling, collapsing or otherwise causing a hazard under standard operating conditions.

(g) Disposable pallets intended only for one use shall not be reused for hoisting.

NEW SECTION

WAC 296-56-60075 CARGO BOARDS AND OTHER TYPE PALLET BOARDS. (1) The term "cargo board" shall mean the typical wing or lip-type stevedore board hoisted to or from vessels by means of a bar bridle. "Other pallet boards" include all other platforms used to hold cargo for the purpose of transporting it from place to place.

(2) All pallets and cargo boards shall be of such material and construction as to safely support and carry loads being handled on them.

(3) All cargo boards shall be sheathed (decked) top and bottom with the top sheathing being of two-inch lumber and with the top sheathing extending at least six inches beyond the end stringers.

(4) The outer sheathing boards or boards adjacent thereto on cargo boards shall be fastened to the stringers by bolts and nuts. Other sheathing shall be fastened by bolts and nuts, drive screws (helically threaded nails), annular threaded nails, or fastenings of equivalent strength.

(5) Pallet boards, other than cargo boards, may be hoisted if safe means are provided for the type of board used.

(6) Loaded cargo or pallet boards which do not meet the requirements of this section shall be reboarded or placed on cargo boards meeting the requirements before being hoisted, provided weight of the load can be safely distributed on the cargo board.

(7) Cargo boards which are not loaded and secured so that the load will not tip or fall shall not be hoisted.

(8) Bridles used to handle flush-end or box-type pallets shall be of such a design as to prevent them from becoming disengaged from the pallet under load.

NOTE: In areas where the two lip cargo board is being used, that practice shall remain. The department of labor and industries recommends the use of the two lip cargo board.

NEW SECTION

WAC 296-56-60077 POWERED INDUSTRIAL TRUCKS. (1) Applicability. This section applies to every type of powered industrial truck used for material or equipment handling within a marine terminal. It does not apply to over-the-road vehicles.

(2) General.

(a) After October 3, 1983, modifications, such as adding counterweights, that might affect the vehicle's capacity or safety shall not be performed without either the manufacturer's prior written approval or the written approval of a professional engineer experienced with the equipment who has consulted with the manufacturer, if available. Capacity, operation and maintenance instruction plates, tags or decals shall be changed to conform to the equipment as modified.

(b) Unauthorized personnel shall not ride on powered industrial trucks. A safe place to ride shall be provided when riding is authorized.

(c) When a powered industrial truck is left unattended, load-engaging means shall be fully lowered, controls neutralized and brakes set. Unless the truck is in view and within twenty-five feet (7.6 m) of the operator, power shall be shut off. Wheels shall be blocked or curbed if the truck is on an incline.

(d) Powered industrial trucks shall not be operated inside highway vehicles or railcars having damage which could affect operational safety.

(e) Powered industrial trucks shall be marked with their rated capacities, which shall be visible to the operator.

(f) Only stable and safety arranged loads within the rated capacity of the truck shall be handled.

(g) The employer shall direct drivers to ascend and descend grades slowly.

(h) The employer shall direct drivers to slow down and sound the horn at crossaisles and other locations where visibility is obstructed.

(i) If the load obstructs the forward view, the employer shall direct drivers to travel with the load trailing.

(j) Steering knobs shall not be used unless the truck is equipped with power steering.

(k) When powered industrial trucks use cargo lifting devices that have a means of engagement hidden from the operator, a means shall be provided to enable the operator to determine that the cargo has been engaged.

(l) When cargo is being towed on pipe trucks or similar equipment, a safe means shall be provided to protect the driver from sliding loads.

(3) Maintenance.

(a) Only designated persons shall perform maintenance and repair.

(b) Batteries on all powered trucks shall be disconnected during repairs to the primary electrical system unless power is necessary for testing and repair. On trucks equipped with systems capable of storing residual energy, that energy shall be safely discharged before work on the primary electrical system begins.

(c) Replacement parts whose function might affect operational safety shall be equivalent in strength and performance capability to the original parts which they replace.

(d) Braking systems or other mechanisms used for braking shall be operable and in safe condition.

(e) Powered industrial trucks shall be maintained in safe working order. Safety devices shall not be removed or made inoperative except as otherwise provided in this section. Trucks with a fuel system leak or any other safety defect shall not be operated.

(f) Those repairs to the fuel and ignition systems of industrial trucks which involve fire hazards shall be conducted only in locations designated as safe for such repairs.

(4) Approved trucks.

(a) "Approved power-operated industrial truck" means one listed or approved for the intended use by a nationally recognized testing laboratory.

(b) Approved trucks acquired and used after February 15, 1972, shall bear a label or other identification indicating testing laboratory approval.

(c) When the atmosphere in an area is hazardous and the provisions of United States Coast Guard regulations at 33 CFR 126.15(e) do not apply, only power-operated industrial trucks approved for such locations shall be used.

(5) Duties of operator.

(a) A power-driven vehicle operator's special duties are:

(i) To operate the vehicle in a safe manner.

(ii) To test brakes, steering gear, lights, horns, or other warning devices, clutches, etc., before starting work.

(iii) To have the vehicle at all times under control so that it can be brought to an emergency stop in the clear space in front of the vehicle.

(iv) To back down any incline of two percent or more when traveling with a load on the fork lift jitney.

(v) Unobstructed view. When traveling, power-propelled vehicles shall at all times be operated in a manner giving the operator a reasonably unobstructed view in the direction of travel, or where this is

impractical, the operator shall be directed in travel, by a person designated to do so.

(c) Employee riding safety. Operators and authorized passengers shall not be permitted to ride with legs or arms extending outside any vehicle nor shall they be permitted to ride while standing unless the vehicle is designed to be operated from a standing position.

(d) Moving vehicles. Vehicles shall be controlled manually while being pushed or towed except when a tow bar is used. Special precautions shall be taken when pushing vehicles where view is obstructed. Vehicles shall not be pushed with blades of a forklift.

(e) Moving highway trailers. In all cargo operations involving the use of highway trailers, such trailers shall be moved in such a manner that at all times the moving trailer is completely under control. Special caution shall be exercised when such trailers are moving on inclines. Trailers shall be loaded in a manner which will prevent the cargo from shifting, and the load in the trailer shall be evenly distributed so as not to cause the trailer to tip to one side.

(f) Prohibited forms of riding. Riding on tongue or handles of trailers or forks of power-propelled vehicles is prohibited.

(g) Regular seats for riders. No one except the operator shall ride on power-driven vehicles unless regular seats are provided to accommodate passengers.

(h) Jumping on or off moving vehicles. Employees shall not jump on or off moving vehicles.

(i) Reporting defects. If power-driven vehicle is at any time found to be in any way unsafe, the operator shall report same immediately to the person in charge and such vehicle shall not be used for production work until it has been made safe.

(6) Vehicle equipment and maintenance.

(a) Horns and lights. All power-propelled vehicles shall be provided with horns or other warning devices.

(b) Power-propelled vehicles used for night work, when required to travel away from an illuminated work area shall be equipped with a light or lights directed in the direction of travel as required to safely travel about the area.

(c) Guards on operator's platform. Every power truck operated from an end platform or standing position shall be equipped with a substantial guard securely attached to the platform or frame of the vehicle in such a manner as to protect the operator from falling objects and so designed that the operator can easily mount or dismount from the operating station.

(d) Seat cushions. All vehicles having a driver's seat shall be provided with resilient seat cushions fixed in place.

(e) Securing of counterbalances. Counterbalances of all power-driven vehicles shall be positively secured to prevent accidentally dislodging, but may be a removable type which may be removed, if desired, prior to hoisting.

(f) Exhaust pipes and mufflers. Exhaust pipes and mufflers of internal combustion engines, where workers are exposed to contact shall be isolated or insulated. Exhaust pipes shall be constructed to discharge not less than seventy-two inches above the floor on jitneys and eighty-four inches on forklifts or less than twenty inches from the floor.

(g) Ventilation where internal combustion-type vehicles are used. Internal combustion-type engines may be used only in areas where adequate ventilation is provided.

(h) Concentration levels of carbon monoxide gas created by powered industrial truck operations shall not exceed the levels specified in WAC 296-62-075 (General occupational health standards).

(i) When disputes arise concerning degree of concentration, methods of sampling to ascertain the conditions should be referred to a qualified industrial hygienist.

(j) Cargo truck couplings. Couplings installed on cargo trucks (four-wheelers) shall be of a type which will prevent accidental disengaging.

(k) Operating levers. Operating levers on power-driven vehicles shall be so placed as not to project toward the operator's body.

(l) Front axle assembly secure. The front axle assembly on all trailers shall be securely fastened to the truck bed.

(m) Air line hook-up. Tractors hauling heavy duty highway trailers shall have an air line brake hook-up.

(n) Floor mats. On power-driven vehicles where the operator stands on a platform, resilient foot mats shall be securely attached.

(o) Cleaning vehicles. All power-propelled vehicles shall be cleaned at frequent intervals to remove any accumulation of dust and grease that may present a hazard.

(7) Forklift trucks.

(a) Overhead guards.

(i) When operators are exposed to overhead falling hazards, the employer shall ensure that forklift trucks are equipped with securely attached overhead guards. Guards shall be constructed to protect the operator from falling boxes, cartons, packages, or similar objects.

(ii) Overhead guards shall not obstruct the operator's view, and openings in the top of the guard shall not exceed six inches (15.2 cm) in one of the two directions, width or length. Larger openings are permitted if no opening allows the smallest unit of cargo being handled to fall through the guard.

(iii) Overhead guards shall be built so that failure of the vehicle's mast tilting mechanism will not displace the guard.

(iv) An overhead guard, otherwise required by this paragraph, may be removed only when it would prevent a truck from entering a work space and if the operator is not exposed to low overhead obstructions in the work space.

(v) Overhead guards shall be large enough to extend over the operator during all truck operations, including forward tilt.

(vi) Supplies to ship's rail. Cargo or supplies shall not be hoisted to or from ship's rail with a forklift. This does not apply to ramp or side port loading.

(vii) Position of forks. When standing, lift forklift forks shall be lowered to floor. When moving, lift forklift forks shall be kept as low as possible.

(viii) Forklift use in gangplank moving. Not less than two forklifts shall be used to place or remove gangplanks unless fork width prevents tipping and manufacturer's rated lifting capacity of the forklift is not exceeded.

(ix) Forklift seat covers. Seats on forklifts shall be provided with a removable waterproof cover when they are exposed to the weather.

(x) Raised equipment to be blocked. Workers shall not work below the raised bed of a dump truck, raised buckets of front end loaders, raised blades of tractors or in similar positions without blocking the equipment in a manner that will prevent it from falling. When working under equipment suspended by use of jacks, safety stands or blocking shall also be used in conjunction with the jack.

(xi) Maximum speed. The maximum speed for forklifts on all docks shall not exceed eight miles per hour. This speed limit shall be prominently posted on such docks.

(b) Load backrest extensions. Where necessary to protect the operator, forklift trucks shall be fitted with a vertical load backrest extension to prevent the load from hitting the mast when the mast is positioned at maximum backward tilt. For this purpose, a "load backrest extension" means a device extending vertically from the fork carriage frame to prevent raised loads from falling backward.

(c) Forks. Forks, fork extensions and other attachments shall be secured so that they cannot be accidentally dislodged, and shall be used only in accordance with the manufacturer's recommendations.

(d) Counterweights. Counterweights shall be so affixed that they cannot be accidentally dislodged.

(e) Capacities and weights.

(i) Forklift truck rated capacities, with and without removable counterweights, shall not be exceeded. Rated capacities shall be marked on the vehicle and shall be visible to the operator. The vehicle weight, with and without counterweight, shall be similarly marked.

(ii) If loads are lifted by two or more trucks working in unison, the total weight of the load shall not exceed the combined rated lifting capacity of all trucks involved.

(f) Lifting of employees. Employees may be elevated by forklift trucks only when a platform is secured to the lifting carriage or forks. The platform shall meet the following requirements:

(i) The platform shall have a railing complying with WAC 296-56-60123(3).

(ii) The platform shall have toeboards complying with WAC 296-56-60123(4), if tools or other objects could fall on employees below.

(iii) When the truck has controls which are elevated with the lifting carriage, means shall be provided for employees on the platform to shut off power to the vehicle.

(iv) Employees on the platform shall be protected from exposure to moving truck parts.

(v) The platform floor shall be skid resistant.

(vi) A truck operator shall be at the truck's controls when employees are elevated unless the truck's controls are elevated with the lifting carriage.

(vii) While employees are elevated, the truck may be moved only to make minor placement adjustments.

(8) Bulk cargo-moving vehicles.

(a) Where a seated operator may come into contact with projecting overheads, crawler-type bulk-cargo-moving vehicles that are rider operated shall be equipped with operator's guards.

(b) Guards and their attachment points shall be so designed as to be able to withstand, without excessive deflection, a load applied horizontally at the operator's shoulder level equal to the drawbar pull of the machine.

(9) Straddle trucks.

(a) Accessibility. Straddle trucks shall have a permanent means of access to the operator's station, including any handholds necessary for safe ascent and descent.

(b) Guarding.

(i) Main sprockets and chains to the wheels shall be guarded as follows:

(A) The upper sprocket shall be enclosed;

(B) The upper half of the lower sprocket shall be enclosed; and

(C) The drive chain shall be enclosed to a height of eight feet (2.6 m) except for that portion at the lower half of the lower sprocket.

(ii) Gears shall be enclosed and revolving parts which may be contacted by the operator shall be guarded.

(iii) When straddle trucks are used in the vicinity of employees, personnel-deflecting guards shall be provided around leading edges of front and rear wheels.

(c) Visibility. Operator visibility shall be provided in all directions of movement.

(10) Trailer-spotting tractors.

(a) Trailer-spotting tractors (fifth wheels) shall be fitted with any hand grabs and footing necessary for safe access to the fifth wheel.

(b) Rear cab windows shall be of safety glass or of equivalent material.

NEW SECTION

WAC 296-56-60079 GENERAL RULES APPLICABLE TO VEHICLES. (1) The requirements of this section apply to general vehicle use within marine terminals except in cases where the provisions of subsections (3) and (13) of this section are preempted by applicable regulations of the department of transportation.

(2) Private vehicle parking in marine terminals shall be allowed only in designated areas.

(3) Trailers shall not be disconnected from tractors at loading docks until the road wheels have been immobilized. The road wheels shall be immobilized from the time the brake system is disconnected until braking is again provided. Supplementary front end support shall be employed as necessary to prevent tipping when a trailer is entered by a material handling vehicle. Rear end support shall be employed if rear wheels are so far forward as to allow tipping when the trailer is entered.

(4) The employer shall direct motor vehicle operators to comply with any posted speed limits and other traffic control signs or signals, and written traffic instructions.

(5) Stop signs shall be posted at main entrances and exits of structures where visibility is impaired, and at blind intersections, unless direct traffic control or warning mirror systems or other systems of equivalent safety are provided.

(6) Vehicular routes, traffic rules, and parking areas shall be established, identified, and used.

(7) The employer shall direct vehicle drivers to warn employees in traffic lanes of the vehicle's approach.

(8) Signs indicating pedestrian traffic shall be clearly posted at vehicular check-in and check-out lines and similar locations where employees may be working.

(9) A distance of not less than twenty feet (4.5 m) shall be maintained between the first two vehicles in a check-in, check-out roadability, or vessel loading/discharging line. This distance shall be maintained between any subsequent vehicles behind which employees are required to work.

(10) No unattended vehicle shall be left with its engine running unless secured against movement (see WAC 296-56-60077 for powered industrial trucks).

(11) When the rear of a vehicle is elevated to facilitate loading or discharging, a ramp shall be provided and secured. The vehicle shall be secured against accidental movement during loading or discharging.

(12) Only highway vehicle floors in safe condition shall be used.

(13) When flatbed trucks, platform containers or similar conveyances are loaded or discharged and the cargo consists of pipe or other products which could spread or roll to endanger employees, the cargo shall be contained to prevent movement.

(14) Vehicles used to transport employees within a terminal shall be maintained in safe working order and safety devices shall not be removed or made inoperative.

NEW SECTION

WAC 296-56-60081 MULTIPIECE RIM WHEELS. (1) Scope. This section applies to the servicing of vehicle wheels containing tube-type tires mounted on multipiece rims.

(2) Definition. "Multipiece rim" means a vehicle wheel rim consisting of two or more parts, one of which is a (side) locking ring designed to hold the tire on the rim by tension on interlocking components when the tire is inflated, regardless of the relative sizes of the component parts.

(3) Employee training.

(a) The employee shall ensure that only employees trained in the procedures required in subsection ... of this section and who have demonstrated their ability to service multipiece rim wheels shall be assigned such duties.

(b) The employer shall ensure that each employee demonstrates his ability to service multipiece rim wheels, including performance of the following tasks:

- (i) Tire demounting (including deflation);
- (ii) Inspection of wheel components;
- (iii) Mounting of tires;
- (iv) Inflation of tires, including use of a restraining device;
- (v) Handling of wheels;
- (vi) Inflation of tires when a wheel is mounted on the vehicle; and
- (vii) Installation and removal of wheels.

(4) Servicing procedures. The employer shall ensure that the following procedures are followed:

(a) Tires shall be completely deflated before demounting by removal of the valve core;

(b) The valve core shall be removed before the wheel is removed from the axle when:

- (i) The tire has been operated underinflated at eighty percent or less of its recommended pressure; or
- (ii) There is discernible or suspected damage to the tire or wheel components;

(c) Mating surfaces shall be free of dirt, surface rust, scale and rubber build up before mounting;

(d) Rubber lubricant shall be applied to bead and rim mating surfaces upon wheel assembly and inflation of the tire;

(e) Air pressure shall not exceed 3 psig (0.21 kg/cm²) when seating the locking ring or rounding out the tube when a tire is being partially inflated without a restraining device;

(f) While the tire is pressurized, components shall not be struck or forced to correct the seating of side or lock rings;

(g) There shall not be any contact between an employee or unit of equipment and a restraining device during tire inflation;

(h) After inflation, tires, rims, and rings shall be inspected while within the restraining device to ensure seating and locking. If adjustment is necessary the tire shall first be deflated by valve core removal; and

(i) Before assembly, wheel components shall be inspected, and damaged rim components shall not be reused.

(5) Charts and manuals.

(a) The employer shall provide a chart containing as a minimum the instructions and information provided in the United States Department of Transportation, National Highway Traffic Safety Administration (NHTSA) publication "Safety Precautions for Mounting and Demounting Tube-Type Truck/Bus Tires" and "Multipiece Rim Wheel Matching Chart," and pertinent to the type(s) of multipiece rim wheels being serviced. The chart shall be available in the terminal's service area.

(b) A current rim manual containing the manufacturer's instructions for mounting, demounting, maintenance and safety precautions relating to the multipiece rim wheels being serviced shall be available in the terminal's service area.

(6) Restraining devices.

(a) Except as otherwise noted, inflation shall be done within a restraining device such as a cage, rack or other device capable of withstanding the maximum force that would be transferred to it during an explosive wheel separation occurring at one hundred fifty percent of maximum tire specification pressure for the wheels being serviced. The restraining device shall be capable of preventing rim components from being thrown outside the frame of the device for any wheel position within the device. When the wheel assembly is mounted on a vehicle,

tires may be inflated without a restraining device only if they have more than eighty percent of the recommended pressure and if remote control inflation equipment is used and employees are clear of the danger area.

(b) Restraining devices shall be kept in good repair and be capable of preventing rim components from being thrown outside the device.

(7) Inflation hoses. Inflation hoses shall have a manual clip-on chuck with sufficient hose to permit an employee to be clear of the danger zone. An in-line, manually operated valve with gauge or a preset pressure regulator shall be used to inflate tires.

(8) Other equipment.

(a) Only tools recommended in the rim manual for the type of wheel being serviced shall be used to service multipiece rim wheels.

(b) Wheel components shall not be interchanged except as provided in the applicable chart or manual.

NEW SECTION

WAC 296-56-60083 CRANES AND DERRICKS. (1) Coverage.

(a) This section applies to every kind of crane and derrick and to any other type of equipment performing the functions of a crane or derrick except as noted in (b) of this subsection.

(b) This section does not apply to small industrial truck-type cranes, container handling toploaders and sideloaders, chain hoists, and mobile straddle-type cranes incapable of straddling two or more intermodal containers (sixteen feet (4.88 m) in width).

(2) Ratings.

(a) Except for bridge cranes covered by subsection (7) of this section, cranes and derricks having ratings that vary with boom length, radius (outreach) or other variables shall have a durable rating chart visible to the operator, covering the complete range of the manufacturer's (or design) capacity ratings. The rating chart shall include all operating radii (outreach) for all permissible boom lengths and jib lengths as applicable, with and without outriggers, and alternate ratings for optional equipment affecting such ratings. Precautions or warnings specified by the owner or manufacturer shall be included along with the chart.

(b) The manufacturer's (or design) rated loads for the conditions of use shall not be exceeded.

(c) Designated working loads shall not be increased beyond the manufacturer's ratings or regional design limitations unless such increase receives the manufacturer's approval. When the manufacturer's services are not available or where the equipment is of foreign manufacture, engineering design analysis shall be performed or approved by a person accredited for certifying the equipment under WAC 296-56-60093. Cranes shall conform with the manufacturer's specifications and/or any current ANSI standards that apply. Engineering design analysis shall be performed by a registered professional engineer competent in the field of cranes and derricks. Any structural changes necessitated by the change in rating shall be carried out.

(3) Radius indicator. When the rated load varies with the boom radius, the crane or derrick shall be fitted with a boom angle or radius indicator visible to the operator.

(4) Prohibited usage.

(a) Equipment shall not be used in a manner that exerts sideloading stresses upon the crane or derrick boom.

(b) No crane or derrick having a visible or known defect that affects safe operation shall be used.

(5) Protective devices.

(a) When exposed moving parts such as gears, chains and chain sprockets present a hazard to employees during crane and derrick operations, those parts shall be securely guarded.

(b) Crane hooks shall be latched or otherwise secured to prevent accidental load disengagement.

(c) When hoisting personnel in an approved man basket, the hook shall have a positive safety latch to prevent rollouts.

(6) General.

(a) Operating controls.

(i) Crane and derrick operating controls shall be clearly marked, or a chart indicating their function shall be posted at the operator's position.

(ii) All crane controls shall operate in a uniform manner within a given port.

(iii) After October 3, 1984, overhead bridge and container gantry crane operating control levers shall be self-centering so that they will automatically move to the "off" position when the operator releases the control.

(b) Booms. Cranes with elevatable booms and without operable automatic limiting devices shall be provided with boom stops if boom elevation can exceed maximum design angles from the horizontal.

(c) Foot pedals. Foot pedals shall have a nonskid surface.

(d) Access. Ladders, stairways, stanchions, grab irons, foot steps or equivalent means shall be provided as necessary to ensure safe access to footwalks, cab platforms, the cab and any portion of the superstructure which employees must reach.

(i) Footwalks shall be of rigid construction, and shall be capable of supporting a load of one hundred pounds (4.79 kPa) per square foot.

(ii) If more than twenty feet (6.1 m) in height, vertical ladders shall comply with WAC 296-56-60209(4), (5)(a), (5)(b)(iii) and (5)(b)(iv).

(iii) Stairways on cranes shall be equipped with rigid handrails meeting the requirements of WAC 296-56-60123(5)(a).

(iv) If the top of a ladder or stairway or any position thereof is located where a moving part of a crane, such as a revolving house, could strike an employee ascending or descending the ladder or stairway, a prominent warning sign shall be posted at the foot of the ladder or stairway. A system of communication (such as a buzzer or bell) shall be established and maintained between the foot of the ladder or stairway and the operator's cab.

(e) Operator's station. The cab controls and mechanism of the equipment shall be so arranged that the operator has a clear view of the load or signalman, when one is used. Cab glass, when used, shall be safety plate glass or equivalent and good visibility shall be maintained through the glass. Clothing, tools and equipment shall be stored so as not to interfere with access.

(f) Counterweights or ballast. Cranes shall be operated only with the specified type and amount of ballast or counterweights. Ballast or counterweight shall be located and secured only as provided in the manufacturer's or design specifications, which shall be available.

(g) Outriggers. Outriggers shall be used according to the manufacturer's specifications or design data, which shall be available. Floats, when used, shall be securely attached to the outriggers. Wood blocks or other support shall be of sufficient size to support the outrigger, free of defects that may affect safety and of sufficient width and length to prevent the crane from shifting or toppling under load.

(h) Exhaust gases. Engine exhaust gases shall be discharged away from the normal position of crane operating personnel.

(i) Electrical equipment shall be so located or enclosed that live parts will not be exposed to accidental contact. Designated persons may work on energized equipment only if necessary during inspection, maintenance, or repair.

(j) Fire extinguisher.

(i) At least one portable fire extinguisher of at least 5-BC rating or equivalent shall be accessible in the cab of the crane or derrick.

(ii) No portable fire extinguisher using carbon tetrachloride or chlorobromomethane extinguishing agents shall be used.

(k) Rope on drums. At least three full turns of rope shall remain on ungrooved drums, and two turns on grooved drums, under all operating conditions. Wire rope shall be secured to drums by clamps. U-bolts, shackles or equivalent means. Fiber rope fastenings are prohibited.

(l) Assembly or disassembly of boom sections. Mobile crane booms being assembled or disassembled on the ground with or without the support of the boom harness shall be blocked to prevent dropping of the boom or boom sections.

(m) Brakes.

(i) Each independent hoisting unit of a crane shall be equipped with at least one holding brake, applied directly to the motor shaft or gear train.

(ii) Each independent hoisting unit of a crane, except worm geared hoists, the angle of whose worm is such as to prevent the load from accelerating in the lowering direction, shall, in addition to a holding brake, be equipped with a controlled braking means to control lowering speeds.

(iii) Holding brakes for hoist units shall have not less than the following percentage of the rated load hoisting torque at the point where the brake is applied:

(A) One hundred twenty-five percent when used with a controlled braking means.

(B) One hundred percent when used with a mechanically-controlled braking means.

(C) One hundred percent when two holding brakes are provided.

(iv) All power control braking means shall be capable of maintaining safe lowering speeds of rated loads.

(n) Each crane or derrick shall be equipped with sufficient lights to maintain five foot candles in the working area around the load hook. All crane ladders and machinery houses shall be illuminated at a minimum of two candle power.

(o) Light fixtures connected to the boom, gantry legs, or machinery house shall be provided with safety devices which will prevent the light fixture from falling in case of bracket failure.

(p) Electronic devices may be installed to prevent collision subject to approval of the accredited certification agency.

(q) On all rail gantry cranes, truck guards shall extend on the ends of the trucks, close to the top of the rail to prevent worker's feet from being caught between the rail and wheel. This subsection would not apply if rail sweeps are present.

(r) All hydraulic cylinders used to control crane booms or to provide crane stability (outriggers) shall be equipped with a pilot operated check valve or a device which will prevent the boom or outrigger from retracting in case of failure of a component of the hydraulic system.

(s) Gantry cranes shall be provided with automatic rail clamps or other devices to prevent the crane from moving when not being used or when power is off.

(7) Rail-mounted cranes (excluding locomotive types).

(a) For the purposes of this section, rail-mounted cranes include bridge cranes and portal cranes.

(b) Rated load marking. The rated loads of bridge cranes shall be plainly marked on each side of the crane and in the cab. If there is more than one hoisting unit, each hoist shall have its rated load marked on it or on its load block. Marking shall be legible from the ground level.

(c) Wind-indicating devices.

(i) After October 3, 1983, each rail-mounted bridge and portal crane located outside of an enclosed structure shall be fitted with an operable wind-indicating device.

(ii) The wind indicating device shall provide a visible or audible warning to alert the operator of high wind conditions. That warning shall be transmitted whenever the following circumstances are present:

(A) When wind velocity reaches the warning speed, not exceeding the crane manufacturer's recommendations; and

(B) When wind velocity reaches the shutdown speed, not exceeding the crane manufacturer's recommendations, at which work is to be stopped and the crane secured.

(iii) Instructions. The employer shall post operating instructions for high wind conditions in the operator's cab of each crane. Operators shall be directed to comply with these instructions. The instructions shall include procedures for responding to high wind alerts and for any coordination necessary with other cranes.

(d) Securing of cranes in high winds.

(i) When the wind reaches the crane's warning speed:

(A) Gantry travel shall be stopped; and

(B) The crane shall be readied for shutdown.

(ii) When the wind reaches the crane's shutdown speed:

(A) Any portion of the crane spanning or partially spanning a vessel shall be moved clear of the vessel if safe to do so; and

(B) The crane shall be secured against travel, using all available means of securing.

(e) The employer shall monitor local weather conditions by subscribing to a weather service or using equally effective means.

(f) Stops and bumpers.

(i) The ends of all tracks shall be equipped with stops or bumpers. If a stop engages the tread of the wheel, it shall be of a height not less than the radius of the wheel.

(ii) When more than one crane operates on the same runway or more than one trolley on the same bridge, each crane or trolley shall be equipped with bumpers or equivalent devices at adjacent ends subject to impact.

(g) Employee exposure to crane movement. When employees may be in the vicinity of the tracks, crane trucks shall be equipped with personnel-deflecting guards.

(h) Pedestrian clearance. If the track area is used for employee passage or for work, a minimum clearance of three feet (0.9 m) shall be provided between trucks or the structures of rail-mounted cranes and any other structure or obstruction. When the required clearance is not available on at least one side of the crane's trucks, the area shall not be used and shall be marked and identified.

(i) Warning devices. Rail-mounted cranes shall be equipped with an effective travel, audible and visual, warning device which shall be used to warn employees who may be in the path of the moving crane.

(j)(i) Communications. Means of communication shall be provided between the operator's cab and the base of the gantry of all rail-mounted cranes. This requirement may be met by telephone, radio, sound-signaling system or other effective methods, but not solely by hand-signaling.

(ii) All rail-mounted cranes thirty ton and above capacity will be equipped with a voice hailing device (PA systems) from the operator to the ground, audible within one hundred feet.

(k) Cranes and crane operations—Scope and application. The sections of this chapter, WAC 296-56-60083 through 296-56-60099, apply to cranes and crane operations.

(l) Signalmen. A signalman shall be required when a crane operator's visibility is obstructed. When a signalman is required to transmit hand signals, he shall be in such a position that the operator can plainly see the signals.

(m) Signals. All operators and signalmen shall use standard signals as illustrated for longshore crane operations. (See Appendix C and D, at the end of this chapter.)

(n) Signalman for power units. Where power units, such as cranes and winches are utilized and signaling is required, the operator shall have definite instructions as to who is authorized to give signals. The operator shall take signals only from such authorized person. In case of emergency, any worker shall be authorized to give a stop signal.

(i) No draft shall be hoisted unless the winch or crane operator(s) can clearly see the draft itself or see the signals of any signalman associated with the operation.

(ii) Loads requiring continuous manual guidance while in motion shall be provided with tag lines.

(o) Landing loads. Persons assisting in landing a load shall face the load and use caution to prevent themselves from getting in a position where they may be caught between the load and a fixed object.

(8) Stabilizing of locomotive cranes. Loads may be hoisted by locomotive cranes only if outriggers are in place, unless means are taken to prevent the load being carried by the truck springs of the crane.

(9) Operations.

(a) Use of cranes together. When two or more cranes hoist a load in unison, a designated person shall direct the operation and instruct personnel in positioning, rigging of the load and movements to be made.

(b) Guarding of swing radius. Accessible areas within the swing radius of the body of a revolving crane shall be physically guarded during operations to prevent an employee from being caught between the body of the crane and any fixed structure or between parts of the crane.

(c) Securing mobile crane components in transit. The crane's superstructure and boom shall be secured against rotation and carried in line with the direction of travel except when negotiating turns with an operator in the cab or when the boom is supported on a dolly. The empty hook or other attachment shall be secured.

(d) Unattended cranes. The following steps shall be taken before leaving a crane unattended between work periods:

(i) Suspended loads, such as those hoisted by lifting magnets or clamshell buckets, shall be landed unless the storage position or maximum hoisting of the suspended device will provide equivalent safety;

(ii) Clutches shall be disengaged;

(iii) The power supply shall be shut off;

(iv) The crane shall be secured against accidental travel; and

(v) The boom shall be lowered or secured against movement.

(e) Operating near electric power lines.

(i) Clearance. Unless electrical distribution and transmitting lines are deenergized and visibly grounded at point of work, or unless insulating barriers not a part of or an attachment to the crane have been erected to prevent physical contact with lines, cranes may be operated near power lines only in accordance with following:

(A) For lines rated 50 kV or below, minimum clearance between the lines and any part of the crane or load shall be ten feet (3 m).

(B) For lines rated over 50 kV, minimum clearance between the lines any part of the crane or load shall be either 10 feet (3 m) plus 0.4 inch (10 mm) for each 1 kV over 50 kV, or twice the length of the line insulator, but never less than ten feet; and

(C) In transit with no load and boom lowered, the clearance shall be a minimum of four feet (1.2 m).

(ii) Boom guards. Cage-type boom guards, insulating links or proximity warning devices may be used on cranes, but they shall not be used in place of the clearances required by subsection (9)(e)(i) of this section.

(iii) Determination of energized lines. Any overhead line shall be presumed to be energized until the owner of the line indicates that it is not energized.

(10) Protection for employees being hoisted.

(a) No employee shall be hoisted by the load hoisting apparatus of a crane or derrick except:

(i) On intermodal container spreaders, equipped in accordance with subsection (10) of this section; or

(ii) In a boatswain's chair or other device rigged to prevent it from accidental disengagement from the hook or supporting member; or

(iii) On a platform meeting the following requirements:

(A) Enclosed by a railing or other means providing protection equivalent to that described in WAC 296-56-60123(3). If equipped with open railings, the platform shall be fitted with toe boards;

(B) Having a safety factor of four based on ultimate strength;

(C) Bearing a plate or permanent marking indicating maximum load rating, which shall not be exceeded, and the weight of the platform itself;

(D) Equipment with a device to prevent access doors, when used, from opening accidentally;

(E) Equipped with overhead protection for employees on the platform if they are exposed to falling objects or overhead hazards;

(F) Secured to the load line by means other than wedge and socket attachments, unless the free (bitter) end of the line is secured back to itself by a clamp placed as close above the wedge as possible.

(b) Except in an emergency, the hoisting mechanism of all overhead and container gantry cranes used to hoist personnel shall operate in power up and power down, with automatic brake application when not hoisting or lowering.

(c) Variable radius booms of a crane or derrick used to hoist personnel shall be so constructed or secured as to prevent accidental boom movement.

(d) Platforms or devices used to hoist employees shall be inspected for defects before each day's use and shall be removed from service if defective.

(e) Employees being hoisted shall remain in continuous sight of and communication with the operator or signalman.

(f) Operators shall remain at the controls when employees are hoisted.

(g) Cranes shall not travel while employees are hoisted, except in emergency or in normal tier to tier transfer of employees during container operations.

(h) When intermodal container spreaders are used to transfer employees to or from the tops of containers, the spreaders shall be equipped with a personnel platform equipped with fixed railings, provided that the railings have one or more openings for access. The openings shall be fitted with a means of closure, such as chains with hooks. Existing railings shall be at least thirty-six inches (0.91 m) in height. New railings installed after October 3, 1983 shall be forty-two inches (1.07 m), plus or minus three inches (7.6 cm), in height. The provisions of (a)(iii)(C), (D), and (F) of this subsection also apply to personnel platforms when such container spreaders are used.

(i) Positive safety latch-type hook or moused hooks.

(11) Routine inspection.

(a) Designated persons shall visually inspect each crane and derrick on each day of use for defects in functional operating components and shall report any defect found to the employer. The employer shall inform the operator of the findings.

(b) A designated person shall thoroughly inspect all functional components and accessible structural features of each crane or device at monthly intervals.

(c) Any defects found during such inspections which may create a safety hazard shall be corrected before further equipment use. Repairs shall be performed only by designated persons.

(d) A record of monthly inspections shall be maintained for six months in or on the crane or derrick or at the terminal.

NEW SECTION

WAC 296-56-60085 CRANE LOAD AND LIMIT DEVICES.

(1)(a) Except as provided in (a)(viii) of this subsection, every crane after October 3, 1984 shall be fitted with a load indicating device or alternative device in proper working condition which shall meet the following criteria:

(i) The type or model or any load indicating or alternate device which is used shall provide:

(A) A direct indication in the cab of actual weight hoisted or a means of determining this by referencing a weight indication to crane

ratings posted and visible to the operator, except that the use of a dynamometer or simple scale alone will not meet this requirement; or

(B) Indications in the cab according to the radius and load at the moment; or

(C) A direct means to prevent an overload from occurring.

(ii) Accuracy of the devices required by this section shall be such that any indicated load (or limit), including the sum of actual weight hoisted and additional equipment or "add ons" such as slings, sensors, blocks, etc., is within the range from no less than ninety-five percent of the actual true total load (five percent overload) to one hundred ten percent of the actual true total load (ten percent underload). Such accuracy shall be required over the range of the daily operating variables to be expected under the conditions of use.

(iii) The device shall permit the operator to determine, before making any lift, that the indicating or substitute system is operative. In the alternative, if a device is so mounted or attached to preclude such a determination, it may not be used unless it has been certified by the manufacturer to remain operable within the limits stated in (a)(ii) of this subsection for a specific period of use. Checks for accuracy, using known values of load, shall be performed at the time of every certification survey (see WAC 296-56-60093) and at such additional times as may be recommended by the manufacturer.

(iv) When a load indicating device or alternative system is so arranged in the supporting system (crane structure) that its failure could cause the load to be dropped, its strength shall not be the limiting factor of the supporting system (crane structure).

(v) Marking shall be conspicuously placed giving: Units of measure in pounds or both pounds and kilograms, capacity of the indicating system, accuracy of the indicating system, and operating instructions and precautions. In the case of systems utilizing indications other than actual weights, the marketing shall include data on: The means of measurement, capacity of the system, accuracy of the system, and operating instructions and precautions. If the system used provides no readout, but it is such as to automatically cease crane operation when the rated load limit under any specific condition of use is reached, marking shall be provided giving the make and model of the device installed, a description of what it does, how it is operated, and any necessary precautions regarding the system. All weight indications, other types of loading indications, and other data required shall be readily visible to the operator.

(vi) All load indicating devices shall be operative over the full operating radius. Overall accuracy shall be based on actual applied load and not on full scale (full capacity) load.

Explanatory note. For example, if accuracy of the load indicating device is based on full scale load and the device is arbitrarily set at plus/minus ten percent, it would accept a reading between ninety thousand and one hundred ten thousand pounds, at full capacity of a machine with one hundred thousand pounds, maximum rating, but would also allow a reading between zero and twenty thousand pounds, at that outreach (radius) at which the rating would be ten thousand pounds, capacity—an unacceptable figure. If, however, accuracy is based on actual applied load under the same conditions, the acceptable range would remain the same with the one hundred thousand pound load but becomes a figure between nine thousand and eleven thousand pounds, a much different and acceptable condition, at the ten thousand pound load.

(vii) When the device uses the radius as a factor in its use or in its operating indications, the indicated radius (which may be in feet and/or meters, or degrees of boom angle, depending on the system used) shall be a figure which is within the range of a figure no greater than one hundred ten percent of the actual radius to a figure which is no less than ninety-seven percent of the actual (true) radius. A conversion chart shall be provided whenever it is necessary to convert between degrees of radius and feet or meters.

(viii) The load indicating device requirements of this item do not apply to a crane:

(A) Of trolley equipped bridge type while handling container known to be and identified as empty, or loaded, and in either case in compliance with the provisions of WAC 296-56-60103, or while hoisting other lifts by means of a lifting beam supplied by the crane manufacturer for the purpose, and in all cases within the crane rating;

(B) While handling bulk commodities or cargoes by means of clam-shell bucket or magnet;

(C) While used to handle or hold hoses in connection with transfer of bulk liquids or other hose handled products; or

(D) While the crane is used exclusively to handle cargo or equipment the total actual gross weight of which is known by means of

marking of the unit or units hoisted, when such total actual gross weight never exceeds eleven thousand two hundred pounds, and when eleven thousand two hundred pounds, is less than the rated capacity of the crane at the maximum outreach that is possible under the conditions of use at the time.

(ix) Limit switches shall be installed on the main line and whip line assemblies which will deactivate the hoisting power when a load reaches the upper limits of travel and at such other places as required by this chapter. Line limit switches shall be tested prior to or at the beginning of each shift to determine if they are functioning properly. Any malfunction shall be reported to the person in charge immediately and shall be repaired at the first reasonable opportunity.

NEW SECTION

WAC 296-56-60087 WINCHES. (1) Moving winch parts which present caught-in hazards to employees shall be guarded.

(2) Winches shall have clearly identifiable and readily accessible stop controls.

(3) Portable winches shall be secured against accidental shifting while in use.

(4) Portable winches shall be fitted with limit switches if employees have access to areas from which it is possible to be drawn into the winch.

(5) The provisions of WAC 296-56-60083(6)(k) shall apply to winches.

NEW SECTION

WAC 296-56-60089 CONVEYORS. (1) Guards.

(a) Danger zones at or adjacent to conveyors shall be guarded to protect employees.

(b) An elevated walkway with guardrail or equivalent means of protection shall be provided where employees cross over moving conveyors, and suitable guarding shall be provided when employees pass under moving conveyors.

(2) Moving parts. Conveyor rollers and wheels shall be secured in position.

(3) Positioning. Gravity conveyor sections shall be firmly placed and secured to prevent them from falling.

(4) Braking.

(a) When necessary for safe operation, provisions shall be made for braking objects at the delivery end of the conveyor.

(b) Conveyor using electrically released brakes shall be constructed so that the brakes cannot be released until power is applied, and that the brakes are automatically engaged if the power fails or the operating control is returned to the "stop" position.

(5) Stability. Portable conveyors shall be stable within their operating ranges. When used at variable fixed levels, the unit shall be secured at the operating level.

(6) Emergency stop devices. Readily accessible stop controls shall be provided for use in an emergency, whenever employees are required to walk or work in the vicinity of the conveyor. The emergency stop must be accessible throughout the full length of the conveyors.

(7) Starting powered conveyors. Powered conveyors shall not be started until all employees are clear of the conveyor or have been warned that the conveyor is about to start.

(8) Loading and unloading. The area around conveyor loading and unloading points shall be kept clear of obstructions during conveyor operations.

(9) Lockout/tagout.

(a) Conveyors shall be stopped and their power sources locked out and tagged out during maintenance, repair, and servicing, unless power is necessary for testing.

(b) The starting device shall be locked out and tagged out in the stop position before an attempt is made to remove the cause of a jam or overload of the conveying medium, unless it is necessary to have the power on to remove the jam.

(10) Chutes, gravity conveyors and rollers.

(a) Chutes used in the manual handling of cargo shall be adequate for the use to which they are put and shall be kept free of splinters and sharp edges.

(b) Chutes shall be equipped with sideboards of sufficient height to prevent cargo from falling off.

(c) Chutes and gravity roller sections shall be firmly placed or secured to prevent displacement.

(d) Gravity rollers shall be of sufficient strength for the weight of material which is placed upon them. Rollers shall be locked in position to prevent them from falling or jumping out of the frame.

(e) Frames shall be kept free of burrs and sharp edges.

(f) When necessary, provision shall be made for braking objects at the delivery end of the roller or chute.

(11) Safe practices.

(a) Only designated persons shall operate, repair or service powered conveyors.

(b) The employer shall direct employees to stay off operating conveyors.

(c) Conveyors shall be operated only with all overload devices, guards and safety devices in place and operable.

NEW SECTION

WAC 296-56-60091 SPOUTS, CHUTES, HOPPERS, BINS, AND ASSOCIATED EQUIPMENT. (1) Standing and running rigging and associated gear used as a permanent part of spouts, chutes or similar devices shall be inspected before each use and shall not be used if it has any functional defects. (See also WAC 296-56-60093(3)(b) for certification requirements.)

(2) Direct communication shall be provided between the discharge or shipboard control end of loading spouts and chutes and the point in the terminal from which the flow of cargo is controlled.

(3) Chute and hopper openings which present a hazard shall be guarded to prevent employees from falling through them.

(4) When employees are working on hoppers, the hopper shall be equipped with a safe walkway and means of access.

(5) When necessary for the safety of employees, chutes shall be equipped with sideboards to afford protection from falling objects.

(6) Chutes shall be firmly placed and secured to prevent them from falling.

(7) When necessary for the safety of employees, provisions shall be made for braking objects other than bulk commodities at the delivery end of the chute.

(8) Before an employee enters an empty bin:

(a) Personnel controlling the flow of cargo into the bin shall have been notified of the entry; and

(b) The power supply to the equipment carrying the cargo to the bin shall be turned off, locked out and tagged.

(9) Before an employee enters a bin containing a bulk commodity such as coal or sugar, the employer shall ensure that:

(a) Personnel controlling the flow of cargo into the bin have been notified of the entry;

(b) The power supply to the equipment carrying the cargo to the bin is turned off, locked out and tagged;

(c) The employee entering the bin wears a life-line and safety harness; and

(d) A standby attendant equipped to perform a rescue is continuously stationed outside the bin until the employee has left the bin.

(10) Bin top openings that present a hazard to employees shall be covered to prevent employees from falling into bins.

(11) Chutes and hoppers shall be repaired only by designated persons.

(12)(a) Before power shoveling operations begin, a designated person shall inspect the equipment to be used. The inspection shall include at least the eye bolts, wires, and sheaves.

(b) Power shovels and associated equipment with defects affecting safe operation shall not be used.

(c) Before adjustments are made to a power shovel, wire, or associated equipment, the power supply to the shovel shall be turned off, locked out, and tagged, the belt stopped, and the hopper closed.

NEW SECTION

WAC 296-56-60093 CERTIFICATION OF MARINE TERMINAL MATERIAL HANDLING DEVICES. (1) The employer shall not use any material handling device listed in subsection (3) of this section until he has ascertained that the device has been certificated, as evidenced by current and valid documents attesting to compliance with the requirements of WAC 296-56-60098(21).

(2) Certification surveys are to be completed for the conditions of use found at the time such surveys are completed, with the understanding that equipment owners/users can change the configurations of the equipment according to the manufacturer's specifications without affecting the established certification status for the equipment.

(3) WAC 296-56-60085 through 296-56-60091 shall apply to any fixed or movable shoreside crane, cargo spout, or suckers, derricks or similar types of equipment used to handle cargo or materials between a dock and vessel or vessel to vessel. All such equipment shall be tested and/or inspected, and certificated in accordance with the requirements specified in the following rules.

(4) Inspection and test certificates shall be issued only for that equipment which meets or exceeds the requirements as specified in these rules. All inspection and test certificates shall be issued through the office of the assistant director of the division of industrial safety and health, department of labor and industries, and shall be valid for a period not to exceed one year from the date of issuance.

(5) Equipment requiring certification shall be inspected by representatives of the division of industrial safety and health; or individuals who have received a "certificate of competency" from the supervisor of industrial safety and health indicating that they are qualified and capable of performing such work.

(6) When deficiencies are found they shall be noted on forms provided for such purpose by the division of industrial safety and health. Copies shall be delivered to the owner of the equipment and the division of industrial safety and health at the Olympia office by the person conducting such tests and/or inspections.

(7) A certificate of unit test and/or examination of equipment shall not be issued for any equipment found not to be in compliance with the provisions of this chapter.

(8) Persons desiring a "certificate of competency" shall demonstrate and document their capabilities and qualifications to the assistant director of the division of industrial safety and health, who will issue such certificates to those persons whom he considers qualified. The assistant director reserves the right to revoke such certificates at any time for cause. A "certificate of competency" shall be issued for a period of not more than three years. Applications for renewal may be made not more than sixty days prior to the expiration date shown on the certificate.

(9) The assistant director of industrial safety and health or his representative, reserves the right to inspect such equipment or to witness or attend any test or inspection in order to ascertain the adequacy of any certification activity performed.

(10) Unless otherwise exempted, all cranes or derricks required to be certificated by these regulations shall have a current test certificate posted in the operator's cab or station. No person shall be required to operate such crane or derrick unless a current valid certificate is posted.

NEW SECTION

WAC 296-56-60095 ADVISORY CRANE CERTIFICATION PANEL. (1) Any person desiring a certificate of competency for crane inspection or certification shall make application to the assistant director for industrial safety and health for the certificate of competency. The application shall include documentation of all qualifications. Including all past experience, education, training and any other factors deemed to be relevant to the application.

(2) The advisory crane certification panel shall assist the assistant director for industrial safety and health in his duties under this chapter. The panel shall consist of six members. Two members shall represent labor, two members shall represent management, and a crane expert. The sixth member shall be chairman of the panel, the assistant director of industrial safety and health or his designee. The panel shall be responsible for advising the assistant director as to the issuance of any certificate of competency. The panel shall review all applications for certificates of competency. Minutes of meetings shall be kept.

(3) In addition, the panel shall, upon request by the assistant director, render advice concerning any matter which is relevant to crane safety. The panel shall meet twice yearly or more often as deemed necessary by the chairman of the panel. Any panel member who is not an employee of the state of Washington shall serve voluntarily.

NEW SECTION

WAC 296-56-60097 UNIT PROOF LOAD TEST AND INSPECTION. Cranes and derricks shall be proof load tested, rated and certificated in tons (2,000 lbs. = 1 ton). Cranes and derricks shall be inspected and unit proof load tested prior to being put into use, after any significant modification or repairs of structural parts, or when deemed necessary by the supervisor of industrial safety and health; however, each crane or derrick shall be unit proof load tested at least once during each twelve-month period. Unit proof load tests shall be

carried out by the use of weights as a dead load. When use of weights for unit proof load tests is not possible or reasonable a dynamometer or other recording test equipment may be used. Such equipment shall be tested for accuracy with certified calibrating equipment within twelve months prior to being used and a copy of the certified calibration test shall have been made available to authorized representatives of the division of industrial safety and health upon request.

The weight of the objects used for a dead load weight test shall be certified and a record of the weight shall be made available upon request. Any replacements or repairs deemed necessary by the person conducting a test shall be carried out before application of the required proof load unit test.

(1) The proof load tests for derricks shall be conducted as follows:

Safe Working Load	Proof Load
to 20 tons	25% in excess
20-50 tons	5 tons in excess
over 50 tons	10% in excess of manufacturer's recommended lifting capacity.

Proof load shall be applied at the designed maximum and minimum boom angles or radii, or if this is impracticable, as close to these as practicable. The angles or radii of test shall be stated in the certificate of test. Proof loads shall be swung as far as possible in all directions. The weight of auxiliary handling devices such as spreader bars, robots, clams, magnets, or other gear shall be considered a part of the load. Brakes shall be tested by holding the proof load suspended without other mechanical assistance. After satisfactory completion of a unit proof load test the derrick and all component parts thereof shall be carefully examined and, if necessary, nondestructive tests may be conducted to assure that the equipment is safe for use and has not been damaged in the unit proof load testing process.

(2) Unit proof load tests for cranes shall be carried out where applicable with the boom in the least stable direction relative to the mounting, based on the manufacturer's specifications.

Unit proof load tests for cranes shall be based on the manufacturer's load ratings for the conditions of use and shall, except in the case of bridge type cranes utilizing a trolley, consist of application of a proof load of ten percent in excess of the load ratings at maximum and minimum radius, and at such intermediate radii as the certifying authority may deem necessary in the circumstances. (The manufacturer's load ratings are usually based upon percentage of tipping loads under some conditions and upon limitations of structural competence at others, as well as on other criteria such as type of crane mounting, whether or not outriggers are used, etc. Some cranes utilizing a trolley may have only one load rating assigned and applicable at any outreach. It is important that the manufacturer's ratings be used.) Trolley equipped cranes shall be subject to a proof load of twenty-five percent in excess of the manufacturer's load rating. In cases of foreign manufacture, the manufacturer's specifications shall be subject to approval by the certifying authority. The weight of all auxiliary handling devices such as, but not limited to, magnets, hooks, slings, and clamshell buckets shall be considered part of the load.

(3) In the event neither manufacturer's data nor design data on safe working loads (including any applicable limitations) are obtainable, the safe working load ratings assigned shall be based on the owner's information and warranty that those so assigned are correct. Unit test certificates shall state the basis for any such safe working load assignment.

(4) If the operation in which equipment is engaged never utilizes more than a fraction of the safe working load rating, the owner of such equipment may, at his option, have the crane or derrick certificated for and operated at a lesser maximum safe working load in keeping with the use and based on radius and other pertinent factors: **PROVIDED, HOWEVER,** That the equipment concerned is physically capable of operation at the original load rating and the load reduction is not for the purpose of avoiding correction of any deficiency.

(5) Safe working load ratings shall not be increased beyond the manufacturer's ratings or original design limitations without prior approval by the accredited certification agency. Such prior approval shall be based on the manufacturers' approval of such increase or documented engineering design analysis or both. All necessary structural changes shall be completed prior to approval by the accredited certification agency.

NEW SECTION

WAC 296-56-60098 EXAMINATION AND INSPECTION OF CRANES AND DERRICKS. An examination shall be carried out in conjunction with each annual unit proof load test. The accredited person, or his authorized representative, shall make a determination as to correction of deficiencies found. The examination shall cover the following points as applicable: (Refer to WAC 296-56-60093 for definition of accredited person.)

(1) All functional operating mechanisms shall be examined for improper function, maladjustment, and excessive component wear, with particular attention to sheaves, pins, and drums. The examinations shall include operation with partial load, in which all functions and movements, including, where applicable, maximum possible rotation in both directions, are performed.

(2) All safety devices shall be examined for malfunction.

(3) Lines, tanks, valves, drains, pumps, and other parts of air or hydraulic systems shall be examined for deterioration or leakage.

(4) Rope reeving shall comply with the manufacturer's recommendations.

(5) Deformed, cracked, or excessively corroded members in crane structure and boom shall be repaired or replaced as necessary.

(6) Loose bolts, rivets, or other connections shall be corrected.

(7) Worn, cracked, or distorted parts affecting safe operation shall be corrected.

(8) All brakes, used to control the load, boom or travel of the crane, shall be tested. Air, hydraulic, or electrically operated brakes shall be of such design as to set and stop the load if the source of power fails.

(9) Brake and clutch system parts, linings, pawls, and ratchets shall be examined for excessive wear and free operation.

(10) Load, boom angle, or other indicators shall be checked over their full range. Defects in such indicators shall be immediately corrected.

(11) Where used, clamshell buckets or other similar equipment, such as magnets, etc., shall be carefully examined in all respects, with particular attention to closing line wires and sheaves. The accredited person may supplement such examination by requesting any operational tests as may be appropriate.

(12) Careful examination of the junction areas of removable boom sections, particularly for proper seating, cracks, deformities, or other defects in securing bolts and in the vicinity of such bolts, shall be made.

(13) All platforms, steps and footwalks located on cranes where workers are exposed to the hazard of slipping shall be of a nonslip material. Wire rope used for railings on cranes shall be kept taut at all times.

NOTE: In critical areas such as footwalks along booms, a grating material should be used.

(14) It shall be ascertained that no counterweights in excess weight of the manufacturer's specifications shall be fitted or used.

(15) Such other examination or supplemental functional tests shall be made as may be deemed necessary by the accredited person under the circumstances.

(16) Wire rope.

(a) All wire rope shall be inspected once a month, dependent upon conditions to which the wire ropes are subjected, and at intervals not exceeding a twelve-month period. Records of inspection of wire rope shall be kept and shall be available to the department of labor and industries representative. Records shall be kept for one year. Refer to the general safety and health standards, WAC 296-24-240.

(b) Wire rope shall not be used if in any length of eight diameters, the total number of visible broken wires exceeds ten percent of the total number of wires, or if the rope shows other signs of excessive wear, corrosion, or defect. Particular attention shall be given to the condition of those sections of wire rope adjacent to any terminal connections, those sections exposed to abnormal wear, and those sections not normally exposed for examination.

(c) Documentation, available for inspection, shall include wire rope test certificates relating to any replacements made since the last unit test or annual examination as required.

(d) Wire rope and replacement wire rope shall be of the same size, same or better grade, and same construction as originally furnished by the equipment manufacturer or contemplated in the design, unless otherwise recommended by the equipment or wire rope manufacturer due to actual working condition requirements. In the absence of specific requirements as noted, wire rope shall be of a size and construction suitable for the purpose, and shall have the capacity to handle

four times the heaviest expected load and verified by wire rope test certificate.

(e) Wire rope in use on equipment previously constructed and prior to initial certification of said equipment shall not be required to be tested but shall be subject to thorough examination at the time of initial certification of the equipment.

(17)(a) Accessory components, such as hooks. Container spreader bar twist locks shall be carefully examined periodically and at the time of annual examination and inspection. Cracked or deformed hooks shall be discarded immediately and not reused on any equipment subject to the provisions of this chapter.

(b) Crane hooks and container spreader bar twist lock. Magnetic particle or other suitable crack detecting inspection should be performed at least once each year. When testing by x-ray, the pertinent provisions of the Nuclear Regulatory Commission's standards for protection against radiation, relating to protection against occupational radiation exposure, shall apply.

(18) In the event that heat treatment of any loose gear is recommended by the manufacturer, the latest heat treatment certificate, attesting to compliance with the manufacturer's specifications shall be part of the available documentation. Heat treatment shall be carried out in accordance with the specifications of the manufacturer by persons competent to perform such work.

(19) Replacement parts shall be of equal or better quality than the original equipment and suitable for the purpose. Repairs or modifications shall be such as to render the equipment equal to or better than the original construction or design.

(20) In cases of foreign manufactured cranes, there shall be an owner's warranty that the design is adequate for the intended use. The warranty shall be based on a thorough examination of the design specifications by a registered professional engineer familiar with the equipment.

(21) The certifications required by this section shall be performed:

(a) In accordance with WAC 296-56-60093 by persons then currently accredited by the occupational safety and health administration as provided in that section; or

(b) In accordance with standards established and enforced by the state in which the device is located or by a political subdivision thereof, which have been found by the secretary to be compatible with WAC 296-56-60093 by persons designated as competent to perform such certification by competent state authority and recognized as such by the secretary.

(22) The marine terminal material handling devices listed below shall be certificated in the following manner:

(a) Each crane and derrick shall be tested and examined as a unit annually. A copy of the certificate of tests and examinations shall be posted in the crane operators cab.

(b) Bulk cargo spouts and suckers, together with any portable extensions and rigging or outriggers supporting them vertically, shall be examined annually. Certificates attesting to the required examination shall be made readily available for inspection.

(c) Vertical pocket or bucket conveyors such as banana, sugar, and grain marine legs (other than those with a grain elevator structure) used within a marine terminal facility shall be examined annually. The annual examination shall include all supporting structures, rigging and mechanical components and observation of all steps of operations. Certificates attesting to the required examinations shall be readily available for inspection.

(d)(i) House fall cargo-handling gear in use shall be proof load tested as a unit upon initial certification and every fourth year thereafter. An examination shall be carried out in conjunction with each unit proof load test and annually thereafter. The unit test shall consist of a proof load of twenty-five percent in excess of the rated safe working load. Examinations shall include all supporting structures and components. Certificates attesting to the required tests and examinations shall be readily available for inspection.

(ii) House fall span beams or other house fall block supports shall be marked with the safe working load, which shall not be exceeded.

(e) Special gear.

(i) Special stevedoring gear provided by the employer, the strength of which depends upon components other than commonly used stock items such as shackles, ropes or chains, shall be tested as a unit in accordance with the following table before initially being put into use.

Safe working load	Proof load
Up to 20 short tons.....	25 percent in excess
Over 20 to 50 short tons.....	5 short tons in excess
Over 50 short tons.....	10 percent in excess

(ii) Every spreader not a part of ship's gear and used for hoisting intermodal containers shall be tested to a proof load equal to twenty-five percent in excess of its rated capacity. Additionally, any spreader which suffers damage necessitating structural repair shall be retested after repair and before being returned to service.

(iii) Certificates attesting to the required tests shall be available for inspection.

(f) Wire rope and loose gear obtained after October 3, 1983, and used for material handling shall have been tested and certificated before being placed into use in accordance with the provisions of WAC 296-56-60097 as applicable. Certificates attesting to the required tests, inspections and examinations shall be available.

(23) Disassembly and reassembly of equipment does not require recertification of the equipment provided that the equipment is reassembled and used in a manner consistent with its certification.

(24) For equipment certificated in accordance with subsection (21)(b) of this section and transferred to a job site in another state, the current certification shall remain valid until the next inspection or examination becomes due.

(25) Certification procedures shall not be construed as a substitute for, or cause for elimination of, normal operational inspection and maintenance routine throughout the year.

(26)(a) Every unit of equipment requiring annual certification shall have had such annual certification within the previous twelve months. Equipment requiring annual certification shall have had such annual certification within the previous twelve months, except that no annual certification is required within twelve months after any required certification. Annual examinations for certification may be accomplished up to one month early without effect on subsequent due dates.

(b) When certificated equipment is out of service for six months or more beyond the due date of a certification inspection, an examination equivalent to an initial certification, including unit proof load test, shall be performed before the equipment reenters service.

(27) Loose gear obtained after October 3, 1983, shall bear a legible mark indicating that it has been tested (see WAC 296-56-60097(22)(f)). Single sheave blocks shall be marked with safe working loads and proof test loads. Marks relating to testing shall be identifiable on the related certificates, which shall be available.

(28) The certification requirements of this section do not apply to the following equipment:

- (a) Industrial trucks and small industrial crane trucks; and
- (b) Any straddle truck not capable of straddling two or more intermodal containers sixteen feet (4.88 m) in width.

NEW SECTION

WAC 296-56-60099 HAND TOOLS. (1) Hand tools used by employees shall be maintained in safe operating condition.

(2)(a) Hand-held portable electric tools shall be equipped with switches that must be manually held in a closed position to operate the tool.

(b) Portable power-driven circular saws shall be equipped with guards above and below the base plate or shoe. The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc needed to permit the base to be tilted for bevel cuts. The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc needed to allow proper retraction and contact with the work. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return the covering position.

(3) Only cutting tools shall be used to cut metal strapping or banding used to secure cargo.

SPECIALIZED TERMINALS

NEW SECTION

WAC 296-56-60101 GENERAL. The provisions of this section shall apply to specialized terminals in addition to any other applicable requirements of this part.

NEW SECTION

WAC 296-56-60103 TERMINALS HANDLING INTERMODAL CONTAINERS OR ROLL-ON ROLL-OFF OPERATIONS. (1) Every intermodal container shall be legibly and permanently marked with:

- (a) The weight of the container when empty, in pounds;
 - (b) The maximum cargo weight the container is designed to carry, in pounds; and
 - (c) The sum of the weight of the container and the cargo, in pounds.
- (2) No container shall be hoisted by any crane or derrick unless the following conditions have been met:

(a) The employer shall ascertain from the carrier whether a container to be hoisted is loaded or empty. Empty containers shall be identified before loading or discharge in such a manner as will inform every supervisor and foreman on the site and in charge of loading or discharging, or every crane or other hoisting equipment operator and signalman, if any, that such container is empty. Methods of identification may include cargo plans, manifests or markings on the container.

(b) In the case of a loaded container:

(i) The actual gross weight shall be plainly marked so as to be visible to the crane or other hoisting equipment operator or signalman, or to every supervisor and foreman on the site and in charge of the operation; or

(ii) The cargo stowage plan or equivalent permanently recorded display serving the same purpose, containing the actual gross weight and the serial number or other positive identification of that specific container, shall be provided to the crane or other hoisting equipment operator and signalman, if any, and to every supervisor and foreman on the site and in charge of the operation.

(c) Every outbound loaded container which is received at a marine terminal ready to load aboard a vessel without further consolidation or loading shall be weighed to obtain the actual gross weight, either at the terminal or elsewhere, before being hoisted.

(d)(i) When container weighing scales are located at a marine terminal, any outbound container with a load consolidated at that terminal shall be weighed to obtain an actual weight before being hoisted.

(ii) If the terminal has no scales, the actual gross weight may be calculated on the basis of the container's contents and the container's empty weight. The weights used in the calculation shall be posted conspicuously on the container, with the name of the person making the calculation and the date.

(e) Open type vehicle carrying containers and those built specifically and used solely for the carriage of compressed gases are excepted from subsection (2) (c) and (d) of this section.

(f) The weight of loaded inbound containers from foreign ports shall be determined by weighing or by the method of calculation described in (d)(ii) of this subsection or by shipping documents.

(g) Any scale used within the United States to weigh containers for the purpose of the requirements of this section shall meet the accuracy standards of the state or local public authority in which the scale is located.

(3) No container or containers shall be hoisted if its actual gross weight exceeds the weight marked as required in subsection (1)(c) of this section, or if it exceeds the capacity of the crane or other hoisting device intended to be used.

(4)(a) Marked or designated areas shall be set aside within a container or roll-on roll-off terminal for passage of employees to and from active cargo transfer points, except where transportation to and from those points is provided by the employer.

(b) The employer shall direct employees to stay clear of the area beneath a suspended container.

(5) Employees working in the immediate area of container handling equipment or in the terminal's traffic lanes shall wear high visibility vests, decals, reflectors or equivalent protection.

(6) Containers shall be handled using lifting fittings or other arrangements suitable and intended for the purpose as set forth in (a) through (iii) of this subsection, except when damage to an intermodal container makes special means of handling necessary.

(a) Loaded intermodal containers of twenty feet (6.1 m) or more in length shall be hoisted as follows:

(i) When hoisting by the top fittings, the lifting forces shall be applied vertically from at least four such fittings or by means which will safely do so without damage to the container, and using the lifting fittings provided.

(ii) If hoisted from bottom fittings, the hoisting connections shall bear on the fittings only, making no other contact with the container. The angles of the four bridle legs shall not be less than thirty degrees

to the horizontal in the case of forty foot (12.2 m) containers, thirty-seven degrees in the case of thirty foot (9.1 m) containers, and forty-five degrees in the case of twenty foot (6.1 m) containers.

(iii) Lifting containers by fork lift trucks or by grappling arms from above or from one side may be done only if the container is designed for this type of handling.

(iv) Other means of hoisting may be used only if the containers and hoisting means are designed for such use.

(b)(i) When using intermodal container spreaders that employ lanyards for activation of load-disengagement, all possible precautions shall be taken to prevent accidental release of the load.

(ii) Intermodal container spreader twistlock systems shall be designed and used so that a suspended load cannot accidentally be released.

(c) Flat bed trucks or container chassis used to move intermodal containers shall be equipped with pins, flanges, or other means to prevent the container from shifting.

(7)(a) Intermodal containers shall be inspected for defects in structural members or fittings before handling.

(b) Any intermodal container found to be unsafe shall be identified as such, promptly removed from service and repaired before being returned to service.

(8) Containers shall not be hoisted unless all engaged chassis twist locks are released.

(9) Such list of contents may refer to cartons, cases, or other means of packaging but need not specifically identify the commodity or commodities involved except as otherwise required by law. Container weights so arrived at shall be subject to random sample weight checks at the nearest weighing facility. In cases where such weight checks or experience otherwise indicate consistently inaccurate weights arrived at by this means, the weight of containers so calculated at the source from which the inaccurate weights originated may no longer be recognized as true gross weights, in which case such containers may not be loaded aboard a vessel unless actual gross weights have been obtained by weighing. This procedure shall be continued until the Washington state department of labor and industries, division of industrial safety and health is satisfied by reasonable experience thereunder that correct weights will be furnished.

(10) All loaded inbound containers from foreign ports shall be subject to random sample weight checks at a time satisfactory to the Washington state department of labor and industries, division of industrial safety and health, which may be at any time up to unloading the contents of the container at the terminal or until the container is delivered unopened to the land carrier. When such checks indicate a pattern of significant and continuing inaccuracy or when the provisions of this section are not met, such suitable means as are acceptable to the division of industrial safety and health to protect the safety of the workers involved shall be taken during discharge to assure safety and such means shall be continued until the division of industrial safety and health is satisfied by experience thereunder that correct weights will be furnished.

NEW SECTION

WAC 296-56-60105 GRAIN ELEVATOR TERMINALS. Reserved.

NEW SECTION

WAC 296-56-60107 TERMINAL FACILITIES HANDLING MENHADEN AND SIMILAR SPECIES OF FISH. (1)(a) Tanks in terminal areas used for receiving or storing brailwater for recirculating into vessel holds in discharging operations shall be opened or ventilated to minimize contamination of water circulated to the vessel. Brailwater tanks shall be thoroughly drained upon completion of each day's operations and shall be left open to the air. Drainage is unnecessary when brailwater has been treated to remove hydrogen sulfide-producing contaminants and the efficiency of such treatment has been established by the employer.

(b) Before employees enter a dock tank, it shall first be drained, rinsed and tested for hydrogen sulfide and oxygen deficiency. Employees shall not enter the tank when the hydrogen sulfide level exceeds twenty ppm or oxygen content is less than nineteen and one-half percent, except in emergencies.

(c) Tests shall be conducted by designated personnel with suitable test equipment and respiratory protective equipment complying with the provisions of this chapter.

(2) Pipelines and hoses on the dock or terminal used for receiving and circulating used brailwater shall be completely drained upon completion of each day's operation and left open to the air.

(3) At least four units of respiratory protective equipment consisting of supplied-air respirators or self-contained breathing apparatus complying with the requirements of chapter 296-62 WAC shall be available in a suitably labeled cabinet for immediate use in case of an emergency caused by oxygen deficiency or hydrogen sulfide. Any employee entering a tank in an emergency shall, in addition to respiratory protective equipment, wear a lifeline and safety harness to facilitate rescue. At least two other employees, similarly equipped, shall be continuously stationed outside the tank to observe and to provide rescue services.

(4) The plant superintendent and foremen shall be trained and knowledgeable about the hazards of hydrogen sulfide and oxygen deficiency. They shall be trained in the use of appropriate respiratory and other protective equipment, and in rescue procedures. Other supervisory plant personnel shall be informed of these hazards and instructed in the necessary safety measures, including use of respiratory and rescue equipment.

(5) Supervisory personnel shall be on hand at dockside to supervise discharging of brailwater from vessels.

PERSONAL PROTECTION

NEW SECTION

WAC 296-56-60109 EYE PROTECTION. (1)(a) When employees perform work hazardous to the eyes, the employer shall provide eye protection equipment marked or labeled as meeting the manufacturing specifications of American National Standards Practice for Occupational and Educational Eye and Face Protection, current ANSI Z87.1, and shall direct that it be used.

(b) For employees wearing corrective spectacles, eye protection equipment required by (a) of this subsection must be of a type which can be worn over spectacles. Prescription ground safety lenses may be substituted if they provide equivalent protection.

(c) For additional requirements covering eye protection against radiant energy, see WAC 296-56-60235(8).

(2) Eye protection equipment shall be maintained in good condition.

(3) Used eye protection equipment shall be cleaned and disinfected before reissuance to another employee.

NEW SECTION

WAC 296-56-60110 RESPIRATORY PROTECTION. The respiratory protection requirements of the general occupational health standards, chapter 296-62 WAC, shall apply.

NEW SECTION

WAC 296-56-60111 HEAD PROTECTION. (1) The employer shall direct that employees exposed to impact, falling or flying objects, or electric shocks or burns wear protective hats.

(2) Protective hats shall bear identifying marks or labels indicating compliance with the manufacturing provisions of American National Standard Safety Requirements for Industrial Head Protection, current ANSI Z89.1.

(3) Protective hats previously worn shall be cleaned and disinfected before issuance by the employer to another employee.

NEW SECTION

WAC 296-56-60113 FOOT PROTECTION. (1) The employer shall direct that employees exposed to impact, falling objects, or puncture hazards wear safety shoes, or equivalent protection.

(2) Protective shoes shall bear identifying marks or labels indicating compliance with the manufacturing provisions of American National Standard for Men's Safety Toe Footwear, current ANSI Z41.1.

(3) The employer shall arrange through means, such as vendors or local stores, or otherwise, to make safety shoes readily available to all employees.

NEW SECTION

WAC 296-56-60115 OTHER PROTECTIVE MEASURES. (1) Protective clothing.

(a) Employees performing work that requires special protective clothing shall be directed by the employer to wear the necessary special protective clothing.

(b) When necessary, protective clothing previously worn shall be cleaned and disinfected before reissuance.

(2) Personal floatation devices.

(a) The employer shall provide, and shall direct the wearing of personal floatation devices for those employees, such as line handlers, who are engaged in work in which they may be pulled into the water:

(i) When such employees are working in isolation: or

(ii) Where physical limitations of available working space creates a hazard of falling into the water; or

(iii) Where the work area is obstructed by cargo or other obstacles so as to prevent employees from obtaining safe footing for their work.

(b) Employees working on, over or along water, where the danger of drowning exists, shall be provided with and shall wear approved personal floatation devices.

(i) Employees are not considered exposed to the danger of drowning when:

(A) The water depth is known to be less than chest deep on the exposed individual;

(B) Working behind standard height and strength guardrails;

(C) Working inside operating cabs or stations which eliminate the possibility of accidentally falling into the water;

(D) Wearing approved safety belts with lifeline attached so as to preclude the possibility of falling into the water.

(ii) Prior to and after each use, personal floatation devices shall be inspected for defects which would reduce their designed effectiveness. Defective personal floatation devices shall not be used.

(iii) To meet the approved criteria required by (b) of this subsection, a personal floatation 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 Life-saving Equipment Specifications) and 33 CFR 175.23 (Coast guard table of devices equivalent to personal floatation devices). Ski belt or inflatable type personal floatation devices are specifically prohibited.

(c) Life ring.

(i) Along docks, walkways or other fixed installations on or adjacent to open water more than five feet deep, approved life rings with 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.

(ii) When employees are assigned work at other casual locations where exposure to drowning exists, at least one approved life ring with line attached shall be provided in the immediate vicinity of the work assigned.

(iii) Work assigned over water where the vertical drop from an accidental fall would exceed fifty feet, shall be subject to specific procedures as approved by the department.

(iv) Lines attached to life rings shall be at least ninety feet in length, at least one-quarter inch in diameter and have a minimum breaking strength of five hundred pounds.

(v) Life rings must be United States coast guard approved thirty inch size.

(vi) Life rings and attached lines must be maintained to retain at least seventy-five percent of their designed buoyance and strength.

Emergency facilities. When employees are exposed to hazardous substances which may require emergency bathing, eye washing or other facilities, the employer shall provide such facilities and maintain them in good working order.

NEW SECTION

WAC 296-56-60117 MAINTENANCE AND LOAD LIMITS. (1) The structural integrity of docks, piers, wharves, terminals and working surfaces shall be maintained.

(2)(a) Maximum safe load limits, in pounds per square foot (kilograms per square meter), of floors elevated above ground level, and pier structures over the water shall be conspicuously posted in all cargo areas.

(b) Pier structures used primarily for vehicle traffic shall be posted in maximum pounds per axle weight.

(3) Maximum safe load limits shall not be exceeded.

(4) All walking and working surfaces in the terminal area shall be maintained in good repair.

(5) All steel plates, boards, etc., used to temporarily cover small holes or weakened surfaces shall be secured in such a manner as to prevent accidental movement.

(6) All large openings or weakened surfaces shall be barricaded on all exposed sides with barricades equipped with blinkers, flashing lights, or reflectors.

(7) Areas around bits or cleats where workers perform their duties shall be lighted as required in this section and have a nonslip surface around each bitt or cleat.

NEW SECTION

WAC 296-56-60119 PROTECTION FROM FALLING. Employees doing maintenance work on cranes, spouts or similar types of equipment, eight feet from the ground or surface and not in an area that is protected by any standard safeguards such as walkways with standard railings, or ladders with protective cages, shall wear a safety belt and lanyard which can be attached to the structure for their protection from falling.

NEW SECTION

WAC 296-56-60121 MINIMUM SAFETY REQUIREMENTS FOR DOCKS AND DOCK FACILITIES. Nothing contained in this section shall be construed to mean that the direct employer or employees are responsible for the repair, construction of or otherwise bringing into compliance, facilities over which they have no control.

(1) Working prohibited on unsafe docks or dock facilities. Employers shall not require employees to perform work on docks or dock facilities which said direct employer knows or should have known do not meet the minimum safety requirements outlined in this section, except for maintenance workers.

(2) Known unsafe conditions by employees. Employees shall not work on docks or dock facilities which they know or should have known do not meet the minimum safety requirements outlined in this section.

(3) Bulletin boards. At each dock, pier, warehouse or designated area at the job site, there shall be installed a safety bulletin board.

(4) Posting of notices. It shall be the responsibility of the employer to post at prominent places in or adjacent to the work area, legible notices stating:

(a) The location of stretchers, blankets and first-aid equipment and telephones. (Where possible, directional arrows should point to locations.)

(b) The phone numbers of doctors, ambulance services and hospitals within the area and the phone numbers of the police department or other law enforcement agencies. (Where possible, the emergency phone numbers shall be posted adjacent to telephones which would be used for emergency calls and on or inside the cover of first-aid cabinets.)

(5) Ventilation. All areas where employees are required to work shall be ventilated as required by the "General occupational health standards," chapter 296-62 WAC.

(6) Power outlets. Power outlets installed to supply power to vessels shall be located in such a manner that the workers will not be in contact with supply lines. Unprotected power lines shall not be driven over by equipment. If located on the underside or waterside of the bull rail, a well lighted walkway with hand rails shall be provided to the power outlets.

NEW SECTION

WAC 296-56-60123 GUARDING OF EDGES. (1) Vehicle protection.

(a) Vehicle curbs, bull rails, or other effective barriers at least six inches (13.74 cm) in height, shall be provided at the waterside edges of aprons and bulkheads, except where vehicles are prohibited. Curbs or bull rails installed after (effective date of standard) shall be at least ten inches (22.9 cm) in height.

(b) The provisions of (a) of this subsection also apply at the edge of any fixed level above the common floor area from which vehicles may fall, except at loading docks, platforms and skids where cargo is moved by vehicles.

(2) Employee protection.

(a) Guardrails shall be provided at locations where employees are exposed to floor or wall openings or waterside edges, including bridges or gangway-like structures leading to pilings or vessel mooring or berthing installations, which present a hazard of falling more than four feet (1.22 m) or into the water, except as specified in (b) of this subsection.

(b) Guardrails are not required:

(i) At loading platforms and docks;

(ii) At waterside edges used for cargo handling;

(iii) On the working sides of work platforms, skids, or similar work-places; or

(iv) On railroad rolling stock, highway vehicles, intermodal containers, or similar equipment.

(c) Where guardrails are impracticable due to machinery requirements or work processes, an alternate means of protecting employees from falling, such as nets, shall be used.

(3) Criteria for guardrails. Guardrails shall meet the following criteria:

(a) They shall be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction at mid-span of the top rail (when used), or at the uppermost point if there is no top rail.

(b) If not of solid baluster, grillwork, slatted, or similar construction, guardrails shall consist of top rails and midrails. Midrails, when used, shall be positioned at approximately half the height of the top rail.

(c) The top surface of guardrails installed before October 3, 1983, shall be at least thirty-six inches (.091 m) high. Those installed after October 3, 1983, shall be forty-two inches (1.07 m), plus or minus two inches (5.1 cm), high.

(d) Any nonrigid railing such as chain or wire rope shall have a maximum sag limit at the mid-point between posts of not more than six inches (15.2 cm).

(e) Top rails shall be free of puncture and laceration hazards.

(f) Rail ends shall not overhang to constitute a hazard, but this does not prohibit scrollwork, boxed ends or similar nonhazardous projections.

(4) Toeboards. Toeboards shall be provided when employees below could be exposed to falling objects such as tools. Toeboards shall be at least three and one-half inches (8.9 cm) in height from top edge to floor level, and be capable of withstanding a force of fifty pounds (220 N) applied in any direction. Drainage clearance under toeboards is permitted.

(5) Stair railings. Stair railings shall be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction, and shall not be more than thirty-six inches (0.9 m) nor less than thirty-two inches (0.8 m) in height from the upper top rail surface to the tread surface in line with the leading edge of the tread. Railings and midrails shall be provided at any stairway having four or more risers, as follows:

(a) For stairways less than forty-four inches (1.12 m) wide, at least one railing; and

(b) For stairways more than forty-four inches (1.12 m) but less than eighty-eight inches (2.24 m) wide, a stair rail or handrail on each side, and if eighty-eight or more inches wide, an additional intermediate handrail.

(6) Condition. Railings shall be maintained free of sharp edges and in good repair.

NEW SECTION

WAC 296-56-60125 CLEARANCE HEIGHTS. Clearance heights shall be prominently posted where the height is insufficient for vehicles and equipment.

NEW SECTION

WAC 296-56-60127 CARGO DOORS. (1) Mechanically operated.

(a) Cargo door counterweights shall be guarded.

(b) Lift trucks and cranes shall not be used to move mechanically operated doors except when necessary during repair on the doors, in which case ropes or other guarding shall be provided to prevent entry into the area where the door may fall or slide.

(c) Vertically operated doors partially opened for work or ventilation shall be secured to prevent accidental closing.

(2) Tackle operated.

(a) The door shall be connected to its lifting tackle with shackles or equally secure means.

(b) Lifting bridles and tackles shall have a safety factor of five, based upon maximum anticipated static loading conditions.

(c) Devices shall be provided to hold overhead doors in the open position and to secure them when closed.

(d) Lifting gear and hardware shall be maintained in safe condition.

(e) Lifting ropes, when used, shall be placed out of the work area and off the floor.

(3) Horizontal sliding.

- (a) Horizontal sliding door rollers shall be constructed to prevent the door from jumping from overhead tracks.
- (b) Sliding doors shall be secured to prevent them from swinging.

NEW SECTION

WAC 296-56-60129 PLATFORMS AND SKIDS. (1) Platforms and skids extending from piers, transit sheds, or lofts and used for landing or hooking on drafts shall be provided at the open sides with guardrails meeting the requirements of WAC 296-56-60123(3) or alternate means, such as nets, to protect employees against falls.

(2) Any employee working below a second-story platform or skid shall be protected from falling objects by a net stretched from the platform or skid to the vessel.

(3) Platforms and skids shall be strong enough to bear the loads handled and shall be maintained in safe condition. Safe working loads, which shall be posted or marked on or adjacent to platforms and skids, shall have a minimum safety factor of five for any part, based upon maximum anticipated static loading conditions and the ultimate strength of the construction material.

(4) The employer shall provide and maintain platform and skid attachments that will prevent accidental movement of the skid or platform.

NEW SECTION

WAC 296-56-60131 ELEVATORS AND ESCALATORS. (1) "Elevator" means a permanent hoisting and lowering mechanism with a car or platform moving vertically in guides and serving two or more floors of a structure. The term excludes such devices as conveyors, tiering or piling machines, material hoists, skip or furnace hoists, wharf ramps, lift bridges, car lifts, and dumpers.

(2) "Escalator" means a power-driven continuous moving stairway principally intended for the use of persons.

(3) No elevator or escalator with a defect which affects safety shall be used.

(4) Elevator safety devices shall not be overridden or made inoperable.

(5) Elevators and escalators shall be thoroughly inspected at intervals not exceeding one year. Additional monthly inspections for satisfactory operation shall be conducted by designated persons. Records of the results of the latest annual elevator inspections shall be posted in elevators. Records of annual escalator inspections shall be posted in the vicinity of the escalator or be available at the terminal.

(6) Elevator landing openings shall be provided with doors, gates, or equivalent protection which shall be in place when the elevator is not at that landing, to prevent employees from falling into the shaft.

(7) The elevator's or escalator's maximum load limits shall be posted and not exceeded. Elevator load limits shall be posted conspicuously both inside and outside of the car.

(8) Elevators shall be operated only by designated persons except for automatic or door interlocking elevators which provide full shaft door closing and automatic car leveling.

NEW SECTION

WAC 296-56-60133 MANLIFTS. (1) Inspection. Manlifts shall be inspected monthly by a designated person. Safety switches shall be checked weekly. Manlifts found to be unsafe shall not be operated until repaired. Inspections shall include at least the following:

- (a) Step fastenings;
- (b) Rails;
- (c) Rail supports and fastenings;
- (d) Roller and slides;
- (e) Belt and belt tension;
- (f) Handholds and fastenings;
- (g) Floor landings;
- (h) Guardrails;
- (i) Lubrication;
- (j) Safety switches;
- (k) Warning signs and lights;
- (l) Illumination;
- (m) Drive pulley;
- (n) Bottom (boot) pulley and clearance;
- (o) Pulley supports;
- (p) Motor;
- (q) Drive mechanism;
- (r) Brake;

- (s) Electrical switches;
- (t) Vibration and misalignment;
- (u) "Skip" on up or down run when mounting the step (indicating worn gears); and
- (v) Emergency exit ladders.

(2) Inspection records. Inspection records shall be kept for at least one year. The record of the most recent inspection shall be posted in the vicinity of the manlift or in the terminal.

(3) Emergency stop. An emergency stop device shall be available within easy reach from any position on the belt.

(4) Instructions. Manlift use instructions shall be conspicuously posted.

(5) Top floor warning sign and light. An illuminated sign and red light that are visible to the user shall be provided under the top floor opening of the manlift to warn the user to get off at that floor.

(6) Bottom floor warning sign. A sign visible to descending passengers shall be provided to warn them to get off at the bottom floor.

(7) Upper limit stop. An automatic stop device shall be provided to stop the manlift when a loaded step passes the top landing, except that manlifts installed after October 3, 1983, shall have two such devices.

(8) Handholds and steps. Each step shall be provided with a corresponding handhold.

(9) Emergency ladder. A fixed emergency ladder accessible from any position on the lift and in accordance with the requirements of WAC 296-56-60209 shall be provided for the entire run of the manlift.

(10) Landings.

(a) Clear and unobstructed landing spaces shall be provided at each level. Manlifts constructed after October 3, 1983, and that have a distance of fifty feet (15.24 m) or more between floor landings shall have an emergency landing every twenty-five feet (7.62 m) or less of manlift travel.

(b) Open sides of emergency landings shall be protected by guardrails.

(c) Floor landing entrances and exits shall be guarded by mazes, self-closing gates, or equivalent devices.

(d) Landings shall be of sufficient size and strength to support two hundred fifty pounds (1120 N).

(11) Floor opening guards. The ascending sides of manlift floor openings shall be provided with cones or bevel guards to direct the user through the openings.

(12) Maintenance. Manlifts shall be equipped, maintained, and used in accordance with the manufacturer's specifications, which shall be available at the terminal.

(13) Bottom pulley.

(a) The lower pulley shall be supported by the lowest landing.

(b) Sides of the bottom pulley support shall be guarded to prevent contact with the pulley or the steps.

(14) Top clearance. A clearance of at least eleven feet (3.3 m) shall be provided between the top landing and the ceiling.

(15) Brakes. Manlifts shall be equipped with brakes that are:

(a) Self-engaging;

(b) Electrically released; and

(c) Capable of stopping and holding the manlift when the descending side is loaded with the maximum rated load.

NEW SECTION

WAC 296-56-60135 ELECTRIC MANLIFTS. Reserved.

NEW SECTION

WAC 296-56-60137 WAIVER AND VARIANCE. The assistant director may, upon receipt of application and after adequate investigation by the department, permit a variation from these requirements when other accepted means of protection are provided. Any variation granted under the provisions of this section shall be limited to the particular case or cases covered in the application for variation and may be revoked for cause. The permit for variance shall be conspicuously posted on the premises prior to becoming effective and shall remain posted during the life of such waiver.

NEW SECTION

WAC 296-56-60139 HOISTWAY ENCLOSURES AND LANDINGS. Hoistways shall be fully enclosed or enclosed on all landings to a height of six feet above the landing floor or six feet above highest working level or stair level adjacent to the hoistway. Perforated

hoistway enclosures can be used where fire resistivity is not required provided it conforms to the following:

- (1) Steel wire grill or expanded metal grill shall be at least thirteen U.S. gauge steel wire.
- (2) Opening in the enclosure shall reject a one inch steel ball.
- (3) All hoistway landings shall be properly and adequately lighted.

NEW SECTION

WAC 296-56-60141 SCOPE AND APPLICATION. The following requirements shall apply to the installation, design, and use of all one man capacity, electric elevators, subject to inspections as required by RCW 49.16.120.

NEW SECTION

WAC 296-56-60143 HOISTWAY GATES. (1) Hoistway gates may be constructed of wood slat, steel wire grill, expanded metal or solid material, providing all openings reject a two inch ball and will resist a two hundred fifty pound horizontal thrust.

- (a) Steel wire and expanded metal gates shall be of at least thirteen gauge steel.
- (b) Wood slats must be not less than two inches wide and one-half inch thick, nominal size.
- (c) Solid material shall be not less than one-eighth inch reinforced sheet steel or one-half inch plywood.
- (2) Hoistway gates can be horizontal swinging, vertical or horizontal sliding or biparting gates.
- (a) Hoistway gates shall extend the full width of the elevator car and from one inch above the landing floor to six feet or more above the floor.
- (b) Horizontal swinging gates shall be full stopped from swinging into hoistway.
- (3) Gates shall be equipped with interlocks or mechanical locks and electric contacts designed so that hoistway gates cannot be opened when the car is away from the landing.

NEW SECTION

WAC 296-56-60145 ELEVATOR CAR. (1) Elevator cars will be fully enclosed to height of car or to a height of not less than six feet six inches. Elevator cars can be of perforated or solid material provided material will withstand a horizontal thrust of seventy-five pounds without deflecting one-quarter inch and all openings will reject a one inch ball.

- (a) Car frames shall be of substantial metal or wood construction with a safety factor of four on metal and six on wood.
- (b) Wood frames shall be gusseted and bolted or otherwise secured with large washers and lock washers.
- (c) Car platform cannot exceed thirty inches inside dimension on each side (6.25 square foot area).
- (2) Every car shall have a substantial protective top. The front half may be hinged. The protective top may be made from number nine U.S. wire gauge screen, eleven gauge expanded metal, fourteen gauge sheet steel or three-quarter inch or heavier plywood. If made of wire screen or metal, the openings shall reject a one-half inch diameter ball.

NEW SECTION

WAC 296-56-60147 ELEVATOR DOORS. Elevator car doors shall be provided on all elevators except on fully enclosed hoistways equipped with hoistway gates and hoistways enclosed from the top of the hoistway opening to the ceiling on the landing side.

- (1) Car doors can be of solid or perforated construction capable of resisting a seventy-five pound thrust without deflecting one-quarter inch.
- (2) Car doors may be biparting or otherwise horizontal swung provided the door swings within the elevator car.
- (3) A positive locking latch device shall be provided to resist a two hundred fifty pound thrust.
- (4) Interlocks or mechanical locks and electric contacts must be provided on cars operating in open hoistways.

NEW SECTION

WAC 296-56-60149 COUNTERWEIGHT, ENCLOSURES, AND FASTENINGS. All counterweights shall be fully enclosed for

their full length of travel except in closed hoistways where counterweight guide rails have been provided.

(1) Counterweight enclosures shall provide an inspection opening in the bottom of the enclosure large enough to provide for the inspection of cable fastenings, counterweight and buffer. Counterweights of rectangular shape shall be secured by not less than two one-half inch mild steel bolts with locknuts. Round counterweights shall be fastened with a center bolt not less than three-quarter inch diameter and secured with a locknut.

- (2) Bolt eyes shall be welded closed.
- (3) Cable fastenings shall be not less than three U-shaped clamps with U's on the dead side of the rope or babbitted tapered elevator sockets.

NEW SECTION

WAC 296-56-60151 GUIDE RAILS. A minimum of two car guide rails shall be provided and they shall:

- (1) Extend at least six inches beyond the maximum travel of the car with buffers compressed.
- (2) Be securely fastened to a vertical supporting member for the full length of elevator travel.
- (3) Be not less than one and one-half inch by one and one-half inch vertical grain fir or equivalent or one-quarter inch by two inch by two inch angle iron or equivalent.
- (4) Not vary more than three-sixteenths inch thickness on brake surfaces for wood guide rails.
- (5) Be secured to resist more than one-half inch total deflection on car safety application and resist a two hundred fifty pound horizontal thrust.

NEW SECTION

WAC 296-56-60153 HOISTING ROPES. Hoisting ropes shall be of good grade elevator traction wire rope and shall:

- (1) Be not less than two ropes of not less than three-eighths inch diameter and provide a safety factor of five.
- (2) Be fastened by at least three U-type cable clamps with the U on the dead return end of the rope or by approved elevator sockets of the babbitted type.
- (3) Hoisting rope shall be of such length that the car platform will not be more than six inches above the top landing when the counterweight buffer is fully compressed and the counterweight shall be six inches or more away from the counterbalance sheave when the car buffer is fully compressed.

NEW SECTION

WAC 296-56-60155 SPACE UNDER HOISTWAY. There shall be no habitable space below the elevator hoistway and counterweight shaft unless the floor is designed to withstand and impact one hundred twenty-five percent greater than the impact generated by a free fall of either the car or counterweight from the full height of the hoistway.

NEW SECTION

WAC 296-56-60157 CAR SAFETIES. All cars suspended or operated from overhead machinery shall be equipped with an approved car safety capable of stopping and holding the car with rated load.

- (1) Car safeties shall operate mechanically and be independent of interruption of any electrical circuit.
- (2) Car safeties will automatically operate and control circuit will be broken in the event of cable breakage and on governor controlled safeties.

NEW SECTION

WAC 296-56-60159 BRAKES. All elevators shall be equipped with brakes designed to engage mechanically and release electrically.

- (1) Brakes shall be located on the final drive of all elevator machines.
- (2) The brake actuating circuit will be so designed that interruption of power by slack cable switch, control switch, and limit switches, will actuate the brake.
- (3) The brakes shall actuate under short circuit, phase failure, or reverse phase conditions.

NEW SECTION

WAC 296-56-60161 CAR CONTROLS AND SAFETY DEVICES. (1) Car controls may be automatic pushbutton, constant pressure pushbutton or momentary pushbutton types. Hand rope and car switch controls shall not be used.

(2) Manually operated emergency stop switches shall be installed in all cars not equipped with constant pressure pushbutton controls. Switch shall be clearly marked "emergency stop."

(3) Terminal limiting devices shall operate independently of the car controls and automatically stop the car at the top and bottom terminal landings.

(4) All winding drum machine type elevators shall be equipped with top and bottom final limit switches.

(5) A slack rope device of the manual reset design shall be required on all winding drum type machines. The device shall be designed to de-energize the circuit to the drive motor and brake.

(6) All new installations shall be equipped with an overspeed governor. This governor shall be set not to exceed one hundred seventy-five feet per minute and shall be designed to de-energize the brake control and motor drive circuits simultaneously with the activation of the car safeties mechanism. Car speeds for these types of installations shall not exceed a speed of one hundred twenty-five feet per minute.

NEW SECTION

WAC 296-56-60167 HOISTING MACHINE MECHANISMS. (1) Elevator machines shall be driven by approved type units.

(a) On direct drive or approved worm gear driven type, a mechanically actuated, electrically released brake shall be installed on the driving unit.

(b) On V belt driven types, a minimum of four belts, one-half inch minimum size, shall be used to transmit power from the motor to the drive shaft and a mechanically actuated, electrically released brake shall be installed on the final drive shaft.

(2) Wherever practical, elevator machines shall be installed on the top side of their supporting structure.

(3) All components of the driving mechanism or parts subject to stress involved in suspending the load or related equipment shall be designed to withstand eight times the total weight to be suspended, which would include load, counterweight, car and cables.

(4) Gears shall be made of steel or equivalent material. Cast iron gears are prohibited.

NEW SECTION

WAC 296-56-60169 ELEVATOR CAR AND COUNTERWEIGHT BUFFERS. (1) On new installations, elevator cars shall be provided with adequate car buffers.

(2) All elevators using a counterweight shall be provided with adequate counterweight buffers.

NEW SECTION

WAC 296-56-60171 GENERAL REQUIREMENTS. (1) Adequate lighting shall be provided at each landing and in the shaftway.

(2) A sign bearing the following information shall be conspicuously posted within the car:

- (a) Maximum capacity one person;
- (b) Total load limit in pounds;
- (c) For authorized personnel use only.

(3) A fire extinguisher in proper working condition shall be attached to the car structure.

HAND POWER MANLIFTSNEW SECTION

WAC 296-56-60180 SCOPE AND APPLICATION. The following requirements shall apply to the installation, design, and use of all one man capacity, hand power counterweighted elevators subject to inspection as required by RCW 49.16.120.

NEW SECTION

WAC 296-56-60182 WAIVER AND VARIANCE. The supervisor of safety may, upon receipt of application and after adequate investigation by the department, permit a variation from these requirements when other accepted means of protection are provided.

Any variation granted under the provisions of this paragraph shall be limited to the particular case or cases covered in the application for variation and may be revoked for cause. The permit for variance shall be conspicuously posted on the premises prior to becoming effective and shall remain posted during the life of such waiver.

NEW SECTION

WAC 296-56-60183 HOISTWAY LANDINGS. (1) Every hoistway landing shall be protected on sides other than the landing opening side with a standard guard rail and intermediate guard rail. All landings except the bottom landing shall have a toe board installed on all sides except the landing opening side.

(2) All hoistway entrances shall be not less than six feet six inches in height and in no case shall the width exceed the corresponding car dimensions.

(3) All hoistway entrances must be provided with an approved maze or with a hoistway gate which shall:

- (a) Be at least thirty-six inches in height.
- (b) Extend downward to within one inch of the landing sill.
- (c) Be of the self-closing type, designed to swing horizontally out from the hoistway and closing against a full jam stop.
- (d) Be located within four inches of the hoistway edge of the landing sill.

(e) Have a "DANGER" sign conspicuously posted on the landing side of the hoistway gate.

(f) Withstand a two hundred fifty pound horizontal thrust.

(4) For any new installation, all projections extending inwardly from the hoistway enclosure at the entrance side of the car platform shall be bevelled and substantially guarded on the underside by smooth solid material set at an angle of not less than sixty degrees, nor more than seventy-five degrees from the horizontal when cars are not equipped with gates.

NEW SECTION

WAC 296-56-60185 HOISTWAY CLEARANCES. (1) The minimum clearance between the side of the car and a hoistway enclosure shall be one inch.

(2) The clearance between the car platform and the landing sill shall not be less than one-half inch and not more than one and one-half inches.

NEW SECTION

WAC 296-56-60187 HABITABLE SPACE UNDER HOISTWAYS. There shall be no habitable space below the elevator hoistway or counterweight shaft unless the floor is supported to withstand any impact caused by the car or counterweight dropping freely onto the floor.

NEW SECTION

WAC 296-56-60189 HOISTWAY GUIDE RAILS. (1) There shall be a minimum of two opposing guide rails extending to a point six inches beyond the full height of travel of the car when the counterweight buffer is fully compressed.

(2) All rails shall be supported by bolts, lag screws or other approved methods to a vertical supporting member which shall not exceed one-half inch deflection with the application of a two hundred fifty pound horizontal thrust at any point.

(3) Wood guide rails shall be at least one and one-half inch by one and one-half inch vertical grain fir or equivalent and shall not vary more than three-sixteenth inch in thickness on the sides to which the brakes make contact. All joints shall be kept smooth and even.

NEW SECTION

WAC 296-56-60191 BUFFER SPRINGS AND OVERTRAVEL OF CAR. Substantial spring buffers shall be installed below the car and also below the counterweight on all new installations. All installations shall have spring buffers attached below the counterweight. The hoisting rope shall be of such length that the car platform will not be more than eight inches above the top landing when the counterweight buffer spring is fully compressed.

NEW SECTION

WAC 296-56-60193 CAR SPECIFICATIONS. (1) The car shall be built to the following specifications:

(a) The car platform shall be not greater than thirty inches on either side (6.25 square feet area).

(b) The car frame and platform shall be of steel or sound seasoned wood construction and be designed with a factor of safety of not less than four for metal and six for wood, based on a maximum capacity of two hundred fifty pounds.

(c) All frame members shall be securely bolted, riveted or welded and braced. If bolted, lock washers or lock nuts must be used.

(d) Where wooden frame members are bolted, large washers or metal plates shall be used to minimize the possibility of splitting or cracking the wood.

(2) The sides of the car shall be enclosed by a minimum of two safety guard rails with the top rail not less than thirty-six inches nor more than forty-two inches from the car floor and with the intermediate bar bisecting the height. Rails shall sustain a horizontal thrust of two hundred fifty pounds. If solid material is used it shall be smooth surfaced and not less than one-half inch thickness, if wood; and not less than sixteen gauge thickness, if steel; and shall be constructed from the car floor to a height of not less than three feet.

(a) Where the hoistway is not enclosed on the entrance side of the car, a self-locking or drop bar positive stop type car gate must be provided. Car gate may be of the folding type, horizontally swung, provided it swings into the car enclosure. Drop bar gates must be of two bar construction, parallelogram type, and conform to requirements specified for car guard rails.

(b) The car gate shall drop into locking slots or be provided with a positive locking type latch capable of withstanding two hundred fifty pounds horizontal thrust.

(3) Every car shall have a substantial protective top. The front half may be hinged. The protective top may be made from number nine U.S. wire gauge screen, eleven gauge expanded metal, fourteen gauge sheet steel or three-quarter inch or heavier plywood. If made of wire screen or metal, the openings shall reject a one-half inch diameter ball.

(4) Every car shall have a proper rack to hold the balance weights.

(5) A sign bearing the following information shall be conspicuously posted within the car:

(a) Maximum capacity one person;

(b) Total load limit in pounds;

(c) For authorized personnel use only.

(6) Every car shall be equipped with a spring loaded foot brake which:

(a) Will operate independently of the car safeties;

(b) Will operate in both directions and will stop and hold the car and its load;

(c) Will lock the car in its position automatically whenever the operator releases the pressure on the foot pedal.

(7) Every car shall be equipped with a car safety device which will:

(a) Apply to the sides of the main guide rails;

(b) Stop and hold the car and its load immediately when the hoisting rope breaks.

(8) Every car shall have a minimum clearance of six feet six inches from the top of the car platform to the bottom edge of the crosshead or any other obstruction.

(9) A tool box with minimum dimensions of four inches wide by sixteen inches long by three inches in depth shall be provided and firmly attached to the car structure.

NEW SECTION

WAC 296-56-60195 COUNTERWEIGHTS. (1) The assembly of sectional counterweight shall conform to the following requirements:

(a) Rectangular type shall be held together by at least two tie rods one-half inch in diameter fastened with lock washers and double nuts or other approved means.

(b) One three-quarter inch rod may be used to hold the sections of a round counterweight together. Any additional sections or weights shall be secured by an approved means.

(2) The eye bolt for the rope hitch shall be attached to the counterweight in a manner that will prevent the eye bolt from coming loose. The eye of eye bolts shall be welded to prevent them from opening.

(3) Every counterweight runway shall be enclosed with substantial unperforated material for its full distance of travel. Inspection openings shall be provided at either the top or bottom of the counterweight

runway. These openings shall be substantially covered at all times except when actually engaged in inspection of counterweight fastenings.

(4) Workmen shall load the counterweight for the proper balance of the heaviest person using the elevator and others shall use compensating weights, which shall be available, to maintain a balance suitable for their needs.

(5) On elevators with travel of seventy-five feet or more, a compensating chain or cable shall be installed to maintain the proper balance of the counterweight to the car and load in all positions.

NEW SECTION

WAC 296-56-60197 SHEAVES. The minimum sheave diameter shall be forty times the diameter of the ropes used, i.e., fifteen inch for three-eighths inch rope.

NEW SECTION

WAC 296-56-60199 HOISTING ROPES. (1) Hoisting rope shall be of good grade traction elevator wire rope, and shall:

(a) Be not less than three-eighths inches in diameter.

(b) Provide a factor of safety of five based on the maximum weight supported.

(c) Be of such length to prevent the counterweight from striking the overhead structure when car is at bottom landing, and prevent the car from striking the overhead before the counterweight is at its lower limit of travel.

(d) Be fastened at each end by at least three or more clamps, the "U" of the clamp bearing on the dead end of the rope.

(e) Where passed around a metal or other object less than three times the diameter of the cable, have a thimble of the correct size inserted in the eye.

(2) Approved sockets or fittings with the wire properly turned back and babbitted may be used in place of clamps noted in subsection (1)(d) of this section.

NEW SECTION

WAC 296-56-60201 OPERATING ROPE. The operating rope shall be of soft hemp or cotton at least three-quarter inch in diameter, and be securely fastened at each end and shall be in proper vertical alignment to prevent bending or cutting where it passes through the openings in the platform or the protective top of the car.

NEW SECTION

WAC 296-56-60203 LIGHTING. Adequate lighting shall be provided at each landing and in the shaftway.

NEW SECTION

WAC 296-56-60205 OVERHEAD SUPPORTS. The overhead supporting members shall be designed, based upon impact loads, with a factor of safety of:

(1) Nine if wood;

(2) Five if steel.

NEW SECTION

WAC 296-56-60207 GENERAL REQUIREMENTS. (1) No person other than an employee or duly authorized person shall ride or be permitted to ride in the car.

(2) Escape ladders shall be installed to extend the full length of the hoistway and shall be located in a position whereby, in an emergency, a person can safely transfer from the car platform to the ladder. "IMPAIRED CLEARANCE" sign to be posted at bottom of ladders when face of ladder is less than thirty inches from any structure.

(3) An automatic safety dog or device shall be installed at the bottom landing which will prevent the car from leaving the landing until manually released by the operator.

(4) A fire extinguisher in proper working condition shall be attached to the car structure.

NEW SECTION

WAC 296-56-60209 FIXED LADDERS. (1) Scope and applicability. This section applies to all fixed ladders except:

(a) Ladders forming an integral part of railway cars, highway carriers, cargo containers, or other transportation carrier equipment;

(b) Climbing devices such as step bolts or structural members of tanks and towers;

(c) Ladders built into or vertically attached to tubular scaffold framing; and

(d) Ladders used only for fire fighting or emergency purposes.

(2) Definitions.

(a) "Cage" (basket guard) means a barrier enclosing or nearly enclosing a ladder's climbing space and fastened to one or both of the ladder's side rails or to another structure.

(b) "Fixed ladder" means a ladder, including individual rung ladders, permanently attached to a structure, building, or piece of equipment.

(c) "Ladder safety device" means a support system limiting an employee's drop or fall from the ladder, and which may incorporate friction brakes, lifelines and lanyards, or sliding attachments.

(d) "Well" means a permanent complete enclosure around a fixed ladder, which is attached to the walls of the well.

(3) Defects.

(a) Ladders with broken, split, or missing rungs, steps or rails, broken welds or connections, corrosion or wastage, or other defect which may affect safe use shall be removed from service.

(b) Ladder repairs shall provide strength at least equivalent to that of the original ladder.

(4) Ladder specifications.

(a) (i) Ladders installed before October 3, 1983, shall be capable of withstanding without damage a minimum concentrated load, applied uniformly over a three and one-half inch (8.8 cm) width at the rung center, of two hundred pounds (890 N).

(ii) Ladders installed after October 3, 1983, shall be capable of withstanding two hundred fifty pounds (1120 N) applied as described in (a)(i) of this subsection. If used by more than one employee simultaneously, the ladder as a unit shall be capable of simultaneous additional loading in two hundred fifty pound (1120 N) increments for each additional employee, applied to a corresponding number of rungs. The unit shall have a safety factor of four based on ultimate strength, in the designed service.

(b) (i) Ladders installed before October 3, 1983, shall have rungs evenly spaced from nine to sixteen and one-half inches (22.9 to 41.9 cm) apart, center to center.

(ii) Ladders installed after October 3, 1983, shall have rungs evenly spaced from 12±2 inches (30±5 cm) apart, center to center.

(c) (i) Ladders installed before October 3, 1983, shall have a width between side rails of at least ten inches (25.4 cm).

(ii) Ladders installed after October 3, 1983, shall have a width between side rails of at least twelve inches (30.48 cm).

(d) The minimum distance between the rung center line and the nearest permanent object behind the rung shall be four inches (10.2 cm), except that in ladders installed after October 3, 1983, the minimum distance shall be seven inches (17.8 cm) unless physical limitations make a lesser distance, not less than four and one-half inches (11.5 cm), necessary.

(e) When a ladder passes through an opening or past overhead obstructions, a minimum twenty-four inch (.61 m) clearance shall exist between the climbing side and any obstruction. Where this distance is less than thirty inches (0.76 m), a deflection device shall be installed for guidance through the opening.

(f) The side rails of ladders shall extend at least thirty-six inches (0.91 m) above the top landing surface, unless grab bars or equivalent holds are provided.

(g) Ladders whose pitch exceed ninety degrees to the horizontal (slanting backward on the climbing side) shall not be used.

(5) Protection against falls.

(a) Fixed ladders more than twenty feet (6.1 m) in height shall be provided with a cage, well, or ladder safety device.

(b) When a well or cage is used, ladders with length of climb exceeding thirty feet (9.14 m) shall comply with the following provisions:

(i) The ladder shall consist of multiple sections not exceeding thirty feet (9.14 m) each;

(ii) Each section shall be horizontally offset from adjacent sections, except as specified in (b)(iv) of this subsection; and

(iii) A landing platform capable of supporting a load of one hundred pounds per square foot (4.79 kPa) and fitted with guardrails complying with WAC 296-56-60123(3) shall be provided at least every thirty feet, except as specified in (b)(iv) of this subsection;

(iv) For ladders installed after October 3, 1983, offset sections and landing platforms are not required if hinged platforms capable of supporting one hundred pounds per square foot (4.79 kPa), and which

kept closed except when opened for passage, are within the cage or well at intervals not exceeding thirty feet (9.14 m).

(c) Ladders equipped with ladder safety devices shall have rest platforms:

(i) Capable of supporting a load of one hundred pounds per square foot (4.79 kPa);

(ii) Located at intervals of one hundred fifty feet (46 m) or less; and

(iii) Protected by guardrails complying with WAC 296-56-60123(3) of three sides.

(d) Where used, ladder safety devices shall:

(i) Be installed and maintained in accordance with the manufacturer's instructions, which shall be available for inspection;

(ii) Be repaired only with replacement parts having performance capability at least equal to that of the original parts;

(iii) Have a connection length between carrier centerlines and safety belts of 10±2 inches (25.4±5.08 cm); and

(iv) Be installed in a manner that does not reduce the ladder's structural capability.

(e) Ladder cages or wells shall:

(i) Be of rigid construction that allows unobstructed use but prevents an employee from falling through or dislodging the cage or well by falling against it;

(ii) Have smooth inner surfaces;

(iii) Extend at least thirty-six inches (0.9 m) above landings; and

(iv) Extend to within eight feet (2.4 m) above the ground or base, except that a maximum of twenty feet (6.1 m) is permitted where the cage or well would extend into traffic lanes.

(f) Ladders installed after (effective date of standard) on radio, microwave communications, electrical power and similar towers, poles and structures, including stacks and chimneys, shall meet the requirements of this subsection.

(6) Individual rung ladders. Ladders consisting of individual rungs that are attached to walls, conical manhole sections or river cells shall:

(a) Be capable of supporting a load of three hundred fifty pounds (1557 N) without deformation;

(b) Form a continuous ladder, uniformly spaced vertically from twelve inches to sixteen inches (30.5 to 41 cm) apart, with a minimum width of ten inches (25.4 cm), and projecting at least four and one-half inches (1 cm) from the wall;

(c) Be so constructed that an employee's foot cannot slide off the ends; and

(d) Be firmly attached and without sharp edges.

NEW SECTION

WAC 296-56-60211 PORTABLE LADDERS. (1) Scope and applicability. This section applies to all portable ladders, including job-made ladders for temporary use, unless otherwise specified.

(2) Standards for existing manufactured portable ladders.

(a) Rungs of manufactured portable ladders obtained before October 3, 1983, shall be capable of supporting a two hundred pound (896 N) load without deformation.

(b) Rungs shall be evenly spaced from nine to sixteen and one-half inches (22.9 to 41.9 cm), center to center.

(c) Rungs shall be continuous members between rails. Each rung of a double-rung ladder (two side rails and a center rail) shall extend the full width of the ladder.

(d) Width between side rails at the base of the ladder shall be at least twelve inches (30 cm) for ladders ten feet (3.05 m) or less in overall length, and shall increase at least one-fourth inch (0.6 cm) for each additional two feet (0.61 m) of ladder length.

(3) Standards for manufactured portable ladders. Portable manufactured ladders obtained after October 3, 1983, shall bear identification indicating that they meet the appropriate ladder construction requirements of the following standards:

ANSI A14.4-Current Safety Requirements for Portable Wood Ladders

ANSI A14.2-Current Safety Requirements for Portable Metal Ladders

ANSI A14.5-Current Safety Requirements for Portable Reinforced Plastic Ladders

(4) Standards for job-made portable ladders. Job-made ladders shall:

(a) Have a minimum and uniform distance between rungs of twelve inches (30 cm), center to center;

(b) Are capable of supporting a two hundred fifty pound (1100 N) load without deformation; and

(c) Have a minimum width between side rails of twelve inches (30 cm) for ladders ten feet (3.05 m) in height. Width between rails shall increase at least one-fourth inch (0.6 cm) for each additional two feet (0.61 m) of ladder length.

(5) Maintenance and inspection.

(a) The employer shall maintain portable ladders in safe condition. Ladders with the following defects shall not be used and either shall be tagged as unusable if kept on the premises or shall be removed from the worksite:

- (i) Broken, split or missing rungs, cleats, or steps;
- (ii) Broken or split side rails;
- (iii) Missing or loose bolts, rivets, or fastenings;
- (iv) Defective ropes; or
- (v) Any other structural defect.

(b) Ladders shall be inspected for defects prior to each day's use, and after any occurrence, such as a fall, which could damage the ladder.

(6) Ladder usage.

(a) Ladders made by fastening rungs or devices across a single rail are prohibited.

(b) Ladders shall not be used:

- (i) As guys, braces, or skids; or
- (ii) As platforms, runways, or scaffolds.

(c) Metal and wire-reinforced ladders with wooden side rails shall not be used when employees on the ladder might come into contact with energized electrical conductors.

(d) Individual sections from different multisectional ladders or two or more single straight ladder shall not be tied or fastened together to achieve additional length.

(e) Except for combination ladders, self-supporting ladders shall not be used as single straight ladders.

(f) Unless intended for cantilever operation, nonself-supporting ladders shall not be used to climb above the top support point.

(g) Ladders shall extend at least thirty-six inches (0.91 m) above the upper support level if employees are to leave or mount the ladder at that level, except that where such extension is impractical other equivalent means such as grab bars may be used to provide a hand grip.

(h) Ladders shall be securely positioned on a level and firm base.

(i) Ladders shall be fitted with slip-resistant bases and secured at top or bottom to prevent the ladder from slipping.

(j) The employer shall direct that ladders shall be placed so that employees climbing are not exposed to injury from projecting objects or doors that open toward the ladder.

NEW SECTION

WAC 296-56-60213 JACOB'S LADDERS. (1) Jacob's ladders shall be of the double rung or flat tread type. They shall be well maintained and properly secured to the dock.

(2) A Jacob's ladder shall either hang without slack from its lashings or be pulled up entirely.

NEW SECTION

WAC 296-56-60215 FIXED STAIRWAYS. (1) Definition. "Fixed stairway" means interior and exterior stairs serving machinery, tanks, and equipment, and stairs to or from floors, platforms, or pits. The term does not apply to stairs intended only for fire exit purposes, to articulated stairs (the angle of which changes with the rise and fall of the base support) or to stairs forming an integral part of machinery.

(2) New installations.

(a) Fixed stairs installed after October 3, 1983, shall be positioned within the range of thirty degrees to fifty degrees to the horizontal with uniform riser height and tread width throughout each run and be capable of a minimum loading of one hundred pounds per square foot (448 N) and a minimum concentrated load of three hundred pounds (1344 N) at the center of any treads. Riser height shall be from six to seven and one-half inches (15.2 to 19.0 cm), stair width a minimum of twenty-two inches (56 cm) between vertical barriers, tread depth a minimum of 12±2 inches (30.48±5.08 cm), and tread nosing shall be straight leading edges.

(b) Stair landings shall be at least twenty inches (51 cm) in depth. Where doors or gates open on a stairway, a landing platform shall be provided. Door swing shall not reduce effective standing area on the landing to less than eighteen inches (45.7 cm) in depth.

(c) Fixed stairs having four or more risers shall have stair railings or handrails complying with WAC 296-56-60123(3)(a).

(d) Railing height from tread surface at the riser face shall be 33±3 inches (83±7.6 cm).

(e) Restricted areas. When physical features require stairs steeper than those provided for by (a) of this subsection, stairs at angles of fifty degrees to seventy-five degrees from the horizontal may be used if they:

(i) Are capable of a single concentrated load of two hundred pounds (890 N) at the tread centers;

(ii) Have open treads at least four inches (10.2 cm) in depth and eighteen inches (45.7 cm) in width with a uniformly spaced vertical rise between treads of six to nine and one-half inches (15.2 to 24.1 cm); and

(iii) Have handrails that meet the requirements of WAC 296-56-60123(3)(a) on both sides and that are not less than thirty inches (76.2 cm) in height from the tread surface at the riser face.

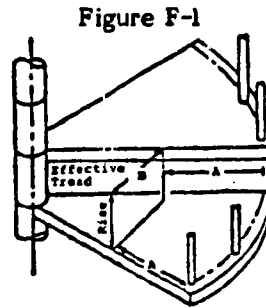
(f) Maintenance. Fixed stairways shall be maintained in safe condition and shall not be obstructed.

NEW SECTION

WAC 296-56-60217 SPIRAL STAIRWAYS. (1) Definition. "Spiral stairway" means one with closed circular form, uniform sector-shaped treads and a supporting column.

(2) Requirements. Spiral stairways shall meet the following requirements:

(a) Stairways shall conform to the minimum dimensions of Figure F-1;



Spiral Stairway—Minimum Dimensions

	A(Half-tread width)	B
Normal use by employees ...	11 inches (27.9 cm)	6 inches (15.2 cm)
Limited access ...	9 inches (22.9 cm)	5 inches (12.7 cm)

(b) Stairway risers shall be uniform and shall range from six and one-half to ten and one-half inches (16.5 to 26.7 cm) in height;

(c) Minimum loading capability shall be one hundred pounds per square foot (448 N), and minimum tread center concentrated loading shall be three hundred pounds (1344 N);

(d) Railing shall conform to the requirements of WAC 296-56-60123(3)(a). If balusters are used, there shall be a minimum of one per tread. Handrails shall be a minimum of one and one-fourth inches (3.3 cm) in outside diameter; and

(e) Vertical clearance shall be at least six feet, six inches (1.98 m) above the top step.

(3) Maintenance. Spiral stairways shall be maintained in safe condition.

NEW SECTION

WAC 296-56-60219 EMPLOYEE EXITS. (1) Employee exits shall be clearly marked.

(2) If an employee exit is not visible from employees' work stations, directional signs indicating routes to the exit shall be posted.

(3) Exits shall be readily accessible and sufficient in number to provide employees with a convenient means of escape in emergencies. A clear passage to the exit shall be maintained.

(4) The minimum width of any employee exit shall be twenty-eight inches (71.1 cm).

(5) All fire exits and aiseways of all docks and warehouses shall be clearly marked and kept clear. All main aiseways shall be wide enough to permit passage of a fire truck.

(6) There shall be a twenty-eight inch clearance maintained where employees use a passageway to an exit.

(7) Every building, structure or crane, new or old, shall be provided with an emergency means of egress to permit the prompt escape of occupants in case of fire or other emergency, at all locations with a vertical height of thirty feet or more. Crane, building or structure installed prior to the effective date of this standard will have until July 1, 1986, to comply.

NEW SECTION

WAC 296-56-60221 ILLUMINATION. Lighting. All areas shall be adequately lighted to meet the requirements of this code.

(1) Active work areas shall be lighted in such a manner the general area being worked will be illuminated at a minimum intensity of approximately five foot candles measured thirty inches above the dock floor. Supplemental lighting shall be utilized for conditions where more than the minimum intensity is necessary for a safe operation.

(2) A minimum of three foot candles illumination measured in the manner described above shall be maintained at all points along the bull rail.

(3) The quality of light shall be such that it is reasonably free from glare, and has correct direction, diffusion, and distribution.

(4) Lighting shall not be obstructed by any placement of cargo, structures or other objects which will create a shadow in the work area. Portable lighting shall be provided in these areas that do not meet minimum requirements of this subsection.

(5) Portable illumination.

(a) All walking and working areas shall be illuminated.

(b) Portable lights shall meet the following requirements:

(i) Portable lights shall be equipped with reflectors and guards to prevent flammable and other material from coming in contact with the bulb, except that guards are not required where the construction of the reflector is such that the bulb is recessed.

(ii) Portable lights shall be equipped with heavy duty electric cords and may be suspended by such cords only when the means of attachment of the cord to the light is such as to prevent the light from being suspended by the electrical connections.

All connections and insulation shall be maintained.

(iii) Lighting wires and fixtures for portable lights shall be so arranged as to be free from contact with drafts, running gear, or other moving equipment.

NEW SECTION

WAC 296-56-60223 PASSAGE BETWEEN LEVELS AND ACROSS OPENINGS. (1) General. The employer shall provide safe means of passage between different surface levels and across openings.

(2) Definitions. "Dockboards (car and bridge plates)" mean devices for spanning short distances between rail cars or highway vehicles and loading platforms which do not expose employees to falls greater than four feet (1.2 m).

"Ramps" mean other flat-surface devices for passage between levels and across openings not covered under "dockboards."

(3) Dockboards (car and bridge plates).

(a) Dockboards shall be strong enough to support the loads imposed on them.

(b) Portable dockboards shall be anchored in position or be equipped with devices to prevent their movement.

(c) Hand holds or other effective means shall be provided on portable dockboards to permit safe handling.

(d) Positive means shall be used to prevent railcars or highway vehicles from being moved while dockboards or bridge plates are in position.

(4) Ramps.

(a) Ramps shall be strong enough to support the loads imposed on them, provided with sideboards, properly secured and well maintained.

(b) Ramps shall be equipped with guardrails meeting the requirements of WAC 296-56-60123(3)(a) if the slope is more than twenty degrees to the horizontal or if employees could fall more than four feet (1.2 m).

(c) Ramps shall have slip-resistant surfaces.

(d) When necessary to prevent displacement by vehicle wheels, steel plates or similar devices used to temporarily bridge or cover uneven surfaces or tracks, shall be anchored.

NEW SECTION

WAC 296-56-60225 GUARDING TEMPORARY HAZARDS. Ditches, pits, excavations, and surfaces in poor repair shall be guarded by readily visible barricades, rails or other equally effective means.

NEW SECTION

WAC 296-56-60227 RIVER BANKS. (1) This section applies to temporary installations or temporary operations near a river bank.

(2) Where working surfaces at river banks slope so steeply that an employee could slip or fall into the water, the employer shall ensure that the outer perimeter of the working surface is protected by posting or other portable protection such as roping off, and that employees wear a personal flotation device meeting the requirements of WAC 296-56-60115(3).

NEW SECTION

WAC 296-56-60229 SANITATION. (1) Washing and toilet facilities.

(a) The employer shall provide accessible washing and toilet facilities sufficient for the sanitary requirements of employees. The facilities shall have:

(i) Running water, including hot and cold or tepid water at a minimum of one accessible location (when cargo handling is conducted at locations without permanent facilities, potable water may be provided in lieu of running water);

(ii) Soap;

(iii) Individual hand towels, clean individual sections of continuous toweling or warm air blowers; and

(iv) Fixed or portable toilets in separate compartments with latch-equipped doors. Separate toilet facilities shall be provided for male and female employees except when toilet rooms will be occupied by only one person at a time. A means of locking shall be provided.

(b) Washing and toilet facilities shall be regularly cleaned and maintained in good order.

(2) Drinking water.

(a) Potable drinking water shall be accessible to employees at all times.

(b) Potable drinking water containers shall be clean, containing only water and ice, and shall be fitted with covers.

(c) Common drinking cups are prohibited.

(3) Prohibited eating areas. Consumption of food or beverages in areas where hazardous materials are being stored or handled shall be prohibited.

(4) Garbage and overboard discharges. Work shall not be conducted in the immediate vicinity of uncovered garbage or in the way of overboard discharges from the vessel's sanitary lines unless employees are protected from the garbage or discharge by a baffle or splash boards.

(5) Washroom facilities. All docks, warehouses, or similar working areas shall be equipped with clean, ventilated washroom facilities with hot running water provided.

(6) Toilet and sanitary facilities. All docks, warehouses, or similar working areas shall be provided with proper toilet and sanitary facilities. Such facilities shall be kept in good repair and in a sanitary condition.

NEW SECTION

WAC 296-56-60231 SIGNS AND MARKING. (1) General. Signs required by this section shall be clearly worded and legible, and shall contain a key word or legend indicating the reason for the sign.

(a) Key words are such words as Danger, Warning, Caution.

(b) Legends are more specific explanations such as High Voltage, Close Clearance, Pedestrian Crossing.

(2) Specific. Every marine terminal shall have conspicuously posted signs as follows:

(a) Locations of first aid facilities;

(b) Locations of telephones;

(c) Telephone numbers of the closest ambulance service, hospital or other source of medical attention, police, fire department, and emergency squad (if any); and

(d) Locations of fire fighting and emergency equipment and fire exits.

NEW SECTION

WAC 296-56-60233 RELATED TERMINAL OPERATIONS AND EQUIPMENT—MACHINE GUARDING. (1) Definition. "Guarded" means shielded, fenced, or enclosed by covers, casings, shields, troughs, spillways or railings, or guarded by position or location. Examples of guarding methods are guarding by location (positioning hazards so they are inaccessible to employees) and point of operation guarding (using barrier guards, two-hand tripping devices, electronic safety devices, or other such devices).

(2) General.

(a) Danger zones on machines and equipment used by employees shall be guarded.

(b) Where chips and dust produced by machine operation may result in a hazard to the operator, the machinery shall be equipped with an effective exhaust system at the point of origin, or other equally effective means shall be provided to protect the operator.

(c) Fixed machinery shall be secured to prevent shifting.

(d) A power cut-off device for machinery and equipment shall be provided at the operator's working position.

(e) Machines driven by belts and shafting shall be fitted with a belt-locking or equivalent protective device if the belt can be shifted.

(f) In operations where injury to the operator might result if motors were to restart after power failures, provisions shall be made to prevent machines from automatically restarting upon restoration of power.

(g) The power supply to machines shall be turned off, locked out, and tagged out during repair, adjustment, or servicing.

(h) Machines shall be maintained in a safe working condition.

(i) Only designated employees shall maintain or repair machinery and equipment.

(j) Machines with defects that affect the safety of operation shall not be used.

(3) Hand-fed circular rip saws and hand-fed circular crosscut table saws. Unless fixed or manually adjustable enclosures or guarding provides equivalent protection, hand-fed circular rip saws and hand-fed circular crosscut table saws shall be guarded as follows to keep employees clear of any danger zones:

(a) They shall be equipped with hoods completely enclosing those portions of the saw above the table and the material being cut;

(b) They shall have spreaders to prevent material from squeezing the saw. Spreaders shall be in true alignment with the saw. Spreaders may be removed only during grooving, dadoing, or rabbeting operations, and shall be replaced at the completion of such operations; and

(c) They shall have nonkickback fingers or dogs to oppose the tendency of the saw to pick up material or throw material toward the operator.

(4) Swing cutoff saws.

(a) Swing cutoff saws shall have hoods completely enclosing the upper half of the saw, the arbor end and the point of operation at all saw positions to protect the operator from material thrown up by the saw. The hood shall automatically cover the lower portion of the blade, so that when the saw returns to the back of the table the hood rises on top of the fence, and when the saw is moved forward the hood drops on top, remaining in contact with the table or the material.

(b) Swing cutoff saws shall have a device to return the saw automatically to the back of the table without rebound. The device shall not be dependent upon rope, cord or springs.

(c) Devices shall be provided to prevent saws from swinging beyond the front or back edges of the table.

(d) Inverted swing cutoff saws shall have hoods covering the part of the saw protruding above the table top or the material being cut. Hoods shall automatically adjust to the thickness of, and remain in contact with, material being cut.

(5) Radial saws. Unless fixed or manually adjustable enclosures or guards provide equivalent protection, radial saws shall be guarded as follows:

(a) The upper hood of radial saws shall enclose the upper portion of the blade up to and including the end of the saw arbor and shall protect the operator from being struck by debris. The sides of the lower exposed portion of the blade shall be guarded to the blade diameter by a device automatically adjusting to the thickness of the stock and remaining in contact with the stock. The lower guard may be removed only when the saw is used for bevel cuts;

(b) Radial saws used for ripping shall have nonkickback fingers or dogs on both sides to oppose the thrust or tendency of the saw to pick up material or throw material toward the operator;

(c) Adjustable stop shall be provided to prevent travel of radial saw blades beyond the table's edge;

(d) Radial saws shall be installed so that the cutting head returns to the starting position without rebound when released; and

(e) The employer shall direct that employees perform ripping and ploughing against the saw turning direction. Rotation direction and an indication of the end of the saw to be used shall be conspicuously marked on the hood.

(6) Band saws and band resaws.

(a) Saw blades and band saw wheels shall be enclosed or guarded, except for the working portion of the blade between the bottom of the guide rolls and the table, to protect employees from point-of-operation hazards and flying debris.

(b) Band saw shall be equipped with brakes to stop the band saw wheel if the blade breaks.

(c) Band saws shall be equipped with a tension control device to keep the blade taut.

(7) Abrasive wheels and machinery.

(a) Abrasive wheels shall be used only on machines having enclosure guards to restrain pieces of grinding wheels and to protect employees if the wheel breaks, except as provided in (b) and (c) of this subsection. Where the operator must stand in front of the safety guard opening, the safety guard shall be adjustable or have an adjustable tongue or piece at the top of the opening. The safety guard or the tongue shall be adjusted so that they are always close to the periphery of the wheel. Guards shall be aligned with the wheel and the strength of fastenings shall be greater than the strength of the guard.

(b) When the work provides equivalent protection, or when the machine is designed as a portable saw, guards may be constructed with the spindle end, nut and outer flange exposed. When the work entirely covers the side of the wheel, the side covers of the guard may be removed.

(c) Guarding is not required:

(i) For wheels used for internal work while the wheel is contained within the work being ground; or

(ii) For mounted wheels two inches (5 cm) and smaller in diameter used in portable operations.

(d) Work rests shall be used on fixed grinding machines. Work rests shall be rigidly constructed and adjustable for wheel wear. They shall be adjusted closely to the wheel with a maximum opening of one-eighth inch (3.2 mm) and shall be securely clamped. Adjustment shall not be made while the wheel is in motion.

(e) Grinding wheels shall fit freely on the spindle. The spindle nut shall be tightened only enough to hold the wheel in place.

(f) Grinding machine wheels shall turn at a speed that is compatible with the rated speed of the wheel.

(g) Flanges and blotters shall be used only with wheels designed for their use. Flanges shall be of a type ensuring retention of pieces of the wheel in case of breakage.

(h) Abrasive wheels with operational defects shall not be used.

(8) Rotating parts, drives and connections.

(a) Rotating parts, such as gears and pulleys, that are located seven feet (2.1 m) or less above working surfaces shall be guarded to prevent employee contact with moving parts.

(b) Belt, rope and chain drives shall be guarded to prevent employees from coming into contact with moving parts.

(c) Gears, sprockets and chains shall be guarded to prevent employees coming into contact with moving parts. This requirement does not apply to manually operated sprockets.

NEW SECTION

WAC 296-56-60235 WELDING, CUTTING AND HEATING (HOT WORK). (1) Definition. "Hot work" means riveting, welding, flame cutting or other fire or spark-producing operation.

(2) Hot work in confined spaces. Hot work shall not be performed in a confined space until a designated person has tested the atmosphere and determined that it is not hazardous.

(3) Fire protection.

(a) To the extent possible, hot work shall be performed in designated locations that are free of fire hazards.

(b) When hot work must be performed in a location that is not free of fire hazards, all necessary precautions shall be taken to confine heat, sparks, and slag so that they cannot contact flammable or combustible material.

(c) Fire extinguishing equipment suitable for the location shall be immediately available and shall be maintained in readiness for use at all times.

(d) When the hot work operation is such that normal fire prevention precautions are not sufficient, additional personnel shall be assigned to

guard against fire during hot work and for a sufficient time after completion of the work to ensure that no fire hazard remains. The employer shall instruct all employees involved in hot work operations as to potential fire hazards and the use of fire fighting equipment.

(e) Drums and containers which contain or have contained flammable or combustible liquids shall be kept closed. Empty containers shall be removed from the hot work area.

(f) When openings or cracks in flooring cannot be closed, precautions shall be taken to ensure that no employees or flammable or combustible materials on the floor below are exposed to sparks dropping through the floor. Similar precautions shall be taken regarding cracks or holes in walls, open doorways and open or broken windows.

(g) Hot work shall not be performed:

(i) In flammable or potentially flammable atmospheres;

(ii) On or in equipment or tanks that have contained flammable gas or liquid or combustible liquid or dust-producing material, until a designated person has tested the atmosphere inside the equipment or tanks and determined that it is not hazardous; or

(iii) Near any area in which exposed readily ignitable materials such as bulk sulphur, baled paper or cotton are stored. Bulk sulphur is excluded from this prohibition if suitable precautions are followed, the person in charge is knowledgeable and the person performing the work has been instructed in preventing and extinguishing sulphur fires.

(h) (i) Drums, containers or hollow structures that have contained flammable or combustible substances shall either be filled with water or cleaned, and shall then be ventilated. A designated person shall test the atmosphere and determine that it is not hazardous before hot work is performed on or in such structures.

(ii) Before heat is applied to a drum, container or hollow structure, an opening to release built-up pressure during heat application shall be provided.

(4) Gas welding and cutting.

(a) Compressed gas cylinders:

(i) Shall have valve protection caps in place except when in use, hooked up or secured for movement. Oil shall not be used to lubricate caps;

(ii) Shall be hoisted only while secured, as on a cradle or pallet, and shall not be hoisted by magnet, choker sling or cylinder caps;

(iii) Shall be moved only by tilting or rolling on their bottom edges;

(iv) Shall be secured when moved by vehicle;

(v) Shall be secured while in use;

(vi) Shall have valves closed when cylinders are empty, being moved or stored;

(vii) Shall be secured upright except when hoisted or carried;

(viii) Shall not be freed when frozen by prying the valves or caps with bars or by hitting the valve with a tool;

(ix) Shall not be thawed by boiling water;

(x) Shall not be exposed to sparks, hot slag, or flame;

(xi) Shall not be permitted to become part of electrical circuits when electrodes struck against them to strike arcs;

(xii) Shall not be used as rollers or supports;

(xiii) Shall not have contents used for purposes not authorized by the supplier;

(xiv) Shall not be used if damaged or defective;

(xv) Shall not have gases mixed within, except by gas suppliers;

(xvi) Shall be stored so that oxygen cylinders are separated from fuel gas cylinders and combustible materials by either a minimum distance of twenty feet (6 m) or a barrier having a fire-resistance rating of thirty minutes; and

(xvii) Shall not have objects that might either damage the safety device or obstruct the valve placed on top of the cylinder when in use.

(b) Use of fuel gas. Fuel gas shall be used only as follows:

(i) Before regulators are connected to cylinder valves, the valves shall be opened slightly (cracked) and closed immediately to clear away dust or dirt. Valves shall not be cracked if gas could reach possible sources of ignition;

(ii) Cylinder valves shall be opened slowly to prevent regulator damage and shall not be opened more than one and one-half turns. Any special wrench required for emergency closing shall be positioned on the valve stem during cylinder use. For manifolded or coupled cylinders, at least one wrench shall be immediately available. Nothing shall be placed on top of a cylinder or associated parts when the cylinder is in use;

(iii) Pressure-reducing regulators shall be attached to cylinder valves when cylinders are supplying torches or devices equipped with shut-off valves;

(iv) Cylinder valves shall be closed and gas released from the regulator or manifold before regulators are removed;

(v) Leaking fuel gas cylinder valves shall be closed and the gland nut tightened. If the leak continues, the cylinder shall be tagged, removed from service, and moved to a location where the leak will not be hazardous. If a regulator attached to a valve stops a leak, the cylinder need not be removed from the workplace but shall be tagged and may not be used again before it is repaired; and

(vi) If a plug or safety device leaks, the cylinder shall be tagged, removed from service, and moved to a location where the leak will not be hazardous.

(c) Hose.

(i) Fuel gas and oxygen hoses shall be easily distinguishable from each other by color or sense of touch. Oxygen and fuel hoses shall not be interchangeable. Hoses having more than one gas passage shall not be used.

(ii) When oxygen and fuel gas hoses are taped together, not more than four of each twelve inches (10.2 cm of each 30.5 cm) shall be taped.

(iii) Hose shall be inspected before use. Hose subjected to flashback or showing evidence of severe wear or damage shall be tested to twice the normal working pressure but not less than two hundred p.s.i. (1378.96 kPa) before reuse. Defective hose shall not be used.

(iv) Hose couplings shall not unlock or disconnect without rotary motion.

(v) Hose connections shall be clamped or securely fastened to withstand twice the normal working pressure but not less than three hundred p.s.i. (2068.44 kPa) without leaking.

(vi) Gas hose storage boxes shall be ventilated.

(d) Torches.

(i) Torch tip openings shall only be cleaned with devices designed for that purpose.

(ii) Torches shall be inspected before each use for leaking shut-off valves, hose couplings and tip connections. Torches shall be inspected before each use for leaking shut-off valves, hose couplings and tip connections. Torches with such defects shall not be used.

(iii) Torches shall not be lighted from matches, cigarette lighters, other flames or hot work.

(e) Pressure regulators. Pressure regulators, including associated gauges, shall be maintained in safe working order.

(f) Operational precaution. Gas welding equipment shall be maintained free of oil and grease.

(5) Arc welding and cutting.

(a) Manual electrode holders.

(i) The employer shall ensure that only manual electrode holders intended for arc welding and cutting and capable of handling the maximum current required for such welding or cutting shall be used.

(ii) Current-carrying parts passing through those portions of the holder gripped by the user and through the outer surfaces of the jaws of the holder shall be insulated against the maximum voltage to ground.

(b) Welding cables and connectors.

(i) Arc welding and cutting cables shall be insulated, flexible and capable of handling the maximum current required by the operations, taking into account the duty cycles.

(ii) Only cable free from repair or splice for ten feet (3 m) from the electrode holder shall be used unless insulated connectors or splices with insulating quality equal to that of the cable are provided.

(iii) When a cable other than the lead mentioned in (b)(ii) of this subsection wears and exposes bare conductors, the portion exposed shall not be used until it is protected by insulation equivalent in performance capacity to the original.

(iv) Insulated connectors of equivalent capacity shall be used for connecting or splicing cable. Cable lugs, where used as connectors, shall provide electrical contact. Exposed metal parts shall be insulated.

(c) Ground returns and machine grounding.

(i) Ground return cables shall have current-carrying capacity equal to or exceeding the total maximum output capacities of the welding or cutting units served.

(ii) Structures or pipelines, other than those containing gases or flammable liquids or conduits containing electrical circuits, may be used in the ground return circuit if their current-carrying capacity equals or exceeds the total maximum output capacities of the welding or cutting units served.

(iii) Structures or pipelines forming a temporary ground return circuit shall have electrical contact at all joints. Arcs, sparks or heat at any point in the circuit shall cause rejection as a ground circuit.

(iv) Structures or pipelines acting continuously as ground return circuits shall have joints bonded and maintained to ensure that no electrolysis or fire hazard exists.

(v) Arc welding and cutting machine frames shall be grounded, either through a third wire in the cable containing the circuit conductor or through a separate wire at the source of the current. Grounding circuits shall have resistance low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current.

(vi) Ground connections shall be mechanically and electrically adequate to carry the current.

(d) When electrode holders are left unattended, electrodes shall be removed and holders placed to prevent employee injury.

(e) Hot electrode holders shall not be dipped in water.

(f) The employer shall ensure that when arc welders or cutters leave or stop work or when machines are moved, the power supply switch shall be kept in the off position.

(g) Arc welding or cutting equipment having a functional defect shall not be used.

(h) (i) Arc welding and cutting operations shall be separated from other operations by shields, screens, or curtains to protect employees in the vicinity from the direct rays and sparks of the arc.

(ii) Employees in areas not protected from the arc by screening shall be protected by appropriate filter lenses in accordance with subsection (8) of this section. When welders are exposed to their own arc or to each other's arc, they shall wear filter lenses complying with the requirements of subsection (8) of this section.

(i) The control apparatus of arc welding machines shall be enclosed, except for operating wheels, levers, and handles.

(j) Input power terminals, top change devices and live metal parts connected to input circuits shall be enclosed and accessible only by means of insulated tools.

(k) When arc welding is performed in wet or high-humidity conditions, employees shall use additional protection, such as rubber pads or boots, against electric shock.

(6) Ventilation and employee protection in welding, cutting and heating.

(a) Mechanical ventilation requirements. The employer shall ensure that general mechanical ventilation or local exhaust systems shall meet the following requirements:

(i) General mechanical ventilation shall maintain vapors, fumes and smoke below a hazardous level;

(ii) Local exhaust ventilation shall consist of movable hoods positioned close to the work and shall be of such capacity and arrangement as to keep breathing zone concentrations below hazardous levels;

(iii) Exhausts from working spaces shall be discharged into the open air, clear of intake air sources;

(iv) Replacement air shall be clean and respirable; and

(v) Oxygen shall not be used for ventilation, cooling or cleaning clothing or work areas.

(b) Hot work in confined spaces. Except as specified in (c) (ii) and (iii) of this subsection, when hot work is performed in a confined space the employer shall ensure that:

(i) General mechanical or local exhaust ventilations shall be provided; or

(ii) Employees in the space shall wear supplied air respirators in accordance with WAC 296-62-071 and a standby on the outside shall maintain communication with employees inside the space and shall be equipped and prepared to provide emergency aid.

(c) Welding, cutting or heating of toxic metals.

(i) In confined or enclosed spaces, hot work involving the following metals shall only be performed with general mechanical or local exhaust ventilation that ensures that employees are not exposed to hazardous levels of fumes:

(A) Lead base metals;

(B) Cadmium-bearing filler materials; and

(C) Chromium-bearing metals or metals coated with chromium-bearing materials.

(ii) In confined or enclosed spaces, hot work involving the following metals shall only be performed with local exhaust ventilation meeting the requirements of this subsection or by employees wearing supplied air respirators in accordance with chapter 296-62 WAC;

(A) Zinc-bearing base or filler metals or metals coated with zinc-bearing materials;

(B) Metals containing lead other than as an impurity, or coated with lead-bearing materials;

(C) Cadmium-bearing or cadmium-coated base metals; and

(D) Metals coated with mercury-bearing materials.

(iii) Employees performing hot work in confined or enclosed spaces involving beryllium-containing base or filler metals shall be protected by local exhaust ventilation and wear supplied air respirators or self-contained breathing apparatus, in accordance with the requirements of chapter 296-62 WAC.

(iv) The employer shall ensure that employees performing hot work in the open air that involves any of the metals listed in (c) (i) and (ii) of this subsection shall be protected by respirators in accordance with the requirements of chapter 296-62 WAC and those working on beryllium-containing base or filler metals shall be protected by supplied air respirators, in accordance with the requirements of chapter 296-62 WAC.

(v) Any employee exposed to the same atmosphere as the welder or burner shall be protected by the same type of respiratory and other protective equipment as that worn by the welder or burner.

(d) Inert-gas metal-arc welding. Employees shall not engage in and shall not be exposed to the inert-gas metal-arc welding process unless the following precautions are taken:

(i) Chlorinated solvents shall not be used within two hundred feet (61 m) of the exposed arc. Surfaces prepared with chlorinated solvents shall be thoroughly dry before welding is performed on them.

(ii) Employees in areas not protected from the arc by screening shall be protected by appropriate filter lenses in accordance with the requirements of subsection (8) of this section. When welders are exposed to their own arc or to each other's arc, filter lenses complying with the requirements of subsection (8) of this section shall be worn to protect against flashes and radiant energy.

(iii) Employees exposed to radiation shall have their skin covered completely to prevent ultraviolet burns and damage. Helmets and hand shields shall not have leaks, openings or highly reflective surfaces.

(iv) Inert-gas metal-arc welding on stainless steel shall not be performed unless exposed employees are protected either by local exhaust ventilation or by wearing supplied air respirators.

(7) Welding, cutting and heating on preservative coatings.

(a) Before hot work is commenced on surfaces covered by a preservative coating of unknown flammability, a test shall be made by a designated person to determine the coating's flammability. Preservative coatings shall be considered highly flammable when scrapings burn with extreme rapidity.

(b) Appropriate precaution shall be taken to prevent ignition of highly flammable hardened preservative coatings. Highly flammable coatings shall be stripped from the area to be heated. An uncoiled fire hose with fog nozzle, under pressure, shall be immediately available in the hot work area.

(c) Surfaces covered with preservative coatings shall be stripped for at least four inches (10.2 cm) from the area of heat application or employees shall be protected by supplied air respirators in accordance with the requirements of chapter 296-62 WAC.

(8) Protection against radiant energy.

(a) Employees shall be protected from radiant energy eye hazards by spectacles, cup goggles, helmets, hand shields or face shields with filter lenses complying with the requirements of this subsection.

(b) Filter lenses shall have an appropriate shade number, as indicated in Table G-1, for the work performed. Variations of one or two shade numbers are permissible to suit individual preferences.

(c) If filter lenses are used in goggles worn under the helmet, the shade numbers of both lenses equals the value shown in Table G-1 for the operation.

Table G-1.—Filter Lenses for Protection Against Radiant Energy

Operation	Shade No.
Soldering2
Torch Brazing	3 or 4
Light cutting, up to 1 inch	3 or 4
Medium cutting, 1-6 inches	4 or 5
Heavy cutting, over 6 inches	5 or 6
Light gas welding, up to 1/8-1/2 inch	4 or 5
Medium gas welding, 1/8-1/2 inch	5 or 6
Heavy gas welding, over 1/2 inch	6 or 8
Shielded Metal-Arc Welding 1/16 to 5/32-inch electrodes	10
Inert gas Metal-Arc Welding (non-ferrous) 1/16 to 5/32-inch electrodes	11
Shielded Metal-Arc Welding: 3/16 to 1/4-inch electrodes	12
5/16 and 3/8-inch electrodes	14

NEW SECTION

WAC 296-56-60237 **SPRAY PAINTING.** (1) Scope. This section covers painting operations connected with maintenance of structures, equipment and gear at the marine terminal of the transient equipment serviced at the terminal. It does not apply to overall painting of terminal structures under construction, major repair or rebuilding of terminal structures, or portable spraying apparatus not used regularly in the same location.

(2) Definitions.

(a) "Spraying area" means any area where flammable vapors, mists or combustible residues, dusts or deposits may be present due to paint spraying operations.

(b) "Spray booth" means an enclosure containing a flammable or combustible spraying operation and confining and limiting the escape of paint, vapor and residue by means of a powered exhaust system.

(c) "Approved" means, for the purpose of this section, that the equipment has been approved for the specified use by a nationally recognized testing laboratory.

(3) Spray painting requirements for indoor and outdoor spraying areas and booths.

(a) Shut-off valves, containers or piping with attached hoses or flexible connections shall have shut-off valves closed at the connection when not in use.

(b) Pumps used to transfer paint supplies shall have automatic pressure-relieving devices.

(c) Hoses and couplings shall be inspected before use. Hoses showing deterioration, leakage or weakness in the carcass or at the couplings shall be removed from service.

(d)(i) No open flame or spark-producing equipment shall be within twenty feet (6 m) of a spraying area unless it is separated from the spraying area by a fire-retardant partition.

(ii) Hot surfaces shall not be located in spraying areas.

(iii) Whenever combustible residues may accumulate on electrical installations, wiring shall be in rigid conduit or in boxes containing no taps, splices or connections.

(iv) Portable electric lights shall not be used during spraying operations. Lights used during cleaning or repairing operations shall be approved for the location in which they are used.

(e) When flammable or combustible liquids are being transferred between containers, both containers shall be bonded and grounded.

(f)(i) Spraying shall be performed only in designated spray booths or spraying areas.

(ii) Spraying areas shall be kept as free from combustible residue accumulations as practicable.

(iii) Residue scrapings, debris, rags, and waste shall be removed from the spraying area as they accumulate.

(g) Spraying with organic peroxides and other dual-component coatings shall only be conducted in sprinkler-equipped spray booths.

(h) Only the quantity of flammable or combustible liquids required for the operation shall be allowed in the spraying area, and in no case shall the amount exceed a one-day supply.

(i) Smoking shall be prohibited and "No Smoking" signs shall be posted in spraying and paint storage areas.

(4) Additional requirements for spraying areas and spray booths.

(a) Distribution or baffle plates shall be of noncombustible material and shall be removable or accessible for cleaning. They shall not be located in exhaust ducts.

(b) Any discarded filter shall be removed from the work area or placed in water.

(c) Filters shall not be used when the material being sprayed is highly susceptible to spontaneous heating and ignition.

(d) Filters shall be noncombustible or of an approved type. The same filter shall not be used when spraying with different coating materials if the combination of materials may spontaneously ignite.

(e) Spraying areas shall be mechanically ventilated for removal of flammable and combustible vapor and mist.

(f) Mechanical ventilation shall be in operation during spraying operations and long enough thereafter to exhaust hazardous vapor concentrations.

(g) Rotating fan elements shall be nonsparking or the casing shall consist of or be lined with nonsparking material.

(h) Piping systems conveying flammable or combustible liquids to the spraying booth or area shall be made of metal and be both bonded and grounded.

(i) Air exhausted from spray operations shall not contaminate makeup air or other ventilation intakes. Exhausted air shall not be recirculated unless it is first cleaned of any hazardous contaminants.

(j) Original closed containers, approved portable tanks, approved safety cans or a piping system shall be used to bring flammable or combustible liquids into spraying areas.

(k) If flammable or combustible liquids are supplied to spray nozzles by positive displacement pumps, the pump discharge line shall have a relief valve discharging either to a pump section or detached location, or the line shall be equipped with a device to stop the prime mover when discharge pressure exceeds the system's safe operating pressure.

(l) Wiring, motors and equipment in a spray booth shall be of approved explosion-proof type for Class I, Group D locations and conform to WAC 296-24-956 for Class I, Division 1, Hazardous Locations. Wiring, motors and equipment within twenty feet (6 m) of any interior spraying area and not separated by vapor-tight partitions shall not produce sparks during operation and shall conform to the requirements of WAC 296-24-956 for Class I, Division 2, Hazardous Locations.

(m) Outside electrical lights within ten feet (3 m) of spraying areas and not separated from the areas by partitions shall be enclosed and protected from damage.

(5) Additional requirements for spray booths.

(a) Spray booths shall be substantially constructed of noncombustible material and have smooth interior surfaces. Spray booth floors shall be covered with noncombustible material. As an aid to cleaning, paper may be used to cover the floor during painting operations if it is removed after the painting is completed.

(b) Spray booths shall be separated from other operations by at least three feet (0.91 m) or by fire-retardant partitions or walls.

(c) A space of at least three feet (0.91 m) on all sides of the spray booth shall be maintained free of storage or combustible materials.

(d) Metal parts of spray booths, exhaust ducts, piping and airless high-pressure spray guns and conductive objects being sprayed shall be grounded.

(e) Electric motors driving exhaust fans shall not be located inside booths or ducts.

(f) Belts shall not enter ducts or booths unless the belts are completely enclosed.

(g) Exhaust ducts shall be made of steel, shall have sufficient access doors to permit cleaning, and shall have a minimum clearance of eighteen inches (0.46 m) from combustible materials. Any installed dampers shall be fully opened when the ventilating system is operating.

(h) Spray booths shall not be alternately used to spray different types of coating materials if the combination of the materials may spontaneously ignite unless deposits of the first material are removed from the booth and from exhaust ducts before spraying of the second material begins.

NEW SECTION

WAC 296-56-60239 **COMPRESSED AIR.** Employees shall be protected by chip guarding and personal protective equipment complying with the provisions of chapter 296-62 WAC during cleaning with compressed air. Compressed air used for cleaning shall not exceed a pressure of thirty psi. Compressed air shall not be used to clean employees.

NEW SECTION

WAC 296-56-60241 **AIR RECEIVERS.** (1) Application. This section applies to compressed air receivers and equipment used for operations such as cleaning, drilling, hoisting and chipping. It does not apply to equipment used to convey materials or in such transportation applications as railways, vehicles or cranes.

(2) Gauges and valves.

(a) Air receivers shall be equipped with indicating pressure gauges and spring-loaded safety valves. Safety valves shall prevent receiver pressure from exceeding one hundred ten percent of the maximum allowable working pressure.

(b) No other valves shall be placed between air receivers and their safety valves.

NEW SECTION

WAC 296-56-60243 FUEL HANDLING AND STORAGE. (1) Liquid fuel. See also WAC 296-24-475.

- (a) Only designated persons shall conduct fueling operations.
- (b) In case of spillage, filler caps shall be replaced and spillage disposed of before engines are started.
- (c) Engines shall be stopped and operators shall not be on the equipment during refueling operations.
- (d) Smoking and open flames shall be prohibited in areas used for fueling, fuel storage or enclosed storage of equipment containing fuel.
- (e) Equipment shall be refueled only at designated locations.
- (f) Liquid fuels not handled by pump shall be handled and transported only in portable containers or equivalent means designed for that purpose. Portable containers shall be metal, have tight closures with screw or spring covers and shall be equipped with spouts or other means to allow pouring without spilling. Leaking containers shall not be used.
- (g) Flammable liquids may be dispensed in the open from a tank or from other vehicles equipped for delivering fuel to another vehicle only if:
 - (i) Dispensing hoses do not exceed fifty feet (15.2 m) in length; and
 - (ii) Any powered dispensing nozzles used are of the automatic-closing type.
- (h) Liquid fuel dispensing devices shall be provided with an easily accessible and clearly identified shut-off device, such as a switch or circuit breaker, to shut off the power in an emergency.
- (i) Liquid fuel dispensing devices, such as pumps, shall be mounted either on a concrete island or be otherwise protected against collision damage.
 - (2) Liquefied gas fuels.
 - (a) Fueling locations.
 - (i) Liquefied gas powered equipment shall be fueled only at designated locations.
 - (ii) Equipment with permanently mounted fuel containers shall be charged outdoors.
 - (iii) Equipment shall not be fueled or stored near underground entrances, elevator shafts or other places where gas or fumes might accumulate.
 - (b) Fuel containers.
 - (i) When removable fuel containers are used, the escape of fuel when containers are exchanged shall be minimized by:
 - (A) Automatic quick-closing couplings (closing in both directions when uncoupled) in fuel lines; or
 - (B) Closing fuel container valves and allowing engines to run until residual fuel is exhausted.
 - (ii) Pressure-relief valve openings shall be in continuous contact with the vapor space (top) of the cylinder.
 - (iii) Fuel containers shall be secured to prevent their being jarred loose, slipping or rotating.
 - (iv) Containers shall be located to prevent damage to the container. If located within a compartment, that compartment shall be vented. Containers near the engine or exhaust system shall be shielded against direct heat radiation.
 - (v) Container installation shall provide the container with at least the vehicle's road clearance under maximum spring deflection, which shall be to the bottom of the container or to the lowest fitting on the container or housing, whichever is lower.
 - (vi) Valves and connections shall be protected from contact damage. Permanent protection shall be provided for fittings on removable containers.
 - (vii) Defective containers shall be removed from service.
 - (c) Fueling operations. See also WAC 296-24-47517.
 - (i) To the extent applicable, fueling operations for liquefied gas fuels shall also comply with subsection (1) of this section.
 - (ii) Using matches or flames to check for leaks is prohibited.
 - (iii) Containers shall be examined before recharging and again before reuse for the following:
 - (A) Dents, scrapes and gouges of pressure vessels;
 - (B) Damage to valves and liquid level gauges;
 - (C) Debris in relief valves;
 - (D) Leakage at valves or connection; and
 - (E) Deterioration or loss of flexible seals in filling or servicing connections.
 - (d) Fuel storage. See also WAC 296-24-47517(6).
 - (i) Stored fuel containers shall be located to minimize exposure to excessive temperatures and physical damage.

(ii) Containers shall not be stored near exits, stairways or areas normally used or intended for egress.

(iii) Outlet valves of containers in storage or transport shall be closed. Relief valves shall connect with vapor spaces.

(e) Vehicle storage and servicing.

(i) Liquefied gas fueled vehicles may be stored or serviced inside garages or shops only if there are no fuel system leaks.

(ii) Liquefied gas fueled vehicles under repair shall have container shut-off valves closed unless engine operation is necessary for repairs.

(iii) Liquefied gas fueled vehicles shall not be parked near open flames, sources of ignition or unventilated open pits.

NEW SECTION

WAC 296-56-60245 BATTERY CHARGING AND CHANGING. (1) Only designated persons shall change or charge batteries.

(2) Battery charging and changing shall be performed only in areas designated by the employer.

(3) Smoking and other ignition sources are prohibited in charging areas.

(4) Filler caps shall be in place when batteries are being moved.

(5) Parking brakes shall be applied before batteries are charged or changed.

(6) When a jumper battery is connected to a battery in a vehicle, the ground lead shall connect to ground away from the vehicle's battery. Ignition, lights and accessories on the vehicle shall be turned off before connections are made.

(7) Batteries shall be free of corrosion buildup and cap vent holes shall be open.

(8) Adequate ventilation shall be provided during charging.

(9) Facilities for flushing the eyes, body and work area with water shall be provided wherever electrolyte is handled, except that this requirement does not apply when employees are only checking battery electrolyte levels or adding water.

(10) Carboy tilters or siphons shall be used to handle electrolyte in large containers.

(11) Battery handling equipment which could contact battery terminals or cell connectors shall be insulated or otherwise protected.

(12) Metallic objects shall not be placed on uncovered batteries.

(13) When batteries are being charged, the vent caps shall be in place.

(14) Charges shall be turned off when leads are being connected or disconnected.

(15) Installed batteries shall be secured to avoid physical or electrical contact with compartment walls or components.

NEW SECTION

WAC 296-56-60247 PROHIBITED OPERATIONS. (1) Spray painting and abrasive blasting operations shall not be conducted in the vicinity of cargo handling operations.

(2) Welding and burning operations shall not be conducted in the vicinity of cargo handling operations unless such hot work is part of the cargo operation.

NEW SECTION

WAC 296-56-60249 PETROLEUM DOCKS. (1) Pipe lines which transport petroleum liquids from or to a wharf shall be equipped with valves on shore so located as to be readily accessible and not endangered by a fire on the wharf.

(2) Drip pans, buckets, or other means shall be provided and shall be used to prevent oil spillage upon wharves during loading, disconnecting and draining hoses. After transfer is completed the contents of drip pans and buckets shall be removed and taken to a place of disposal.

(3) Package goods, freight or ship stores shall not be loaded or discharged during the bulk handling of oils or other inflammable liquids, in such a manner that the sling loads will endanger the hose.

(4) Water lights for use at petroleum wharves shall not be a type which create a source of ignition.

NEW SECTION

WAC 296-56-60251 BOAT MARINAS. (1) All hoisting equipment including derricks, cranes, or other devices used for boat launching, handling cargo, or supplies shall be inspected once a month and the records of this inspection be made available to the marine dock inspector upon request.

(2) Floating docks will not be required to have bull rails unless lift trucks or other power driven equipment is used on the dock.

(3) No smoking signs shall be posted in areas where fueling or inflammable material is present.

(4) Inflammable material or petroleum products shall be stored in a fireproof storage room or shed.

(5) Slippery surfaces shall be cleaned up and nonslip material shall be used if necessary.

NEW SECTION

WAC 296-56-60253 CANNERIES AND COLD STORAGE DOCKS. (1) Hoisting equipment used to load or unload cargo or supplies or fishing vessels shall be inspected once a month and the record of inspection be made available to the marine dock inspector upon request.

(2) Slippery surfaces shall be cleaned up and nonslip material shall be used if necessary.

NEW SECTION

WAC 296-56-60255 EXCERPTS FROM REVISED CODE OF WASHINGTON. (1) RCW 49.28.100 Hours of operators of power equipment in waterfront operations. It shall be unlawful for any employer to permit any of his employees to operate on docks, in warehouses and/or in or on other waterfront properties any power driven mechanical equipment for the purpose of loading cargo on, or unloading cargo from, ships, barges, or other watercraft, or of assisting in such loading or unloading operations, for a period in excess of twelve and one-half hours at any one time without giving such person an interval of eight hours' rest: PROVIDED, HOWEVER, The provisions of this section and RCW 49.28.110 shall not be applicable in cases of emergency, including fire, violent storms, leaking or sinking ships or services required by the armed forces of the United States.

(2) RCW 51.28.010 Notice of accident—Notification of worker's rights. Whenever any accident occurs to any worker it shall be the duty of such worker or someone in his or her behalf to forthwith report such accident to his or her employer, superintendent or foreman or forewoman in charge of the work, and of the employer to at once report such accident and the injury resulting therefrom to the department pursuant to RCW 51.28.025, as now or hereafter amended, where the worker has received treatment from a physician, has been hospitalized, disabled from work, or has died as the apparent result of such accident and injury.

Upon receipt of such notice of accident, the department shall immediately forward to the worker or his or her beneficiaries or dependents notification, in nontechnical language, of their rights under this title.

NEW SECTION

WAC 296-62-07353 ETHYLENE OXIDE. (1) Scope and application.

(a) This section applies to all occupational exposures to ethylene oxide (EtO), Chemical Abstracts Service Registry No. 75-21-8, except as provided in (b) of this subsection.

(b) This section does not apply to the processing, use, or handling of products containing EtO where objective data are reasonably relied upon that demonstrate that the product is not capable of releasing EtO in airborne concentrations at or above the action level under the expected conditions of processing, use, or handling that will cause the greatest possible release.

(c) Where products containing EtO are exempted under (b) of this subsection, the employer shall maintain records of the objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in subsection (1)(a) of this section.

(2) Definitions: For the purpose of this section, the following definitions shall apply:

(a) "Action level" means a concentration of airborne EtO of 0.5 ppm calculated as an eight-hour time-weighted average.

(b) "Authorized person" means 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 (12) of this section.

(c) "Director" means the director of the department of labor and industries, or designee.

(d) "Emergency" means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment that is likely to or does result in an unexpected significant release of EtO.

(e) "Employee exposure" means exposure to airborne EtO which would occur if the employee were not using respiratory protective equipment.

(f) "Ethylene oxide" or "EtO" means the three-membered ring organic compound with chemical formula C_2H_4O .

(3) Permissible exposure limits (PEL). Eight-hour time-weighted average (TWA). The employer shall ensure that no employee is exposed to an airborne concentration of EtO in excess of one part EtO per million parts of air (1 ppm) as an eight-hour time-weighted average. (Eight-hour TWA).

(4) Exposure monitoring.

(a) General.

(i) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the eight-hour TWA of each employee.

(ii) Representative eight-hour TWA employee exposure shall be determined on the basis of one or more samples representing full-shift exposure for each shift for each job classification in each work area.

(iii) Where the employer can document that exposure levels are equivalent for similar operations in different work shifts, the employer need only determine representative employee exposure for that operation during one shift.

(b) Initial monitoring.

(i) Each employer who has a workplace or work operation covered by this standard, except as provided in subsection (1)(b) or (4)(b)(ii) of this section, shall perform initial monitoring to determine accurately the airborne concentrations of EtO to which employees may be exposed.

(ii) Where the employer has monitored after June 15, 1983, and the monitoring satisfies all other requirements of this section, the employer may rely on such earlier monitoring results to satisfy the requirements of (b)(i) of this subsection.

(c) Monitoring frequency (periodic monitoring).

(i) If the monitoring required by (b) of this subsection reveals employee exposure at or above the action level but at or below the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every six months.

(ii) If the monitoring required by (b)(i) of this subsection reveals employee exposure above the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every three months.

(iii) The employer may alter the monitoring schedule from quarterly to semiannually for any employee for whom two consecutive measurements taken at least seven days apart indicate that the employee's exposure has decreased to or below the eight-hour TWA.

(d) Termination of monitoring.

(i) If the initial monitoring required by (b)(i) of this subsection reveals employee exposure to be below the action level, the employer may discontinue the monitoring for those employees whose exposures are represented by the initial monitoring.

(ii) If the periodic monitoring required by (c) of this subsection reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are below the action level, the employer may discontinue the monitoring for those employees whose exposures are represented by such monitoring.

(e) Additional monitoring. Notwithstanding the provisions of (d) of this subsection, the employer shall institute the exposure monitoring required under (b)(i) and (c) of this subsection whenever there has been a change in the production, process, control equipment, personnel or work practices that may result in new or additional exposures to EtO or when the employer has any reason to suspect that a change may result in new or additional exposures.

(f) Accuracy of monitoring. Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus twenty-five percent for airborne concentrations of EtO at the 1 ppm TWA and to within plus or minus thirty-five percent for airborne concentrations of EtO at the action level of 0.5 ppm.

(g) Employee notification of monitoring results.

(i) The employer shall, within fifteen working days after the receipt of the results of any monitoring performed under this standard, notify the affected employee of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(ii) The written notification required by (g)(i) of this subsection shall contain the corrective action being taken by the employer to reduce employee exposure to or below the PEL, wherever monitoring reads indicated that the PEL has been exceeded.

(5) Regulated areas.

(a) The employer shall establish a regulated area wherever occupational exposures to airborne concentrations of EtO may exceed the TWA.

(b) Access to regulated areas shall be limited to authorized persons.

(c) Regulated areas shall be demarcated in any manner that minimizes the number of employees within the regulated area.

(6) Methods of compliance.

(a) Engineering controls and work practices.

(i) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the TWA, except to the extent that such controls are not feasible.

(ii) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the TWA, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of subsection (7) of this section.

(iii) Engineering controls are generally infeasible for the following operations: Collection of quality assurance sampling from sterilized materials removal of biological indicators from sterilized materials; Loading and unloading of tank cars; changing of ethylene oxide tanks on sterilizers; and vessel cleaning. For these operations, engineering controls are required only where the director demonstrates that such controls are feasible.

(b) Compliance program.

(i) Where the TWA is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the TWA by means of engineering and work practice controls, as required by (a) of this subsection, and by the use of respiratory protection where required or permitted under this section.

(ii) The compliance program shall include a schedule for periodic leak detection surveys and a written plan for emergency situations, as specified in subsection (8)(a)(i) of this section.

(iii) Written plans for a program required in (b) of this subsection shall be developed and furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans shall be reviewed at least every twelve months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(iv) The employer shall not implement a schedule of employee rotation as a means of compliance with the TWA.

(7) Respiratory protection and personal protective equipment.

(a) General. The employer shall provide respirators, and ensure that they are used, where required by this section. Respirators shall be used in the following circumstances.

(i) During the interval necessary to install or implement feasible engineering and work practice controls;

(ii) In work operations, such as maintenance and repair activities, vessel cleaning, or other activities for which engineering and work practice controls are not feasible;

(iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the TWA; and

(iv) In emergencies.

(b) Respirator selection.

(i) Where respirators are required under this section, the employer shall select and provide, at no cost to the employee, the appropriate respirator as specified in Table 1, and shall ensure that the employee uses the respirator provided.

(ii) The employer shall select respirators from among those jointly approved as being acceptable for protection against EtO by the Mine Safety and Health Administration (MSHA) and by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(c) Respirator program. Where respiratory protection is required by this section, the employer shall institute a respirator program in accordance with WAC 296-62-071.

(d) Protective clothing and equipment. Where eye or skin contact with liquid EtO or EtO solutions may occur, the employer shall select and provide, at no cost to the employee, appropriate protective clothing or other equipment in accordance with WAC 296-24-07501 and 296-

24-07801 and to protect any area of the body that may come in contact with liquid EtO or EtO in solution, and shall ensure that the employee wears the protective clothing and equipment provided.

(8) Emergency situations.

(a) Written plan.

(i) A written plan for emergency situations shall be developed for each workplace where there is a possibility of an emergency. 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 with respiratory protection as required by subsection (7) of this section until the emergency is abated.

(iii) The plan shall include the elements prescribed in WAC 296-24-567, "employee emergency plans and fire prevention plans."

(b) Alerting employees. Where there is the possibility of employee exposure to EtO due to an emergency, means shall be developed to alert potentially affected employees of such occurrences promptly. Affected employees shall be immediately evacuated from the area in the event that an emergency occurs.

Table 1.—Minimum Requirements for Respiratory Protection for Airborne EtO

Condition of use or concentration of airborne EtO (ppm)	Minimum required respirator
Equal to or less than 50.	(a) Full facepiece respirator with EtO approved canister, front-or back-mounted.
Equal to or less than 2,000.	(a) Positive-pressure supplied air respirator, equipped with full facepiece, hood, or helmet, or (b) Continuous-flow supplied air respirator (positive pressure) equipped with hood, helmet or suit.
Concentration above 2,000 or unknown concentration (such as in emergencies).	(a) Positive-pressure self-contained breathing apparatus (SCBA), equipped with full facepiece, or (b) Positive-pressure full facepiece supplied air respirator equipped with an auxiliary positive-pressure self-contained breathing apparatus.
Firefighting.....	(a) Positive pressure self-contained breathing apparatus equipped with full facepiece.
Escape.....	(a) Any respirator described above.

NOTE: Respirators approved for use in higher concentrations are permitted to be used in lower concentrations.

(9) Medical surveillance.

(a) General.

(i) Employees covered.

(A) The employer shall institute a medical surveillance program for all employees who are or may be exposed to EtO at or above the action level, without regard to the use of respirators, for at least thirty days a year.

(B) The employer shall make available medical examinations and consultations to all employees who have been exposed to EtO in an emergency situation.

(ii) Examination by a physician. The employer shall ensure 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, without loss of pay, and at a reasonable time and place.

(b) Medical examinations and consultations.

(i) Frequency. The employer shall make available medical examinations and consultations to each employee covered under (a)(i) of this subsection on the following schedules:

(A) Prior to assignment of the employee to an area where exposure may be at or above the action level for at least thirty days a year.

(B) At least annually each employee exposed at or above the action level for at least thirty days in the past year.

(C) At termination of employment or reassignment to an area where exposure to EtO is not at or above the action level for at least thirty days a year.

(D) As medically appropriate for any employee exposed during an emergency.

(E) As soon as possible, upon notification by an employee either (I) that the employee has developed signs or symptoms indicating possible overexposure to EtO, or (II) that the employee desires medical advice concerning the effects of current or past exposure to EtO on the employee's ability to produce a healthy child.

(F) If the examining physician determines that any of the examinations should be provided more frequently than specified, the employer shall provide such examinations to affected employees at the frequencies recommended by the physician.

(ii) Content.

(A) Medical examinations made available pursuant to (b)(i)(A) through (D) of this subsection shall include:

(I) A medical and work history with special emphasis directed to symptoms related to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.

(II) A physical examination with particular emphasis given to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.

(III) A complete blood count to include at least a white cell count (including differential cell count), red cell count, hematocrit, and hemoglobin.

(IV) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

(B) The content of medical examinations or consultation made available pursuant to (b)(i)(E) of this subsection shall be determined by the examining physician, and shall include pregnancy testing or laboratory evaluation of fertility, if requested by the employee and deemed appropriate by the physician.

(c) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and Appendices A, B, and C.

(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 and respiratory equipment used or to be used.

(v) Information from previous medical examinations of the affected employee that is not otherwise available to the examining physician.

(d) Physician's written opinion.

(i) The employer shall obtain a written opinion from the examining physician. This written opinion shall contain the results of the medical examination and shall include:

(A) The physician's opinion as to whether the employee has any detected medical conditions that would place the employee at an increased risk of material health impairment from exposure to EtO;

(B) Any recommended limitations on the employee or upon the use of personal protective equipment such as clothing or respirators; and

(C) A statement that the employee has been informed by the physician of the results of the medical examination and of any medical conditions resulting from EtO exposure that require further explanation or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion given to the employer specific findings or diagnoses unrelated to occupational exposure to EtO.

(iii) The employer shall provide a copy of the physician's written opinion to the affected employee within fifteen days from its receipt.

(10) Communication of EtO hazards to employees.

(a) Signs and labels.

(i) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER
ETHYLENE OXIDE
CANCER HAZARD AND REPRODUCTIVE HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING MAY BE REQUIRED
TO BE WORN IN THIS AREA

(ii) The employer shall ensure that precautionary labels are affixed to all containers of EtO whose contents are capable of causing employee exposure at or above the action level, and that the labels remain affixed when the containers of EtO leave the workplace. For the purposes of this subsection, reaction vessels, storage tanks, and pipes or piping systems are not considered to be containers. The labels shall comply with the requirements of WAC 296-62-05411 of WISHA's

hazard communication standard, and shall include the following legend:

(A) CAUTION
CONTAINS ETHYLENE OXIDE
CANCER AND REPRODUCTIVE HAZARD; and

(B) A warning statement against breathing airborne concentrations of EtO.

(b) Material safety data sheets. Employers who are manufacturers or importers of EtO shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413 of the hazard communication standard.

(c) Information and training.

(i) The employer shall provide employees who are potentially exposed to EtO at or above the action level with information and training on EtO at the time of initial assignment and at least annually thereafter.

(ii) Employees shall be informed of the following:

(A) The requirements of this section with an explanation of its contents, including Appendices A and B;

(B) Any operations in their work area where EtO is present;

(C) The location and availability of the written EtO final rule; and

(D) The medical surveillance program required by subsection (9) of this section with an explanation of the information in Appendix C.

(iii) Employee training shall include at least:

(A) Methods and observations that may be used to detect the presence or release of EtO in the work area (such as monitoring conducted by the employer, continuous monitoring devices, etc.);

(B) The physical and health hazards of EtO;

(C) The measures employees can take to protect themselves from hazards associated with EtO exposure, including specific procedures the employer has implemented to protect employees from exposure to EtO, such as work practices, emergency procedures, and personal protective equipment to be used; and

(D) The details of the hazard communication program developed by the employer, including an explanation of the labeling system and how employees can obtain and use the appropriate hazard information.

(11) Recordkeeping.

(a) Objective data for exempted operations.

(i) Where the processing, use, or handling of products made from or containing EtO are exempted from other requirements of this section under subsection (1)(b) of this section, or where objective data have been relied on in lieu of initial monitoring under subsection (4)(b)(ii) 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 at least the following information:

(A) The product qualifying for exemption;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and/or analysis of the material for the release of EtO;

(D) A description of the operation exempted and how the data support the exemption; and

(E) Other data relevant to the operations, materials, processing, or employee exposures 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 measurements.

(i) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to EtO as prescribed in subsection (4) of this section.

(ii) This record shall include at least the following information:

(A) The date of measurement;

(B) The operation involving exposure to EtO which is being monitored;

(C) Sampling and analytical methods used and evidence of their accuracy;

(D) Number, duration, and results of samples taken;

(E) Type of protective devices worn, if any; and

(F) Name, social security number and exposure of the employees whose exposures are represented.

(iii) The employer shall maintain this record for at least thirty years, in accordance with WAC 296-62-05207.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance by subsection (9)(a)(i) of this section, in accordance with WAC 296-62-05207.

- (ii) The record shall include at least the following information:
 - (A) The name and social security number of the employee;
 - (B) Physicians' written opinions;
 - (C) Any employee medical complaints related to exposure to EtO;

and
 (D) A copy of the information provided to the physician as required by subsection (9)(c) of this section.

(iii) The employer shall ensure that this record is maintained for the duration of employment plus thirty years, in accordance with WAC 296-62-05207.

(d) Availability.

(i) The employer, upon written request, shall make all records required to be maintained by this section available to the director for examination and copying.

(ii) The employer, upon request, shall make any exemption and exposure records required by subsection (12)(a) and (b) of this section available for examination and copying to affected employees, former employees, designated representatives and the director, in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(iii) The employer, upon request, shall make employee medical records required by (c) of this subsection available for examination and copying to the subject employee, anyone having the specific written consent of the subject employee, and the director, in accordance with WAC 296-62-052.

(e) Transfer of records.

(i) The employer shall comply with the requirements concerning transfer of records set forth in WAC 296-62-05207.

(ii) Whenever 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 notify the director at least ninety days prior to disposal and transmit them to the director.

(12) 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 EtO conducted in accordance with subsection (4) of this section.

(b) Observation procedures. When observation of the monitoring of employee exposure to EtO requires entry into an area where the use of protective clothing or equipment is required, the observer shall be provided with and be required to use such clothing and equipment and shall comply with all other applicable safety and health procedures.

(13) Dates.

(a) Effective date. This section shall become effective thirty days after filing with the Code Reviser.

(b) Start-up dates.

(i) The requirements of subsections (3) through (12) of this section, including feasible work practice controls but not including engineering controls specified in subsection (6)(a) of this section, shall be complied with within one hundred eighty days after the effective date of this section.

(ii) Engineering controls specified by subsection (6)(a) of this section shall be implemented within one year after the effective date of this section.

(14) Appendices. The information contained in the appendices is not intended by itself to create any additional obligations not otherwise imposed or to detract from any existing obligation. Appendices are available from:

Support Services
 Division of Industrial
 Safety and Health
 P.O. Box 207
 Olympia, WA 98504
 (206) 753-6381

AMENDATORY SECTION (Amending Order 82-22, filed 6/11/82)

WAC 296-62-07515 CONTROL OF CHEMICAL AGENTS.
 Chemical agents shall be controlled in such a manner that the workers exposure shall not exceed the applicable limits in WAC 296-62-075 through 296-62-07515.

TABLE 1
 PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
Abate	—	10
Acetaldehyde	200	360
Acetic acid	10	25
Acetic anhydride	5	20
Acetone	1,000	2,400
Acetonitrile	40	70
Acetylene	Simple	Asphyxiant
Acetylene dichloride, see 1,2-Dichloroethylene		
Acetylene tetrabromide	1	14
Acrolein	0.1	0.25
Acrylamide—Skin	—	0.3
Aldrin—Skin	—	0.25
Allyl alcohol—Skin	2	3
Allyl chloride	1	5
C Allyl glycidyl ether (AGE)	10	45
Allyl propyl disulfide	2	12
Alundum (Al ₂ O ₃)	—	10
2-Aminoethanol, see Ethanolamine	—	—
2-Aminopyridine	0.5	2
Ammonia	50	35
Ammonium chloride, fume	—	10
Ammonium sulfamate (Ammate)	—	10
n-Amyl acetate	100	525
sec-Amyl acetate	125	650
Aniline—Skin	5	19
Anisidine (o, p-isomers)—Skin	—	0.5
Antimony & Compounds (as Sb)	—	0.5
ANTU (alpha Naphthyl thiourea)	—	0.3
Argon	Simple	Asphyxiant
Arsenic & Compounds (as As) which are exempt from WAC 296-62-07347	—	0.5
Arsine	0.05	0.2
Asphalt (petroleum) fumes	—	5
Azinphos methyl—Skin	—	0.2
Barium (soluble compounds)	—	0.5
p-Benzoquinone, see Quinone		
Benzoyl peroxide	—	5
Benzyl chloride	1	5
Biphenyl, see Diphenyl		
Boron oxide	—	10
Boron tribromide	1	10
C Boron trifluoride	1	3
Bromine	0.1	0.7
Bromine pentafluoride	0.1	0.7
Bromoform—Skin	0.5	5.0
Butadiene (1,3-butadiene)	1,000	2,200
Butanethiol, see Butyl mercaptan		
2-Butanone	200	590
2-Butoxy ethanol (Butyl Cello-solve)—Skin	50	240
Butyl acetate (n-butyl acetate)	150	710
sec-Butyl acetate	200	950
tert-Butyl acetate	200	950
Butyl alcohol	100	300
sec-Butyl alcohol	150	450
tert-Butyl alcohol	100	300
C Butylamine—Skin	5	15
C tert-Butyl chromate (as CrO ₃)—Skin	—	0.1
n-Butyl glycidyl ether (BGE)	50	270
Butyl mercaptan	0.5	1.5
p-tert-Butyl-toluene	10	60
C Cadmium oxide fume (as Cd)	—	0.1
Calcium carbonate	—	10
Calcium arsenate See WAC 296-62-07347		
Calcium oxide	—	5
Camphor (synthetic)	2	12
Carbaryl (Sevin [®])	—	5
Carbon black	—	3.5
Carbon dioxide	5,000	9,000
Carbon monoxide	50	55
Cellulose (paper fiber)	—	10
Chlordane—Skin	—	0.5
Chlorinated camphene—Skin	—	0.5
Chlorinated diphenyl oxide	—	0.5
C Chlorine	1	3

TABLE 1

PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
Chlorine dioxide	0.1	0.3
C Chlorine tri-fluoride	0.1	0.4
C Chloroacetaldehyde	1	3
α-Chloroacetophenone (Phenacylchloride)	0.05	0.03
Chlorobenzene (Monochlorobenzene)	75	350
o-Chlorobenzylidene malononitrile (OCBM)—Skin	0.05	0.4
Chlorobromomethane	200	1,050
2-Chloro-1,3-butadiene, see Chloroprene		
Chlorodiphenyl (42% Chlorine)— Skin	—	1
Chlorodiphenyl (54% Chlorine)— Skin	—	0.5
1-Chloro,2,3-epoxy propane, see Epichlorhydrin		
2-Chloroethanol, see Ethylene chlorohydrin		
Chloroform (Tri-chloromethane)	50	240
1-Chloro-1-nitropropane	20	100
Chloropicrin	0.1	0.7
Chloroprene (2-chloro-1,3-bu- tadiene)—Skin	25	90
Chromium, sol. chromic, chromous salts as Cr.	—	0.5
Chromium Metal & insol. salts		1
Coal tar pitch volatiles (benzene soluble fraction anthracene, BaP, phenanthrene, acridine, chrysene, pyrene)		0.2
Cobalt, metal fume & dust	—	0.1
Copper fume	—	0.1
Dusts and Mists	—	1.0
Corundum (Al ₂ O ₃)	—	10
Cotton Dust (raw)	—	1
Crag ^[R] herbicide	—	10
Cresol (all isomers)—Skin	5	22
Crotonaldehyde	2	6
Cumene—Skin	50	245
Cyanide (as CN)—Skin	—	5
Cyanogen	10	—
Cyclohexane	300	1,050
Cyclohexanol	50	200
Cyclohexanone	50	200
Cyclohexene	300	1,015
Cyclopentadiene	75	200
2,4-D	—	10
DDT	—	1
DDVP, see Dichlorvos		
Decaborane—Skin	0.05	0.3
Demeton ^[R] —Skin	—	0.1
Diacetone alcohol (4-hydroxy-4- methyl-2-pentanone)	50	240
1,2-Diaminoethane, see Ethylenediamine		
Diazinon—skin	—	0.1
Diazomethane	0.2	0.4
Diborane	0.1	0.1
Dibrom ^[R]	—	3
2-N Dibutylamino-ethanol—Skin	2	14
Dibutyl phosphate	1	5
Dibutylphthalate	—	5
C Dichloroacetylene	0.1	0.4
C o-Dichlorobenzene	50	300
p-Dichlorobenzene	75	450
Dichlorodifluoromethane	1,000	4,950
1,3-Dichloro-5,5-dimethyl hydantoin	—	0.2
1,1-Dichloroethane	100	400
1,2-Dichloro-ethylene	200	790
C Dichloroethyl ether—Skin	15	90
Dichloromethane, see Methyl- ene-chloride		
Dichloromonofluoro-methane	1,000	4,200
C 1,1-Dichloro-1-nitroethane	10	60
1,2-Dichloropropane, see Propylene-dichloride		
Dichlorotetra-fluoroethane	1,000	7,000
Dichlorvos (DDVP)—Skin	—	1
Dieldrin—Skin	—	0.25

TABLE 1

PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
Diethylamine	25	75
Diethylamino ethanol—Skin	10	50
C Diethylene triamine—Skin	1	4
Diethylether, see Ethyl ether		
Difluorodibromomethane	100	860
C Diglycidyl ether (DGE)	0.5	2.8
Dihydroxybenzene, see Hydroquinone		
Diisobutyl ketone	50	290
Diisopropylamine—Skin	5	20
Dimethoxymethane, see Methylal		
Dimethyl acetamide—Skin	10	35
Dimethylamine	10	18
Dimethylaminobenzene, see Xylidene		
Dimethylaniline (N-Dimethylan- iline)—Skin	5	25
Dimethylbenzene, see Xylene		
Dimethyl,1,2-dibromo-2,2-di- chloroethyl phosphate, see DiBrom		
Dimethylformamide—Skin	10	30
2,6-Dimethylheptanone, see Diisobutyl ketone		
1,1-Dimethylhydrazine—Skin	0.5	1
Dimethylphthalate	—	5
Dimethylsulfate—Skin	1	5
Dinitrobenzene (all isomers)— Skin	—	1
Dinitro-o-cresol—Skin	—	0.2
Dinitrotoluene—Skin	—	1.5
Dioxane (Diethylene dioxide)— Skin	100	360
Diphenyl	0.2	1
Diphenyl amine	—	10
Diphenylmethane diisocyanate (see Methylene bisphenyl isocyanate (MDI))		
Dipropylene glycol methyl ether—Skin	100	600
Di-sec.octyl phthalate (Di-2- ethylhexyl-phthalate)	—	5
Emery	—	10
Endosulfan (Thiodan ^[R])—skin	—	0.1
Endrin—Skin	—	0.1
Epichlorhydrin—Skin	5	19
EPN—Skin	—	0.5
1,2-Epoxypropane, see Propylene-oxide		
2,3-Epoxy-1-propanol, see Glycidol		
Ethane	Simple	Asphyxiant
Ethanthiol, see Ethylmercaptan		
Ethanolamine	3	6
2-Ethoxyethanol—Skin	200	740
2-Ethoxyethylacetate (Cellosolve acetate)—Skin	100	540
Ethyl acetate	400	1,400
Ethyl acrylate—Skin	25	100
Ethyl alcohol (ethanol)	1,000	1,900
Ethylamine	10	18
Ethyl sec-amyl ketone (5-meth- yl-3-heptanone)	25	130
Ethyl benzene	100	435
Ethyl bromide	200	890
Ethyl butyl ketone (3- Heptanone)	50	230
Ethyl chloride	1,000	2,600
Ethyl ether	400	1,200
Ethyl formate	100	300
Ethyl mercaptan	0.5	1
Ethyl silicate	100	850
Ethylene	Simple	Asphyxiant
Ethylene chlorohydrin—Skin	5	16
Ethylenediamine	10	25
C Ethylene glycol dinitrate and/or Nitroglycerin—Skin	0.2	—
	(See note d)	
Ethylene glycol monomethyl ether acetate (Methyl cellosolve ace- tate)—Skin	25	120
Ethylene imine—Skin	0.5	1

TABLE I

PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
Ethylene oxide (See WAC 296-62-07353)	((50)) 1	((90)) —
Ethylidene chloride, see 1,1-Dichloroethane	—	—
n-Ethylmorpholine—Skin	20	.94
Ferbam	—	15
Ferrovandium dust	—	1
Fluoride as dust	—	2.5
Fluorine	0.1	0.2
Fluorotrichloromethane	1,000	5,600
C Formaldehyde	2	3
Formic acid	5	9
Furfuryl—Skin	5	20
Furfuryl alcohol	50	200
Glass, fibrous or dust (See note e)	—	10
Glycerin mist	—	10
Glycidol (2,3-Epoxy-1-propanol)	50	150
Glycol monoethyl ether, see 2-Ethoxyethanol	—	—
Graphite (Synthetic)	—	10
Guthion [®] , see Azinphosmethyl	—	—
Gypsum	—	10
Hafnium	—	0.5
Helium	Simple	Asphyxiant
Heptachlor—Skin	—	0.5
Heptane (n-heptane)	500	2,000
Hexachloroethane—Skin	1	10
Hexachloronaphthalene—Skin	—	0.2
Hexane (n-hexane)	500	1,800
2-Hexanone	100	410
Hexone (Methyl isobutyl ketone)	100	410
156 sec-Hexyl acetate	50	300
Hydrazine—Skin	1	1.3
Hydrogen	Simple	Asphyxiant
Hydrogen bromide	3	10
C Hydrogen chloride	5	7
Hydrogen cyanide—Skin	10	11
Hydrogen fluoride	3	2
Hydrogen peroxide	1	1.4
Hydrogen selenide	0.05	0.2
Hydroquinone	—	2
Indene	10	45
Indium and compounds, as In	—	0.1
C Iodine	0.1	1
Iron oxide fume	—	10
Iron pentacarbonyl	0.01	0.08
Iron salts, soluble, as Fe	—	1
Isoamyl acetate	100	525
Isoamyl alcohol	100	360
Isobutyl acetate	150	700
Isobutyl alcohol	100	300
Isophorone	10	55
Isopropyl acetate	250	950
Isopropyl alcohol	400	980
Isopropylamine	5	12
Isopropylether	250	1,050
Isopropyl glycidyl ether (IGE)	50	240
Kaolin	—	10
Ketene	0.5	0.9
Lead and its inorganic compounds which are exempt from WAC 296-62-07521	—	0.2
Lead arsenate—See WAC 296-62-07347	—	0.15
Limestone	—	10
Lindane	—	0.5
Lithium hydride	—	0.025
L.P.G. (Liquified petroleum gas)	1,000	1,800
Magnesite	—	10
Magnesium oxide fume	—	10
Malathion—Skin	—	10
Maleic anhydride	0.25	1
C Manganese and compounds, as Mn	—	5
Marble	—	10
Mesityl oxide	25	100
Methane	Simple	Asphyxiant
Methanethiol, see Methyl mercaptan	—	—
Methoxychlor	—	10

TABLE I

PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
2-Methoxyethanol—skin (Methyl cellosolve)	25	80
Methyl acetate	200	610
Methyl acetylene (propyne)	1,000	1,650
Methyl acetylene—propadiene mixture (MAPP)	1,000	1,800
Methyl acrylate—Skin	10	35
Methylal (dimethoxy-methane)	1,000	3,100
Methyl alcohol (methanol)	200	260
Methylamine	10	12
Methyl amyl alcohol, see Methyl isobutyl carbinol	—	—
Methyl 2-cyano-acrylate	2	8
Methyl isoamyl ketone	100	475
Methyl (n-amyl) ketone (2-Heptanone)	100	465
Methyl bromide—Skin	15	60
Methyl butyl ketone, see 2-Hexanone	—	—
Methyl cellosolve—skin, see 2-Methoxyethanol	—	—
Methyl cellosolve acetate—Skin, see Ethylene glycol monomethyl ether acetate	—	—
Methyl chloride	100	210
Methyl chloroform	350	1,900
Methylcyclohexane	500	2,000
Methylcyclohexanol	100	470
o-Methylcyclo-hexanone—Skin	100	460
Methylcyclopentadienyl manganese tricarbonyl (as Mn)—skin	0.1	0.2
Methyl demeton—skin	—	0.5
Methyl ethyl ketone (MEK), see 2-Butanone	—	—
Methyl formate	100	250
Methyl iodide—Skin	5	28
Methyl isobutyl carbinol—Skin	25	100
Methyl isobutyl ketone, see Hexone	—	—
Methyl isocyanate—Skin	0.02	0.05
Methyl mercaptan	0.5	1
Methyl methacrylate	100	410
Methyl parathion—skin	—	0.2
Methyl propyl ketone, see 2-Pentanone	—	—
C Methyl silicate	5	30
C α-Methyl styrene	100	480
C Methylene bisphenyl isocyanate (MDI)	0.02	0.2
Molybdenum (soluble compounds)	—	5
(insoluble compounds)	—	10
Monomethyl aniline—Skin	2	9
C Monomethyl hydrazine—Skin	0.2	0.35
Morpholine—Skin	20	70
Naphtha (coal tar)	100	400
Naphthalene	10	50
Neon	Simple	Asphyxiant
Nickel carbonyl	0.001	0.007
(See note a)	—	—
Nickel, metal and soluble compounds, as Ni	—	1
Nicotine—Skin	—	0.5
Nitric acid	2	5
Nitric oxide	25	30
p-Nitroaniline—Skin	1	6
Nitrobenzene—Skin	1	5
p-Nitrochlorobenzene—Skin	—	1
Nitroethane	100	310
Nitrogen	Simple	Asphyxiant
C Nitrogen dioxide	5	9
Nitrogen trifluoride	10	29
C Nitroglycerin—Skin	0.2	2
Nitromethane	100	250
1-Nitropropane	25	90
2-Nitropropane	25	90
Nitrotoluene—Skin	5	30
Nitrotrichloromethane, see Chloropicrin	—	—
Nitrous Oxide	Simple	Asphyxiant
Octachloronaphthalene—Skin	—	0.1
Octane	400	1,900

TABLE 1

PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
Oil mist, particulate	—	5 (See note f)
Osmium tetroxide	—	0.002
Oxalic acid	—	1
Oxygen difluoride	0.05	0.1
Ozone	0.1	0.2
Paraquat—Skin	—	0.5
Parathion—Skin	—	0.1
Pentaborane	0.005	0.01
Pentachloronaphthalene—Skin	—	0.5
Pentachlorophenol—Skin	—	0.5
Pentaerythritol	—	10
Pentane	500	1,500
2-Pentanone	200	700
Perchloromethyl mercaptan	0.1	0.8
Perchloryl fluoride	3	14
Phenol—Skin	5	19
p-Phenylene diamine—Skin	—	0.1
Phenyl ether (vapor)	1	7
Phenyl ether-Diphenyl mixture (vapor)	1	7
Phenylethylene, see Styrene		
Phenyl glycidyl ether (PGE)	10	60
Phenyldiazine—Skin	5	22
Phenothiazine—skin	—	5
Phosdrin (Mevinphos ^[R])—Skin	—	0.1
Phosgene (carbonyl chloride)	0.1	0.4
Phosphine	0.3	0.4
Phosphoric acid	—	1
Phosphorus (yellow)	—	0.1
Phosphorus pentachloride	—	1
Phosphorus pentasulfide	—	1
Phosphorus trichloride	0.5	3
Phthalic anhydride	2	12
Picric acid—Skin	—	0.1
Pival ^[R] (2-Pivalyl-1,3-indandione)	—	0.1
Plaster of Paris	—	10
Platinum (Soluble Salts) as Pt	—	0.002
Polychlorobiphenyls, see Chlorodiphenyls		
Propane	Simple	Asphyxiant
Propargyl alcohol—Skin	1	—
n-Propyl acetate	200	840
Propyl alcohol	200	500
n-Propyl nitrate	25	110
Propylene dichloride (1,2-Dichloropropane)	75	350
Propylene glycol monomethyl ether	100	360
Propylene imine—Skin	2	5
Propylene oxide	100	240
Propyne, see Methylacetylene		
Pyrethrum	—	5
Pyridine	5	15
Quinone	0.1	0.4
RDX—Skin	—	1.5
Rhodium, Metal fume and dusts, as Rh	—	0.1
Soluble salts	—	0.001
Ronnel	—	10
Rosin Core Solder, pyrolysis products (as formaldehyde)	—	0.1
Rotenone (commercial)	—	5
Rouge	—	10
Selenium compounds (as Se)	—	0.2
Selenium hexafluoride	0.05	0.4
Silicon Carbide	—	10
Silver, metal and soluble compounds	—	0.01
Sodium fluoroacetate (1080)—Skin	—	0.05
Sodium hydroxide	—	2
Starch	—	10
Stibine	0.1	0.5
Stoddard solvent	200	1,150
Strychnine	—	0.15
Sucrose	—	10
Sulfur dioxide	5	13
Sulfur hexafluoride	1,000	6,000
Sulfuric acid	—	1
Sulfur monochloride	1	6

TABLE 1

PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (See note a)	mg/M ³ (See note b)
Sulfur pentafluoride	0.025	0.25
Sulfuryl fluoride	5	20
Systox, see Demeton ^[R]	—	—
2,4,5 T	—	10
Tantalum	—	5
TEDP—Skin	—	0.2
Tellurium	—	0.1
Tellurium hexafluoride	0.02	0.2
TEPP—Skin	—	0.05
C Terphenyls	1	9
1,1,1,2-Tetrachloro-2,2-difluoroethane	500	4,170
1,1,2,2-Tetrachloro-1,2-difluoroethane	500	4,170
1,1,2,2-Tetrachloroethane—Skin	5	35
Tetrachloromethane, see Carbon tetrachloride		
Tetrachloronaphthalene—Skin	—	2
Tetraethyl lead (as Pb)—Skin	—	0.100 (See note h)
Tetrahydrofuran	200	590
Tetramethyl lead (as Pb)—Skin	—	0.150 (See note h)
Tetramethyl succinonitrile—Skin	0.5	3
Tetranitromethane	1	8
Tetryl (2,4,6-trinitrophenyl-methylnitramine)—Skin	—	1.5
Thallium (soluble compounds)—Skin (as Tl)	—	0.1
Thiram ^R	—	5
Tin (inorganic compounds, except SnH ₄ and SnO ₂) as Sn	—	2
Tin (organic compounds)—skin (as Sn)	—	0.1
Tin oxide	—	10
Titanium dioxide	—	10
C Toluene-2,4-diisocyanate	0.02	0.14
o-Toluidine—Skin	5	22
Toxaphene, see Chlorinated camphene		
Tributyl phosphate	—	5
1,1,1-Trichloroethane, see Methyl chloroform		
1,1,2-Trichloroethane—Skin	10	45
Trichloromethane, see Chloroform		
Trichloronaphthalene—Skin	—	5
1,2,3-Trichloropropane	50	300
1,1,2-Trichloro 1,2,2-trifluoroethane	1,000	7,600
Triethylamine	25	100
Trifluoromono-bromomethane	1,000	6,100
Trimethyl benzene	25	120
2,4,6-Trinitrophenol, see Picric acid		
2,4,6-Trinitrophenyl-methylnitramine, see Tetryl		
Trinitrotoluene—Skin	—	1.5
Triorthocresyl phosphate	—	0.1
Triphenyl phosphate	—	3
Tungsten & Compounds, as W		
Soluble	—	1
Insoluble	—	5
Turpentine	100	560
Uranium (natural) sol. & insol. compounds as U	—	0.2
Vanadium (V ₂ O ₅), as V Dust	—	0.5
Vinyl acetate	10	30
Vinyl bromide	250	1,100
Vinyl toluene	100	480
Warfarin	—	0.1
Xylene (xylol)	100	435
Xylidine—Skin	5	25
Yttrium	—	1
Zinc chloride fume	—	1
Zinc oxide fume	—	5
Zirconium compounds (as Zr)	—	5

a) Parts of vapor or gas per million parts of contaminated air by volume at 25°C and 760 mm. Hg. pressure.
b) Approximate milligrams of substance per cubic meter of air.

- d) An atmospheric concentration of not more than 0.02 ppm, or personal protection may be necessary to avoid headache.
- e) <5-7 μm in diameter.
- f) As sampled by method that does not collect vapor.
- g) According to analytically determined composition.
- h) For control of general room air, biologic monitoring is essential for personnel control.

+ TABLE 2
(See note a)

Material	8-hour time weighted average	Acceptable ceiling concentration	Acceptable maximum peak above the acceptable ceiling concentration for an 8 hour shift.	
			Concentration	Maximum duration
Benzene (Z37.4-1969)	10 ppm	25 ppm	50 ppm	10 minutes.
Beryllium and beryllium compounds (Z37.29-1970)	2 μg/M ³	5 μg/M ³	25 μg/M ³	30 minutes.
Cadmium dust (Z37.5-1970)	0.2 mg/M ³	0.6 mg/M ³		
Carbon disulfide (Z37.3-1968)	20 ppm	30 ppm	100 ppm	30 minutes.
Carbon Tetrachloride (Z37.17-1967)	10 ppm	25 ppm	200 ppm	5 minutes in any 4 hours.
Ethylene dibromide (Z37.31-1970)	20 ppm	30 ppm	50 ppm	5 minutes.
Ethylene dichloride (Z37.21-1969)	50 ppm	100 ppm	200 ppm	5 minutes in any 3 hours.
Methylene Chloride (Z37.23-1969)	500 ppm	1,000 ppm	2,000 ppm	5 minutes in any 2 hours.
Organo (alkyl) mercury (Z37.30-1969)	0.01 mg/M ³	0.04 mg/M ³		
Styrene (Z37.15-1969)	100 ppm	200 ppm	600 ppm	5 minutes in any 3 hours.
Trichloroethylene (Z37.19-1967)	100 ppm	200 ppm	300 ppm	5 minutes in any 2 hours.
Tetrachloroethylene (Z37.22-1967)	100 ppm	200 ppm	300 ppm	5 minutes in any 3 hours.
Toluene (Z37.12-1967)	200 ppm	300 ppm	500 ppm	10 minutes.
Hydrogen sulfide (Z37.2-1966)	10 ppm	20 ppm	50 ppm	10 minutes once only if no measurable exposure occurs.
Mercury (Z37.8-1971)	0.05 mg/M ³	0.1 mg/M ³		
Chromic acid and chromates (Z37.7-1973)	0.1 mg/M ³	0.3 mg/M ³		

NOTE: ^a Acceptable ceiling concentrations. An employee's exposure to a material listed in table 2 shall not exceed at any time during an 8-hour shift the acceptable ceiling concentration limit given for the material in the table, except for a time period, and up to a concentration not exceeding the maximum duration and concentration allowed in the column under "acceptable maximum peak above the acceptable ceiling concentration for an 8-hour shift."

Example. During an 8-hour work shift, an employee may be exposed to a concentration of Benzene above 25 ppm (but never above 50 ppm) only for a maximum period of 10 minutes. Such exposure must be compensated by exposures to concentrations less than 10 ppm so that the cumulative exposure for the entire 8-hour work shift does not exceed a weighted average of 10 ppm.

+ TABLE 3

PARTICULATES

Substance	Mppcf (See note e)	mg/M ³
Silica:		
Crystalline: (See note f)		
Quartz (respirable)		10mg/M ³ m
		%SiO ₂ +2
Quartz (total dust)		30mg/M ³
		%SiO ₂ +3
Cristobalite: Use 1/2 the value calculated from the mass formulae for quartz.		
Tridymite: Use 1/2 the value calculated from the formulae for quartz.		
Amorphous, including natural diatomaceous earth	20	80mg/M ³
		%SiO ₂
Silicates (less than 1% crystalline silica):		
Mica	20	
Soapstone	20	
Talc	20	
Portland cement	50	
Graphite (natural)	15	
Coal dust (respirable fraction less than 5% SiO ₂)		2.4mg/M ³
		or
For more than 5% SiO ₂		10mg/M ³
		%SiO ₂ +2
Inert or Nuisance Dust:		
Respirable fraction		5mg/M ³
Total dust		10mg/M ³
Total Particulates (less than 1% SiO ₂)		
Respirable fraction		10mg/M ³
		5mg/M ³

NOTE: Conversion factors—
mppcf X 35.3 = million particles per cubic meter
= particles per c.c.

e Millions of particles per cubic foot of air, based on impinger samples counted by light-field techniques.

f The percentage of crystalline silica in the formula is the amount determined from airborne samples, except in those instances in which other methods have been shown to be applicable.

m Both concentration and percent quartz for the application of this limit are to be determined from the fraction passing a size-selector with the following characteristics:

Aerodynamic diameter (unit density sphere)	Percent passing selector
2	90
2.5	75
3.5	50
5.0	25
10	0

The measurements under this note refer to the use of an AEC instrument. If the respirable fraction of coal dust is determined with a MRE the figure corresponding to that of a 2.4 mg/M³ in the table for coal dust is 4.5 mg/M³.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-09001 DEFINITIONS. (1) "Physical agents" shall mean, but are not limited to: Illumination, ionizing radiation, nonionizing radiation, pressure, vibration, temperature and humidity, and noise.

(2) "Illumination" means radiant energy evaluated according to its capacity to produce visual sensation.

(3) "Nonionizing radiation" as related to industrial sources, means electromagnetic radiation within the spectral range of approximately ((10⁻⁷ cm. to 10³ cm.)) 200 nanometers to 3 kilometers including ultraviolet, visible, infrared and radiofrequency/microwave radiation. The electromagnetic spectrum is shown graphically in Figure 1 below.

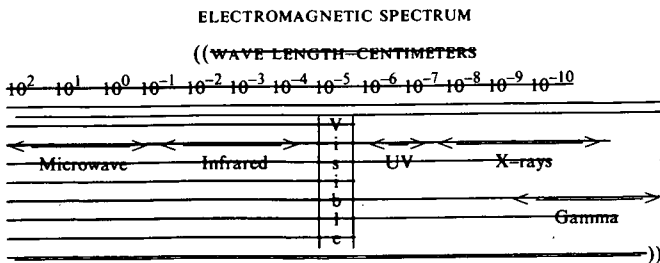
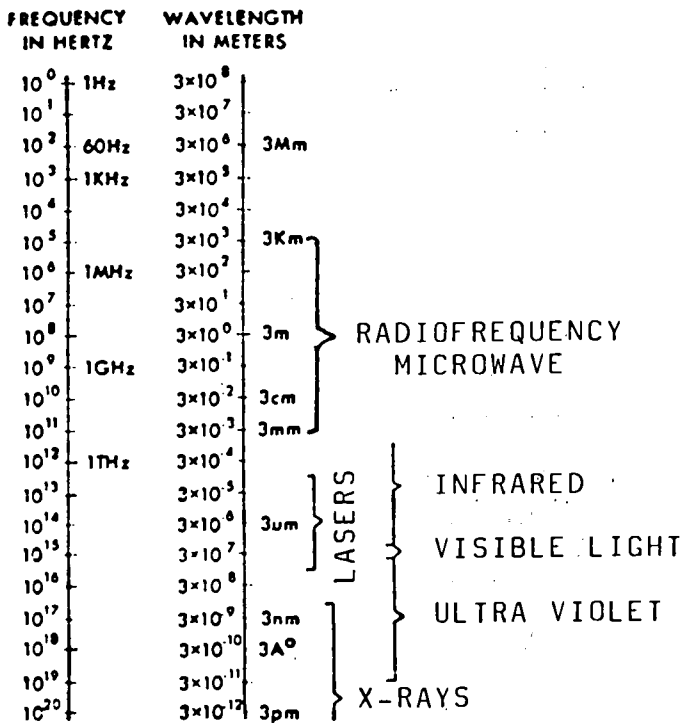


Figure 1



(4) Pressure is a barometric force. Positive pressure would be that above 14.7 lbs. per square inch absolute and negative pressure would be that below 14.7 lbs. per square inch absolute. 14.7 lbs. per square inch equals 760 mm. mercury.

(5) "Vibration" means rapid movement to and fro or oscillating movement.

(6) "Noise" means unwanted sound or loud discordant or disagreeable sound or sounds.

(7) "Temperature" means the degree of hotness or coldness measured by use of a thermometer.

(8) "Radiant heat" means infrared radiation emitted from hot surfaces.

(9) "Relative humidity" means the percent of moisture in the air compared to the maximum amount of moisture the air could contain at the same temperature.

AMENDATORY SECTION (Amending Order 75-15, filed 4/18/75)

WAC 296-62-09004 IONIZING RADIATION. (1) Definitions applicable to this section.

NOTE: Definitions also appear in some subsections.

(a) "Radiation" includes alpha rays, beta rays, gamma rays, x-rays, neutrons, high-speed electrons, high-speed protons, and other atomic particles; but such term does not include sound or radio waves, or visible light, or infrared or ultraviolet light.

(b) "Radioactive material" means any material which emits, by spontaneous nuclear disintegration, corpuscular or electromagnetic emanations.

(c) "Restricted area" means any area access to which is controlled by the employer for purposes of protection of individuals from exposure to radiation or radioactive materials.

(d) "Unrestricted area" means any area access to which is not controlled by the employer for purposes of protection of individuals from exposure to radiation or radioactive materials.

(e) "Dose" means the quantity of ionizing radiation absorbed, per unit of mass, by the body or by any portion of the body. When the provisions in this section specify a dose during a period of time, the dose is the total quantity of radiation absorbed, per unit of mass, by the body or by any portion of the body during such period of time. Several different units of dose are in current use. Definitions of units used in this section are set forth in subdivisions (f) and (g) of this subsection.

(f) "Rad" means a measure of the dose of any ionizing radiation to body tissues in terms of the energy absorbed per unit of mass of the tissue. One rad is the dose corresponding to the absorption of 100 ergs per gram of tissue (1 millirad (mrad) = 0.001 rad).

(g) "Rem" means a measure of the dose of any ionizing radiation to body tissue in terms of its estimated biological effect relative to a dose of 1 roentgen (r) of x-rays (1 millirem (mrem) = 0.001 rem). The relation of the rem to other dose units depends upon the biological effect under consideration and upon the conditions for irradiation. Each of the following is considered to be equivalent to a dose of 1 rem:

- (i) A dose of 1 roentgen due to x- or gamma radiation;
- (ii) A dose of 1 rad due to x-, gamma, or beta radiation;
- (iii) A dose of 0.1 rad due to neutrons or high energy protons;
- (iv) A dose of 0.05 rad due to particles heavier than protons and with sufficient energy to reach the lens of the eye;

(v) If it is more convenient to measure the neutron flux, or equivalent, than to determine the neutron dose in rads, as provided in item (iii) of this subdivision, 1 rem of neutron radiation may, for purposes of the provisions in this section be assumed to be equivalent to 14 million neutrons per square centimeter incident upon the body; or, if there is sufficient information to estimate with reasonable accuracy the approximate distribution in energy of the neutrons, the incident number of neutrons per square centimeter equivalent to 1 rem may be estimated from the following table:

Neutron Flux Dose Equivalents

Neutron energy (million electron volts (Mev))	Number of neutrons per square centimeter equivalent to a dose of 1 rem (neutrons/cm ²)	Average flux to deliver 100 millirem in 40 hours (neutrons/cm ² per sec.)
Thermal	970 X 10 ⁶	670
0.0001	720 X 10 ⁶	500
0.005	820 X 10 ⁶	570
0.02	400 X 10 ⁶	280
0.1	120 X 10 ⁶	80
0.5	43 X 10 ⁶	30
1.0	26 X 10 ⁶	18
2.5	29 X 10 ⁶	20
5.0	26 X 10 ⁶	18
7.5	24 X 10 ⁶	17
10	24 X 10 ⁶	17
10 to 30	14 X 10 ⁶	10

(h) For determining exposures to x- or gamma rays up to 3 Mev., the dose limits specified in this section may be assumed to be equivalent to the "air dose." For the purpose of this section "air dose" means that the dose is measured by a properly calibrated appropriate instrument in air at or near the body surface in the region of the highest dosage rate.

(i) "Curie" means a unit of measurement of radioactivity. One curie (Ci) is that quantity of radioactive material which decays at the rate of 2.2 x 10¹² disintegrations per minute (dpm).

- (i) One millicurie (mCi) = 10⁻³Ci
- (ii) One microcurie (uCi) = 10⁻⁶Ci
- (iii) One nanocurie (nCi) = 10⁻⁹Ci
- (iv) One picocurie (pCi) = 10⁻¹²Ci

(2) ((Atomic energy)) Nuclear regulatory commission licensees—((AEC)) NRC contractors operating ((AEC)) NRC plants and facilities. (a) Any employer who possesses or uses source material, byproduct material, or special nuclear material, as defined in the Atomic Energy Act of 1954, as amended, under a license issued by the ((atomic energy)) nuclear regulatory commission and in accordance

with the requirements of chapter 402-24 WAC shall be deemed to be in compliance with the requirements of this section with respect to such possession and use.

(b) ~~((AEC))~~ NRC contractors operating ~~((AEC))~~ NRC plants and facilities: Any employer who possesses or uses source material, by-product material, special nuclear material, or other radiation sources under a contract with the ~~((atomic energy commission))~~ nuclear regulatory commission for the operation of ~~((AEC))~~ NRC plants and facilities and in accordance with the standards, procedures, and other requirements for radiation protection established by the commission for such contract pursuant to the Atomic Energy Act of 1954 as amended (42 U.S.C. 2011 et seq.) shall be deemed to be in compliance with the requirements of this section with respect to such possession and use.

(c) State licensees or registrants:

(i) Atomic Energy Act sources. Any employer who possesses or uses source material, byproduct material, or special nuclear material, as defined in the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), and has registered such sources with, the state shall be deemed to be in compliance with the radiation requirements of this section, insofar as his possession and use of such material is concerned.

(ii) Other sources. Any employer who possesses or uses radiation sources other than source material, byproduct material, or special nuclear material, as defined in the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), and has registered such sources with the state shall be deemed to be in compliance with the radiation requirements of this section insofar as his possession and use of such material is concerned.

(3) Exposure of individuals to radiation in restricted areas. (a) Except as provided in subdivision (b) of this subsection, no employer shall possess, use, or transfer sources of ionizing radiation in such a manner as to cause any individual in a restricted area to receive in any period of one calendar quarter from sources in the employer's possession or control a dose in excess of the limits specified in the following table:

EXPOSURE IN RESTRICTED AREAS	REMS PER CALENDAR QUARTER
Whole body: Head and trunk; active blood-forming organs; lens of eyes; or gonads -----	1 1/4
Hand and forearms; feet and ankles -----	18 3/4
Skin of whole body -----	7 1/2

(b) An employer may permit an individual in a restricted area to receive doses to the whole body greater than those permitted under subdivision (a) of this subsection, so long as:

(i) During any calendar quarter the dose to the whole body shall not exceed 3 rems; and

(ii) The dose to the whole body, when added to the accumulated occupational dose to the whole body, shall not exceed 5 (N-18) rems, where "N" equals the individual's age in years at his last birthday; and

(iii) The employer maintains adequate past and current exposure records which show that the addition of such a dose will not cause the individual to exceed the amount authorized in this subdivision. As used in this subdivision "Dose to the whole body" shall be deemed to include any dose to the whole body, gonad, active blood-forming organs, head and trunk, or lens of the eye.

(c) No employer shall permit any employee who is under 18 years of age to receive in any period of one calendar quarter a dose in excess of 10 percent of the limits specified in the preceding table entitled "Exposure in restricted areas."

(d) "Calendar quarter" means any 3-month period determined as follows:

(i) The first period of any year may begin on any date in January: PROVIDED, That the second, third and fourth periods accordingly begin on the same date in April, July, and October, respectively, and that the fourth period extends into January of the succeeding year, if necessary to complete a 3-month quarter. During the first year of use of this method of determination, the first period for that year shall also include any additional days in January preceding the starting date for the first period; or

(ii) The first period in a calendar year of 13 complete, consecutive calendar weeks; the second period in a calendar year of 13 complete consecutive weeks; the third period in a calendar year of 13 complete, consecutive calendar weeks; the fourth period in a calendar year of 13 complete, consecutive calendar weeks. If at the end of a calendar year there are any days not falling within a complete calendar week of that

year, such days shall be included within the last complete calendar week of that year. If at the beginning of any calendar year there are days not falling within a complete calendar week of that year, such days shall be included within the last complete calendar week of the previous year; or

(iii) The four periods in a calendar year may consist of the first 14 complete, consecutive calendar weeks; the next 14 complete, consecutive calendar weeks, the next 14 complete, consecutive calendar weeks, and the last 12 complete, consecutive calendar weeks. If at the end of a calendar year there are any days not falling within a complete calendar week of that year, such days shall be included (for purposes of this section) within the last complete calendar week of the year. If at the beginning of any calendar year there are days not falling within a complete calendar week of that year, such days shall be included (for purposes of this section) within the last complete week of the previous year.

(e) No employer shall change the method used by him to determine calendar quarters except at the beginning of a calendar year.

(4) Exposure to airborne radioactive material. (a) No employer shall possess, use or transport radioactive material in such a manner as to cause any employee, within a restricted area, to be exposed to airborne radioactive material in an average concentration in excess of the limits specified in ~~((Part I of Table I of this standard))~~ Table I of WAC 402-24-220, Appendix A. The limits given in ~~((Part I))~~ Table I are for exposure to the concentrations specified for 40 hours in any work-week of 7 consecutive days. In any such period where the number of hours of exposure is less than 40 the limits specified in the table may be increased proportionately. In any such period where the number of hours of exposure is greater than 40, the limits specified in the table shall be decreased proportionately.

(b) No employer shall possess, use, or transfer radioactive material in such a manner as to cause any individual within a restricted area, who is under 18 years of age, to be exposed to airborne radioactive material in an average concentration in excess of the limits specified in ~~((part II of Table I of this Standard))~~ Table II of WAC 402-24-220, Appendix A.

For purposes of this subdivision, concentrations may be averaged over periods not greater than 1 week.

(c) "Exposed" as used in this subdivision means that the individual is present in an airborne concentration. No allowance shall be made for the use of protective clothing or equipment, or particle size.

(5) Precautionary procedures and personal monitoring. (a) Every employer shall make such surveys as may be necessary for him to comply with the provisions in this section. "Survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions. When appropriate, such evaluation includes a physical survey of the location of materials and equipment, and measurements of levels of radiation or concentrations of radioactive material present.

(b) Every employer shall supply appropriate personnel monitoring equipment, such as film badges, pocket chambers, pocket dosimeters, or film rings, to, and shall require the use of such equipment by:

(i) Each employee who enters a restricted area under such circumstances that he receives, or is likely to receive, a dose in any calendar quarter in excess of 25 percent of the applicable value specified in subsection (3)(a) of this section; and

(ii) Each employee under 18 years of age who enters a restricted area under such circumstances that he receives, or is likely to receive a dose in any calendar quarter in excess of 5 percent of the applicable value specified in subsection (3)(a) of this section; and

(iii) Each employee who enters a high radiation area.

(c) As used in this section:

(i) "Personnel monitoring equipment" means devices designed to be worn or carried by an individual for the purpose of measuring the dose received (e.g., film badges, pocket chambers, pocket dosimeters, film rings, etc.);

(ii) "Radiation area" means any area, accessible to personnel, in which there exists radiation at such levels that a major portion of the body could receive in any 1 hour a dose in excess of 5 millirem, or in any 5 consecutive days a dose in excess of 100 millirem; and

(iii) "High radiation area" means any area, accessible to personnel, in which there exists radiation at such levels that a major portion of the body could receive in any one hour a dose in excess of 100 millirem.

(6) Caution signs, labels and signals. (a) General. (i) Symbols prescribed by this subsection shall use the conventional radiation caution

colors (magenta or purple on yellow background). The symbol prescribed by this subsection is the conventional three-bladed design:

RADIATION SYMBOL

1. Cross-hatched area is to be magenta or purple.
2. Background is to be yellow.

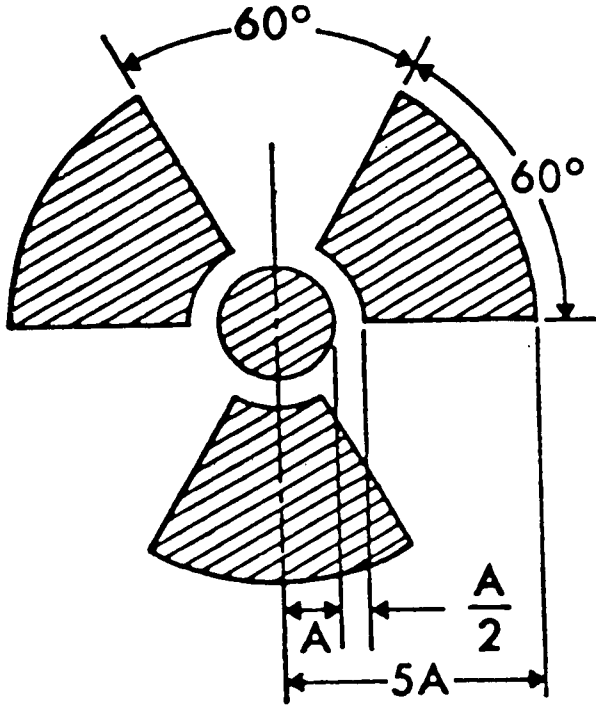


FIGURE G -10

(ii) In addition to the contents of signs and labels prescribed in this subsection, employers may provide on or near such signs and labels any additional information which may be appropriate in aiding individuals to minimize exposure to radiation or to radioactive material.

(b) Radiation area. Each radiation area shall be conspicuously posted with a sign or signs bearing the radiation caution symbol described in subdivision (a) of this subsection and the words:

CAUTION

RADIATION AREA

(c) High radiation area. (i) Each high radiation area shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words:

CAUTION

HIGH RADIATION AREA

(ii) Each high radiation area shall be equipped with a control device which shall either cause the level of radiation to be reduced below that at which an individual might receive a dose of 100 millirems in 1 hour upon entry into the area or shall energize a conspicuous visible or audible alarm signal in such a manner that the individual entering and the employer or a supervisor of the activity are made aware of the entry. In the case of a high radiation area established for a period of 30 days or less, such control device is not required.

(d) Airborne radioactivity area. (i) As used in the provisions of this section, "airborne radioactivity area" means:

(A) Any room, enclosure, or operating area in which airborne radioactive materials, composed wholly or partly of radioactive material, exist in concentrations in excess of the amounts specified in column 1 of ((Part 1 of Table I of this standard)) Table I of WAC 402-24-220, Appendix A.

(B) Any room, enclosure, or operating area in which airborne radioactive materials exist in concentrations which, averaged over the number of hours in any week during which individuals are in the area,

exceed 25 percent of the amounts specified in column 1 of ((part 1 of Table I of this standard)) Table I of WAC 402-24-220, Appendix A.

(ii) Each airborne radioactivity area shall be conspicuously posted with a sign or signs bearing the radiation caution symbol described in subdivision (a) of this subsection and the words:

CAUTION

AIRBORNE RADIOACTIVITY AREA

(e) Additional requirements. (i) Each area or room in which radioactive material is used or stored and which contains any radioactive material (other than natural uranium or thorium) in any amount exceeding 10 times the quantity of such material specified in ((Table H of this standard)) WAC 402-24-230, Appendix B shall be conspicuously posted with a sign or signs bearing the radiation caution symbol described in subdivision (a) of this subsection and the words:

CAUTION

RADIOACTIVE MATERIALS

(ii) Each area or room in which natural uranium or thorium is used or stored in an amount exceeding 100 times the quantity of such material specified in chapter 402-24 WAC shall be conspicuously posted with a sign or signs bearing the radiation caution symbol described in subdivision (a) of this subsection and the words:

CAUTION

RADIOACTIVE MATERIALS

(f) Containers. (i) Each container in which is transported, stored, or used a quantity of any radioactive material (other than natural uranium or thorium) greater than the quantity of such material specified in ((Table H of this standard)) WAC 402-24-230, Appendix B shall bear a durable, clearly visible label bearing the radiation caution symbol described in subdivision (a) of this subsection and the words:

CAUTION

RADIOACTIVE MATERIALS

(ii) Each container in which natural uranium or thorium is transported, stored, or used in a quantity greater than 10 times the quantity specified in ((Table H of this standard)) WAC 402-24-230, Appendix B shall bear a durable, clearly visible label bearing the radiation caution symbol described in subdivision (a) of this subsection and the words:

CAUTION

RADIOACTIVE MATERIALS

(iii) Notwithstanding the provisions of items (i) and (ii) of this subdivision a label shall not be required:

(A) If the concentration of the material in the container does not exceed that specified in column 2 of ((part 1 of Table I of this standard)) Table I of WAC 402-24-220, Appendix A.

(B) For laboratory containers, such as beakers, flasks, and test tubes, used transiently in laboratory procedures, when the user is present.

(iv) Where containers are used for storage, the labels required in this subdivision shall state also the quantities and kinds of radioactive materials in the containers and the date of measurement of the quantities.

(7) Immediate evacuation warning signal. (a) Signal characteristics.

(i) The signal shall be a midfrequency complex sound wave amplitude modulated at a subsonic frequency. The complex sound wave in free space shall have a fundamental frequency f' between 450 and 500 hertz (Hz) modulated at a subsonic rate between 4 and 5 hertz.

(ii) The signal generator shall not be less than 75 decibels at every location where an individual may be present whose immediate, rapid, and complete evacuation is essential.

(iii) A sufficient number of signal units shall be installed such that the requirements of item (i) of this subdivision are met at every location where an individual may be present whose immediate, rapid, and complete evacuation is essential.

(iv) The signal shall be unique in the plant or facility in which it is installed.

(v) The minimum duration of the signal shall be sufficient to insure that all affected persons hear the signal.

(vi) The signal-generating system shall respond automatically to an initiating event without requiring any human action to sound the signal.

(b) Design objectives. (i) The signal-generating system shall be designed to incorporate components which enable the system to produce the desired signal each time it is activated within one-half second of activation.

(ii) The signal-generating system shall be provided with an automatically activated secondary power supply which is adequate to simultaneously power all emergency equipment to which it is connected, if operation during power failure is necessary, except in those systems using batteries as the primary source of power.

(iii) All components of the signal-generating system shall be located to provide maximum practicable protection against damage in case of fire, explosion, corrosive atmosphere, or other environmental extremes consistent with adequate system performance.

(iv) The signal-generating system shall be designed with the minimum number of components necessary to make it function as intended, and should utilize components which do not require frequent servicing such as lubrication or cleaning.

(v) Where several activating devices feed activating information to a central signal generator, failure of any activating device shall not render the signal-generator system inoperable to activating information from the remaining devices.

(vi) The signal-generating system shall be designed to enhance the probability that alarm occurs only when immediate evacuation is warranted. The number of false alarms shall not be so great that the signal will come to be disregarded and shall be low enough to minimize personal injuries or excessive property damage that might result from such evacuation.

(c) Testing. (i) Initial tests, inspections, and checks of the signal-generating system shall be made to verify that the fabrication and installation were made in accordance with design plans and specifications and to develop a thorough knowledge of the performance of the system and all components under normal and hostile conditions.

(ii) Once the system has been placed in service, periodic tests, inspections, and checks shall be made to minimize the possibility of malfunction.

(iii) Following significant alterations or revisions to the system, tests and checks similar to the initial installation tests shall be made.

(iv) Tests shall be designed to minimize hazards while conducting the tests.

(v) Prior to normal operation the signal-generating system shall be checked physically and functionally to assure reliability and to demonstrate accuracy and performance. Specific tests shall include:

- (A) All power sources.
- (B) Calibration and calibration stability.
- (C) Trip levels and stability.
- (D) Continuity of function with loss and return of required services such as AC or DC power, air pressure, etc.
- (E) All indicators.
- (F) Trouble indicator circuits and signals, where used.
- (G) Air pressure (if used).
- (H) Determine that sound level of the signal is within the limit of item (a)(ii) of this subsection at all points that require immediate evacuation.

(vi) In addition to the initial startup and operating tests, periodic scheduled performance tests and status checks must be made to insure that the system is at all times operating within design limits and capable of the required response. Specific periodic tests or checks or both shall include:

- (A) Adequacy of signal activation device.
- (B) All power sources.
- (C) Function of all alarm circuits and trouble indicator circuits including trip levels.
- (D) Air pressure (if used).
- (E) Function of entire system including operation without power where required.
- (F) Complete operational tests including sounding of the signal and determination that sound levels are adequate.

(vii) Periodic tests shall be scheduled on the basis of need, experience, difficulty, and disruption of operations. The entire system should be operationally tested at least quarterly.

(viii) All employees whose work may necessitate their presence in an area covered by the signal shall be made familiar with the actual sound of the signal—preferably as it sounds at their work location. Before placing the system into operation, all employees normally

working in the area shall be made acquainted with the signal by actual demonstration at their work locations.

(8) Exceptions from posting requirements. Notwithstanding the provisions of subsection (6) of this section:

(a) A room or area is not required to be posted with a caution sign because of the presence of a sealed source, provided the radiation level 12 inches from the surface of the source container or housing does not exceed 5 millirem per hour.

(b) Rooms or other areas in onsite medical facilities are not required to be posted with caution signs because of the presence of patients containing radioactive material, provided that there are personnel in attendance who shall take the precautions necessary to prevent the exposure of any individual to radiation or radioactive material in excess of the limits established in the provisions of this section.

(c) Caution signs are not required to be posted at areas or rooms containing radioactive materials for periods of less than 8 hours: **PROVIDED, That**

(i) The materials are constantly attended during such periods by an individual who shall take the precautions necessary to prevent the exposure of any individual to radiation or radioactive materials in excess of the limits established in the provisions of this section; and

(ii) Such area or room is subject to the employer's control.

(9) Exemptions for radioactive materials packaged for shipment. Radioactive materials packaged and labeled in accordance with regulations of the department of transportation published in 49 CFR Chapter I, are exempt from the labeling and posting requirements of this section during shipment, provided that the inside containers are labeled in accordance with the provisions of subsection (6) of this section.

(10) Instruction of personnel, posting. (a) Employers regulated by the ((~~atomic energy~~)) nuclear regulatory commission shall be governed by 10 CFR Part 20 standards. Employers conducting business in Washington state shall be governed by the requirements of the laws and regulations of the state. All other employers shall be regulated by the following:

(b) All individuals working in or frequenting any portion of a radiation area shall be informed of the occurrence of radioactive materials or of radiation in such portions of the radiation area; shall be instructed in the safety problems associated with exposure to such materials or radiation and in precautions or devices to minimize exposure; shall be instructed in the applicable provisions of this section for the protection of employees from exposure to radiation or radioactive materials; and shall be advised of reports of radiation exposure which employees may request pursuant to the regulations in this section.

(c) Each employer to whom this section applies shall post a current copy of its provisions and a copy of the operating procedures applicable to the work conspicuously in such locations as to insure that employees working in or frequenting radiation areas will observe these documents on the way to and from their place of employment, or shall keep such documents available for examination of employees upon request.

(11) Storage of radioactive materials. Radioactive materials stored in a nonradiation area shall be secured against unauthorized removal from the place of storage.

(12) Waste disposal. No employer shall dispose of radioactive material except ((~~by transfer to an authorized recipient, or in a manner approved by the atomic energy commission or industrial health section, department of labor and industries~~)) as provided for in WAC 402-24-130.

(13) Notification of incidents. (a) Immediate notification. Each employer shall immediately notify the industrial hygiene section, division of industrial safety and health for employees not protected by the ((~~atomic energy~~)) nuclear regulatory commission by means of 10 CFR Part 20; subsection (2)(b) of this section by telephone or telegraph of any incident involving radiation which may have caused or threatens to cause:

(i) Exposure of the whole body of any individual to 25 rems or more of radiation; exposure of the skin of the whole body of any individual to 150 rems or more of radiation; or exposure of the feet, ankles, hands, or forearms of any individual to 375 rems or more of radiation; or

(ii) The release of radioactive material in concentrations which, if averaged over a period of 24 hours, would exceed 5,000 times the limit specified for such materials in ((~~part of Table I of this standard~~)) Table II of WAC 402-24-220, Appendix A.

(iii) A loss of 1 working week or more of the operation of any facilities affected; or

(iv) Damage to property in excess of \$100,000.

(b) Twenty-four hour notification. Each employer shall within 24 hours following its occurrence notify the industrial hygiene section, division of industrial safety and health, for employees not protected by the ((atomic energy)) nuclear regulatory commission by means of 10 CFR Part 20; subsection (2)(b) of this section, by telephone or telegraph of any incident involving radiation which may have caused or threatens to cause:

(i) Exposure of the whole body of any individual to 5 rems or more of radiation; exposure of the skin of the whole body of any individual to 30 rems or more of radiation; or exposure of the feet, ankles, hands, or forearms to 75 rems or more of radiation; or

(ii) A loss of 1 day or more of the operation of any facilities; or

(iii) Damage to property in excess of \$10,000.

(14) Reports of overexposure and excessive levels and concentrations. (a) In addition to any notification required by subsection (13) of this section each employer shall make a report in writing within 30 days to the industrial hygiene section division of industrial safety and health, for employees not protected by the ((atomic energy)) nuclear regulatory commission by means of 10 CFR Part 20; or under subsection (2)(b) of this section, of each exposure of an individual to radiation or concentrations of radioactive material in excess of any applicable limit in this section. Each report required under this subdivision shall describe the extent of exposure of persons to radiation or to radioactive material; levels of radiation and concentration of radioactive material involved, the cause of the exposure, levels of concentrations; and corrective steps taken or planned to assure against a recurrence.

(b) In any case where an employer is required pursuant to the provisions of this subsection to report to the industrial hygiene section, division of industrial safety and health, any exposure of an individual to radiation or to concentrations of radioactive material, the employer shall also notify such individual of the nature and extent of exposure. Such notice shall be in writing and shall contain the following statement: "You should preserve this report for future reference."

(15) Records. (a) Every employer shall maintain records of the radiation exposure of all employees for whom personnel monitoring is required under subsection (5) of this section and advise each of his employees of his individual exposure on at least an annual basis.

(b) Every employer shall maintain records in the same units used in tables in subsection (2) of this section and ((Table 1 of this standard)) WAC 402-24-220, Appendix A.

(16) Disclosure to former employee of individual employee's record. (a) At the request of a former employee an employer shall furnish to the employee a report of the employee's exposure to radiation as shown in records maintained by the employer pursuant to subdivision (15)(a) of this section. Such report shall be furnished within 30 days from the time the request is made, and shall cover each calendar quarter of the individual's employment involving exposure to radiation or such lesser period as may be requested by the employee. The report shall also include the results of any calculations and analysis of radioactive material deposited in the body of the employee. The report shall be in writing and contain the following statement: "You should preserve this report for future reference."

(b) The former employee's request should include appropriate identifying data, such as social security number and dates and locations of employment.

(17) [Reserved]

(18) Radiation standards for mining. (a) For the purpose of this subsection, a "working level" is defined as any combination of radon daughters in 1 liter of air which will result in the ultimate emission of 1.3×10^5 million electron volts of potential alpha energy. The numerical value of the "working level" is derived from the alpha energy released by the total decay of short-lived radon daughter products in equilibrium with 100 picocuries of radon 222 per liter of air. A working level month is defined as the exposure received by a worker breathing air at one working level concentration for 4-1/3 weeks of 40 hours each.

(b) Occupational exposure to radon daughters in mines shall be controlled so that no individual will receive an exposure of more than 2 working level months in any calendar quarter and no more than 4 working level months in any calendar year. Actual exposures shall be kept as far below these values as practicable.

(c)(i) For uranium mines, records of environmental concentrations in the occupied parts of the mine, and of the time spent in each area by each person involved in an underground work shall be established and maintained. These records shall be in sufficient detail to permit calculations of the exposures, in units of working level months, of the

individuals and shall be available for inspection by the industrial hygiene section, division of safety and health or their authorized representatives.

(ii) For other than uranium mines and for surface workers in all mines, item (i) of this subdivision will be applicable: PROVIDED, HOWEVER, That if no environmental sample shows a concentration greater than 0.33 working level in any occupied part of the mine, the maintenance of individual occupancy records and the calculation of individual exposures will not be required.

(d)(i) At the request of an employee (or former employee) a report of the employee's exposure to radiation as shown in records maintained by the employer pursuant to subdivision (c) of this subsection shall be furnished to him. The report shall be in writing and contain the following statement:

"This report is furnished to you under the provisions of the state of Washington, Ionizing Radiation Safety and Health Standards (chapter 296-62 WAC). You should preserve this report for future reference."

(ii) The former employee's request should include appropriate identifying data, such as Social Security number and dates and locations of employment. See Tables ((following this section)) in WAC 402-24-220, Appendix A and WAC 402-24-230, Appendix B.

((TABLE 1

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part H		
		Column 1	Column 2	Column 1	Column 2	
		Air ($\mu\text{Ci}/\text{ml}$)	Water ($\mu\text{Ci}/\text{ml}$)	Air ($\mu\text{Ci}/\text{ml}$)	Water ($\mu\text{Ci}/\text{ml}$)	
Actinium (89)	Ac-227	S	2×10^{-12}	6×10^{-5}	8×10^{-14}	2×10^{-6}
		I	3×10^{-11}	9×10^{-3}	9×10^{-13}	3×10^{-4}
	Ac-228	S	8×10^{-8}	3×10^{-3}	3×10^{-9}	9×10^{-5}
		I	2×10^{-8}	3×10^{-3}	6×10^{-10}	9×10^{-5}
Americium (95)	Am-241	S	6×10^{-12}	1×10^{-4}	2×10^{-13}	4×10^{-6}
		I	1×10^{-10}	8×10^{-4}	4×10^{-12}	3×10^{-5}
	Am-242m	S	6×10^{-12}	1×10^{-4}	2×10^{-13}	4×10^{-6}
		I	3×10^{-10}	3×10^{-3}	9×10^{-12}	9×10^{-5}
	Am-242	S	4×10^{-8}	4×10^{-3}	1×10^{-9}	1×10^{-4}
		I	5×10^{-8}	4×10^{-3}	2×10^{-9}	1×10^{-4}
	Am-243	S	6×10^{-12}	1×10^{-4}	2×10^{-13}	4×10^{-6}
		I	1×10^{-10}	8×10^{-4}	4×10^{-12}	3×10^{-5}
Am-244	S	4×10^{-6}	1×10^{-1}	1×10^{-7}	5×10^{-3}	
	I	2×10^{-5}	1×10^{-1}	8×10^{-7}	5×10^{-3}	
Antimony (51)	Sb-122	S	2×10^{-7}	8×10^{-4}	6×10^{-9}	3×10^{-5}
		I	1×10^{-7}	8×10^{-4}	5×10^{-9}	3×10^{-5}
	Sb-124	S	2×10^{-7}	7×10^{-4}	5×10^{-9}	2×10^{-5}
		I	2×10^{-8}	7×10^{-4}	7×10^{-10}	2×10^{-5}
	Sb-125	S	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		I	3×10^{-8}	3×10^{-3}	9×10^{-10}	1×10^{-4}
Argon (18)	Ar-37	Sub ²	6×10^{-3}		1×10^{-4}	
		Sub	2×10^{-6}		4×10^{-8}	
Arsenic (33)	As-73	S	2×10^{-6}	1×10^{-2}	7×10^{-8}	5×10^{-4}
		I	4×10^{-7}	1×10^{-2}	1×10^{-8}	5×10^{-4}
	As-74	S	3×10^{-7}	2×10^{-3}	1×10^{-8}	5×10^{-5}
		I	1×10^{-7}	2×10^{-3}	4×10^{-9}	5×10^{-5}
	As-76	S	1×10^{-7}	6×10^{-4}	4×10^{-9}	2×10^{-5}
		I	1×10^{-7}	6×10^{-4}	3×10^{-9}	2×10^{-5}
As-77	S	5×10^{-7}	2×10^{-3}	2×10^{-8}	8×10^{-5}	
	I	4×10^{-7}	2×10^{-3}	1×10^{-8}	8×10^{-5}	
Astatine (85)	At-211	S	7×10^{-9}	5×10^{-5}	2×10^{-10}	2×10^{-6}
		I	3×10^{-8}	2×10^{-3}	1×10^{-9}	7×10^{-5}
Barium (56)	Ba-131	S	1×10^{-6}	5×10^{-3}	4×10^{-8}	2×10^{-4}
		I	4×10^{-7}	5×10^{-3}	1×10^{-8}	2×10^{-4}
	Ba-140	S	1×10^{-7}	8×10^{-4}	4×10^{-9}	3×10^{-5}
		I	4×10^{-8}	7×10^{-4}	1×10^{-9}	2×10^{-5}
Berkelium (97)	Bk-249	S	9×10^{-10}	2×10^{-2}	3×10^{-11}	6×10^{-4}
		I	4×10^{-7}	5×10^{-3}	4×10^{-9}	6×10^{-4}
	Bk-250	S	1×10^{-7}	6×10^{-3}	5×10^{-9}	2×10^{-4}
		I	1×10^{-6}	6×10^{-3}	4×10^{-8}	2×10^{-4}
Beryllium (4)	Be-7	S	6×10^{-6}	5×10^{-2}	2×10^{-7}	2×10^{-3}
		I	1×10^{-6}	5×10^{-2}	4×10^{-8}	2×10^{-3}

((TABLE 1

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II		
		Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	
Bismuth (83)	Bi-206	S	2×10^{-7}	1×10^{-3}	6×10^{-9}	4×10^{-5}
		I	1×10^{-7}	1×10^{-3}	5×10^{-9}	4×10^{-5}
	Bi-207	S	2×10^{-7}	2×10^{-3}	6×10^{-9}	6×10^{-5}
		I	1×10^{-8}	2×10^{-3}	5×10^{-10}	6×10^{-5}
	Bi-210	S	6×10^{-9}	1×10^{-3}	2×10^{-10}	4×10^{-5}
		I	6×10^{-9}	1×10^{-3}	2×10^{-10}	4×10^{-5}
Bi-212	S	1×10^{-7}	1×10^{-2}	3×10^{-9}	4×10^{-4}	
	I	2×10^{-7}	1×10^{-2}	7×10^{-9}	4×10^{-4}	
Bromine (35)	Br-82	S	1×10^{-6}	8×10^{-3}	4×10^{-8}	3×10^{-4}
		I	2×10^{-7}	1×10^{-3}	6×10^{-9}	4×10^{-5}
Cadmium (48)	Cd-109	S	5×10^{-8}	5×10^{-3}	2×10^{-9}	2×10^{-4}
		I	7×10^{-8}	5×10^{-3}	3×10^{-9}	2×10^{-4}
	Cd-115m	S	4×10^{-8}	7×10^{-4}	1×10^{-9}	3×10^{-5}
		I	4×10^{-8}	7×10^{-4}	1×10^{-9}	3×10^{-5}
	Cd-115	S	2×10^{-7}	1×10^{-3}	8×10^{-9}	3×10^{-5}
		I	2×10^{-7}	1×10^{-3}	6×10^{-9}	4×10^{-5}
Calcium (20)	Ca-45	S	3×10^{-8}	3×10^{-4}	1×10^{-9}	9×10^{-6}
		I	1×10^{-7}	5×10^{-3}	4×10^{-9}	2×10^{-4}
	Ca-47	S	2×10^{-7}	1×10^{-3}	6×10^{-9}	5×10^{-5}
		I	2×10^{-7}	1×10^{-3}	6×10^{-9}	3×10^{-5}
Californium (98)	Cf-249	S	2×10^{-12}	1×10^{-4}	5×10^{-14}	4×10^{-6}
		I	1×10^{-10}	7×10^{-4}	3×10^{-12}	2×10^{-5}
	Cf-250	S	5×10^{-12}	4×10^{-4}	2×10^{-13}	1×10^{-5}
		I	1×10^{-10}	7×10^{-4}	3×10^{-12}	3×10^{-5}
	Cf-251	S	2×10^{-12}	1×10^{-4}	6×10^{-14}	4×10^{-6}
		I	1×10^{-10}	8×10^{-4}	3×10^{-12}	3×10^{-5}
	Cf-252	S	6×10^{-12}	2×10^{-4}	2×10^{-13}	7×10^{-6}
		I	3×10^{-11}	2×10^{-4}	1×10^{-12}	7×10^{-6}
	Cf-253	S	8×10^{-10}	4×10^{-3}	3×10^{-11}	1×10^{-4}
		I	8×10^{-10}	4×10^{-3}	3×10^{-11}	1×10^{-4}
	Cf-254	S	5×10^{-12}	4×10^{-6}	2×10^{-13}	1×10^{-7}
		I	5×10^{-12}	4×10^{-6}	2×10^{-13}	1×10^{-7}
Carbon (6)	C-14 (CO ₂)	S	4×10^{-6}	2×10^{-2}	1×10^{-7}	8×10^{-4}
		Sub ²	5×10^{-5}		1×10^{-6}	
Cerium (58)	Ce-141	S	4×10^{-7}	3×10^{-3}	2×10^{-8}	9×10^{-5}
		I	2×10^{-7}	3×10^{-3}	5×10^{-9}	9×10^{-5}
	Ce-143	S	3×10^{-7}	1×10^{-3}	9×10^{-9}	4×10^{-5}
		I	2×10^{-7}	1×10^{-3}	7×10^{-9}	4×10^{-5}
	Ce-144	S	1×10^{-8}	3×10^{-4}	3×10^{-10}	1×10^{-5}
		I	6×10^{-9}	3×10^{-4}	2×10^{-10}	1×10^{-5}
Cesium (55)	Cs-131	S	1×10^{-5}	7×10^{-2}	4×10^{-7}	2×10^{-3}
		I	3×10^{-6}	3×10^{-2}	1×10^{-7}	9×10^{-4}
	Cs-134m	S	4×10^{-5}	2×10^{-1}	1×10^{-6}	6×10^{-3}
		I	6×10^{-6}	3×10^{-2}	2×10^{-7}	1×10^{-3}
	Cs-134	S	4×10^{-8}	3×10^{-4}	1×10^{-9}	9×10^{-6}
		I	1×10^{-8}	1×10^{-3}	4×10^{-10}	4×10^{-5}
	Cs-135	S	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		I	9×10^{-8}	7×10^{-3}	3×10^{-8}	2×10^{-4}
	Cs-136	S	4×10^{-7}	2×10^{-3}	1×10^{-8}	9×10^{-5}
		I	2×10^{-7}	2×10^{-3}	6×10^{-9}	6×10^{-5}
	Cs-137	S	6×10^{-8}	4×10^{-4}	2×10^{-9}	2×10^{-5}
		I	1×10^{-8}	1×10^{-3}	5×10^{-10}	4×10^{-5}
Chlorine (17)	Cl-36	S	4×10^{-7}	2×10^{-3}	1×10^{-8}	8×10^{-5}
		I	2×10^{-8}	2×10^{-3}	8×10^{-10}	6×10^{-5}
Cl-38	S	3×10^{-6}	1×10^{-2}	9×10^{-8}	4×10^{-4}	
	I	2×10^{-6}	1×10^{-2}	7×10^{-8}	4×10^{-4}	
Chromium (24)	Cr-51	S	1×10^{-5}	5×10^{-2}	4×10^{-7}	2×10^{-3}
		I	2×10^{-6}	5×10^{-2}	8×10^{-8}	2×10^{-3}
Cobalt (27)	Co-57	S	3×10^{-6}	2×10^{-2}	1×10^{-7}	5×10^{-4}
		I	2×10^{-7}	1×10^{-2}	6×10^{-9}	4×10^{-4}
	Co-58m	S	2×10^{-5}	8×10^{-2}	6×10^{-7}	3×10^{-3}
		I	9×10^{-6}	6×10^{-2}	3×10^{-7}	2×10^{-3}
	Co-58	S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
		I	5×10^{-8}	3×10^{-3}	2×10^{-9}	9×10^{-5}
Co-60	S	3×10^{-7}	1×10^{-3}	1×10^{-8}	5×10^{-5}	
	I	9×10^{-9}	1×10^{-3}	3×10^{-10}	3×10^{-5}	
Copper (29)	Cu-64	S	2×10^{-6}	1×10^{-2}	7×10^{-8}	3×10^{-4}
		I	1×10^{-6}	6×10^{-3}	4×10^{-8}	2×10^{-4}

((TABLE 1

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II		
		Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	
Curium (96)	Cm-242	S	1×10^{-10}	7×10^{-4}	4×10^{-12}	2×10^{-5}
		I	2×10^{-10}	7×10^{-4}	6×10^{-12}	2×10^{-5}
	Cm-243	S	6×10^{-12}	1×10^{-4}	2×10^{-13}	5×10^{-6}
		I	1×10^{-10}	7×10^{-4}	3×10^{-12}	2×10^{-5}
	Cm-244	S	9×10^{-12}	2×10^{-4}	3×10^{-13}	7×10^{-6}
		I	1×10^{-10}	8×10^{-4}	3×10^{-12}	3×10^{-5}
	Cm-245	S	5×10^{-12}	1×10^{-4}	2×10^{-13}	4×10^{-6}
		I	1×10^{-10}	8×10^{-4}	4×10^{-12}	3×10^{-5}
	Cm-246	S	5×10^{-12}	1×10^{-4}	2×10^{-13}	4×10^{-6}
		I	1×10^{-10}	8×10^{-4}	4×10^{-12}	3×10^{-5}
	Cm-247	S	5×10^{-12}	1×10^{-4}	2×10^{-13}	4×10^{-6}
		I	1×10^{-10}	6×10^{-4}	4×10^{-12}	2×10^{-5}
Cm-248	S	6×10^{-13}	1×10^{-5}	2×10^{-14}	4×10^{-7}	
	I	1×10^{-11}	4×10^{-5}	4×10^{-13}	1×10^{-6}	
Cm-249	S	1×10^{-5}	6×10^{-2}	4×10^{-7}	2×10^{-3}	
	I	1×10^{-5}	6×10^{-2}	4×10^{-7}	2×10^{-3}	
Dysprosium (66)	Dy-165	S	3×10^{-6}	1×10^{-2}	9×10^{-8}	4×10^{-4}
		I	2×10^{-6}	1×10^{-2}	7×10^{-8}	4×10^{-4}
	Dy-166	S	2×10^{-7}	1×10^{-3}	8×10^{-9}	4×10^{-5}
		I	2×10^{-7}	1×10^{-3}	7×10^{-9}	4×10^{-5}
Einsteinium (99)	Es-253	S	8×10^{-10}	7×10^{-4}	3×10^{-11}	2×10^{-5}
		I	6×10^{-10}	7×10^{-4}	2×10^{-11}	2×10^{-5}
	Es-254m	S	5×10^{-9}	5×10^{-4}	2×10^{-10}	2×10^{-5}
		I	6×10^{-9}	5×10^{-4}	2×10^{-10}	2×10^{-5}
	Es-254	S	2×10^{-11}	4×10^{-4}	6×10^{-13}	1×10^{-5}
		I	1×10^{-10}	4×10^{-4}	4×10^{-12}	1×10^{-5}
Es-255	S	5×10^{-10}	8×10^{-4}	2×10^{-11}	3×10^{-5}	
	I	4×10^{-10}	8×10^{-4}	1×10^{-11}	3×10^{-5}	
Erbium (68)	Er-169	S	6×10^{-7}	3×10^{-3}	2×10^{-8}	9×10^{-5}
		I	4×10^{-7}	3×10^{-3}	1×10^{-8}	9×10^{-5}
	Er-171	S	7×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		I	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
Europium (63)	Eu-152 (T _{1/2} =9.2 hrs)	S	4×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
		I	3×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
	Eu-152 (T _{1/2} =13 yrs)	S	1×10^{-8}	2×10^{-3}	4×10^{-10}	8×10^{-5}
		I	2×10^{-8}	2×10^{-3}	6×10^{-10}	8×10^{-5}
	Eu-154	S	4×10^{-9}	6×10^{-4}	1×10^{-10}	2×10^{-5}
		I	7×10^{-9}	6×10^{-4}	2×10^{-10}	2×10^{-5}
Eu-155	S	9×10^{-8}	6×10^{-3}	3×10^{-9}	2×10^{-4}	
	I	7×10^{-8}	6×10^{-3}	3×10^{-9}	2×10^{-4}	
Fermium (100)	Fm-254	S	6×10^{-8}	4×10^{-3}	2×10^{-9}	1×10^{-4}
		I	7×10^{-8}	4×10^{-3}	2×10^{-9}	1×10^{-4}
	Fm-255	S	2×10^{-8}	1×10^{-3}	6×10^{-10}	3×10^{-5}
		I	1×10^{-8}	1×10^{-3}	4×10^{-10}	3×10^{-5}
Fm-256	S	3×10^{-9}	3×10^{-5}	1×10^{-10}	9×10^{-7}	
	I	2×10^{-9}	3×10^{-5}	6×10^{-11}	9×10^{-7}	
Fluorine (9)	F-18	S	5×10^{-6}	2×10^{-2}	2×10^{-7}	8×10^{-4}
		I	3×10^{-6}	1×10^{-2}	9×10^{-8}	5×10^{-4}
Gadolinium (64)	Gd-153	S	2×10^{-7}	6×10^{-3}	8×10^{-9}	2×10^{-4}
		I	9×10^{-8}	6×10^{-3}	3×10^{-9}	2×10^{-4}
	Gd-159	S	5×10^{-7}	2×10^{-3}	2×10^{-8}	8×10^{-5}
		I	4×10^{-7}	2×10^{-3}	1×10^{-8}	8×10^{-5}
Gallium (31)	Ga-72	S	2×10^{-7}	1×10^{-3}	8×10^{-9}	4×10^{-5}
		I	2×10^{-7}	1×1		

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[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II		
		Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	
Hydrogen (1)	H-3	S	5×10^{-6}	1×10^{-1}	2×10^{-7}	3×10^{-3}
		I	5×10^{-6}	1×10^{-1}	2×10^{-7}	3×10^{-3}
	Sub ²	2×10^{-3}		4×10^{-5}		
Iridium (49)	Ir-113m	S	8×10^{-6}	4×10^{-2}	3×10^{-7}	1×10^{-3}
		I	7×10^{-6}	4×10^{-2}	2×10^{-7}	1×10^{-3}
	Ir-114m	S	1×10^{-7}	5×10^{-4}	4×10^{-9}	2×10^{-5}
		I	2×10^{-8}	5×10^{-4}	7×10^{-10}	2×10^{-5}
	Ir-115m	S	2×10^{-6}	1×10^{-2}	8×10^{-8}	4×10^{-4}
		I	2×10^{-6}	1×10^{-2}	6×10^{-8}	4×10^{-4}
Ir-115	S	2×10^{-7}	3×10^{-3}	9×10^{-9}	9×10^{-5}	
	I	3×10^{-8}	3×10^{-3}	1×10^{-9}	9×10^{-5}	
Iodine (53)	I-125	S	5×10^{-9}	4×10^{-5}	8×10^{-11}	2×10^{-7}
		I	2×10^{-7}	6×10^{-3}	6×10^{-9}	2×10^{-4}
	I-126	S	8×10^{-9}	5×10^{-5}	9×10^{-11}	3×10^{-7}
		I	3×10^{-7}	3×10^{-3}	1×10^{-8}	9×10^{-5}
	I-129	S	2×10^{-9}	1×10^{-5}	2×10^{-9}	6×10^{-8}
		I	7×10^{-8}	6×10^{-3}	2×10^{-9}	2×10^{-4}
	I-131	S	9×10^{-9}	6×10^{-5}	1×10^{-10}	3×10^{-7}
		I	3×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
	I-132	S	2×10^{-7}	2×10^{-3}	3×10^{-9}	8×10^{-6}
		I	9×10^{-7}	5×10^{-3}	3×10^{-8}	2×10^{-4}
	I-133	S	3×10^{-8}	2×10^{-4}	4×10^{-10}	1×10^{-6}
		I	2×10^{-7}	1×10^{-3}	7×10^{-9}	4×10^{-5}
	I-134	S	5×10^{-7}	4×10^{-3}	6×10^{-9}	2×10^{-5}
		I	3×10^{-6}	2×10^{-2}	1×10^{-7}	6×10^{-4}
	I-135	S	1×10^{-7}	7×10^{-4}	1×10^{-9}	4×10^{-6}
I		4×10^{-7}	2×10^{-3}	1×10^{-8}	7×10^{-5}	
Iridium (77)	Ir-190	S	1×10^{-6}	6×10^{-3}	4×10^{-8}	2×10^{-4}
		I	4×10^{-7}	5×10^{-3}	1×10^{-8}	2×10^{-4}
	Ir-192	S	1×10^{-7}	1×10^{-3}	4×10^{-9}	4×10^{-5}
		I	3×10^{-8}	1×10^{-3}	9×10^{-10}	4×10^{-5}
Ir-194	S	2×10^{-7}	1×10^{-3}	8×10^{-9}	3×10^{-5}	
	I	2×10^{-7}	9×10^{-4}	5×10^{-9}	3×10^{-5}	
Iron (26)	Fe-55	S	9×10^{-7}	2×10^{-2}	3×10^{-8}	8×10^{-4}
		I	1×10^{-6}	7×10^{-2}	3×10^{-8}	2×10^{-3}
	Fe-59	S	1×10^{-7}	2×10^{-3}	5×10^{-9}	6×10^{-5}
		I	5×10^{-8}	2×10^{-3}	2×10^{-9}	5×10^{-5}
	Krypton (36)	Kr-85m	Sub ²	6×10^{-6}		1×10^{-7}
Sub			1×10^{-5}		3×10^{-7}	
Kr-87		Sub	1×10^{-6}		2×10^{-8}	
		Sub	1×10^{-6}		2×10^{-8}	
Lanthanum (57)	La-140	S	2×10^{-7}	7×10^{-4}	5×10^{-9}	2×10^{-5}
		I	1×10^{-7}	7×10^{-4}	4×10^{-9}	2×10^{-5}
Lead (82)	Pb-203	S	3×10^{-6}	1×10^{-2}	9×10^{-8}	4×10^{-4}
		I	2×10^{-6}	1×10^{-2}	6×10^{-8}	4×10^{-4}
	Pb-210	S	1×10^{-10}	4×10^{-6}	4×10^{-12}	1×10^{-7}
		I	2×10^{-10}	5×10^{-6}	8×10^{-12}	2×10^{-4}
	Pb-212	S	2×10^{-8}	6×10^{-4}	6×10^{-10}	2×10^{-5}
I		2×10^{-8}	5×10^{-4}	7×10^{-10}	2×10^{-5}	
Lutetium (71)	Lu-177	S	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		I	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
Manganese (25)	Mn-52	S	2×10^{-7}	1×10^{-3}	7×10^{-9}	3×10^{-5}
		I	1×10^{-7}	9×10^{-4}	5×10^{-9}	3×10^{-5}
	Mn-54	S	4×10^{-7}	4×10^{-3}	1×10^{-8}	1×10^{-4}
		I	4×10^{-8}	3×10^{-3}	1×10^{-9}	1×10^{-4}
	Mn-56	S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
		I	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
Mercury (80)	Hg-197m	S	7×10^{-7}	6×10^{-3}	3×10^{-8}	2×10^{-4}
		I	8×10^{-7}	5×10^{-3}	3×10^{-8}	2×10^{-4}
	Hg-197	S	1×10^{-6}	9×10^{-3}	4×10^{-8}	3×10^{-4}
		I	3×10^{-6}	1×10^{-2}	9×10^{-8}	5×10^{-4}
	Hg-203	S	7×10^{-8}	5×10^{-4}	2×10^{-9}	2×10^{-5}
I		1×10^{-7}	3×10^{-3}	4×10^{-9}	1×10^{-4}	
Molybdenum (42)	Mo-99	S	7×10^{-7}	5×10^{-3}	3×10^{-8}	2×10^{-4}
		I	2×10^{-7}	1×10^{-3}	7×10^{-9}	4×10^{-5}

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[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II		
		Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	Column 1 Air ($\mu\text{Ci}/\text{ml}$)	Column 2 Water ($\mu\text{Ci}/\text{ml}$)	
Neodymium (60)	Nd-144	S	8×10^{-11}	2×10^{-3}	3×10^{-12}	7×10^{-5}
		I	3×10^{-10}	2×10^{-3}	1×10^{-11}	8×10^{-5}
	Nd-147	S	4×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
		I	2×10^{-7}	2×10^{-3}	8×10^{-9}	6×10^{-5}
Nd-149	S	2×10^{-6}	8×10^{-3}	6×10^{-8}	3×10^{-4}	
	I	1×10^{-6}	8×10^{-3}	5×10^{-8}	3×10^{-4}	
Neptunium (93)	Np-237	S	4×10^{-12}	9×10^{-5}	1×10^{-13}	3×10^{-5}
		I	1×10^{-10}	9×10^{-4}	4×10^{-12}	3×10^{-5}
	Np-239	S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
		I	7×10^{-7}	4×10^{-3}	2×10^{-8}	1×10^{-4}
	Nickel (28)	Ni-59	S	5×10^{-7}	6×10^{-2}	2×10^{-8}
I			8×10^{-7}	6×10^{-2}	3×10^{-8}	2×10^{-4}
Ni-63		S	6×10^{-8}	8×10^{-4}	2×10^{-9}	3×10^{-5}
	I	3×10^{-7}	2×10^{-2}	1×10^{-8}	7×10^{-4}	
Ni-65	S	9×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}	
	I	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}	
Niobium (41)	Nb-93m	S	1×10^{-7}	1×10^{-2}	4×10^{-9}	4×10^{-4}
		I	2×10^{-7}	1×10^{-2}	5×10^{-9}	4×10^{-4}
	Nb-95	S	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		I	1×10^{-7}	3×10^{-3}	3×10^{-9}	1×10^{-4}
Nb-97	S	6×10^{-6}	3×10^{-2}	2×10^{-7}	9×10^{-4}	
	I	5×10^{-6}	3×10^{-2}	2×10^{-7}	9×10^{-4}	
Osmium (76)	Os-185	S	5×10^{-7}	2×10^{-3}	2×10^{-8}	7×10^{-5}
		I	5×10^{-8}	2×10^{-3}	2×10^{-9}	7×10^{-5}
	Os-191m	S	2×10^{-6}	7×10^{-2}	6×10^{-7}	3×10^{-3}
		I	9×10^{-6}	7×10^{-2}	3×10^{-7}	2×10^{-3}
	Os-191	S	1×10^{-6}	5×10^{-3}	4×10^{-8}	2×10^{-4}
I		4×10^{-7}	5×10^{-3}	1×10^{-8}	2×10^{-4}	
Os-193	S	4×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}	
	I	3×10^{-7}	2×10^{-3}	9×10^{-9}	5×10^{-5}	
Palladium (46)	Pd-103	S	1×10^{-6}	1×10^{-2}	5×10^{-8}	3×10^{-4}
		I	7×10^{-7}	8×10^{-2}	3×10^{-8}	3×10^{-4}
	Pd-109	S	6×10^{-7}	3×10^{-3}	2×10^{-8}	9×10^{-5}
	I	4×10^{-7}	2×10^{-3}	1×10^{-8}	7×10^{-5}	
Phosphorus (15)	P-32	S	7×10^{-8}	5×10^{-4}	2×10^{-9}	2×10^{-5}
		I	8×10^{-8}	7×10^{-4}	3×10^{-9}	2×10^{-5}
Platinum (78)	Pt-191	S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
		I	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
	Pt-193m	S	7×10^{-6}	3×10^{-2}	2×10^{-7}	1×10^{-3}
		I	5×10^{-6}	3×10^{-2}	2×10^{-7}	1×10^{-3}
	Pt-197m	S	3×10^{-7}	5×10^{-2}	1×10^{-8}	2×10^{-3}
		I	6×10^{-6}	3×10^{-2}	2×10^{-7}	1×10^{-3}
Pt-197	S	5×10^{-6}	3×10^{-2}	2×10^{-7}	1×10^{-3}	
	I	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}	
		I	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
	Plutonium (94)	Pu-238	S	2×10^{-12}	1×10^{-4}	7×10^{-14}
I			3×10^{-11}	8×10^{-4}	1×10^{-12}	3×10^{-5}
Pu-239		S	2×10^{-12}	1×10^{-4}	6×10^{-14}	5×10^{-6}
		I	4×10^{-11}	8×10^{-4}	1×10^{-12}	3×10^{-5}
Pu-240		S	2×10^{-12}	1×10^{-4}	6×10^{-14}	5×10^{-6}
		I	4×10^{-11}	8×10^{-4}	1×10^{-12}	3×10^{-5}
Pu-241		S	9×10^{-11}	7×10^{-3}	3×10^{-12}	2×10^{-4}
		I	4×10^{-8}	4×10^{-2}	1×10^{-9}	1×10^{-3}
Pu-242	S	2×10^{-12}	1×10^{-4}	6×10^{-14}	5×10^{-6}	
	I	4×10^{-11}	9×10^{-4}	1×10^{-12}	3×10^{-5}	
Pu-243	S	2×10^{-6}	1×10^{-2}	6×10^{-8}	3×10^{-4}	
	I	2×10^{-6}	1×10^{-2}	8×10^{-8}	3×10^{-4}	
Pu-244	S	2×10^{-12}	1×10^{-4}	6×10^{-14}	4×10^{-6}	
	I	3×10^{-11}				

((TABLE 1

((TABLE 1

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II	
		Column 1 Air ($\mu\text{Ci/ml}$)	Column 2 Water ($\mu\text{Ci/ml}$)	Column 1 Air ($\mu\text{Ci/ml}$)	Column 2 Water ($\mu\text{Ci/ml}$)
Promethium (61)	Pm-147 S	6×10^{-8}	6×10^{-3}	2×10^{-9}	2×10^{-4}
		1×10^{-7}	6×10^{-3}	3×10^{-9}	2×10^{-4}
	Pm-149 S	3×10^{-7}	1×10^{-3}	1×10^{-8}	4×10^{-5}
		2×10^{-7}	1×10^{-3}	8×10^{-9}	4×10^{-5}
Protactinium(91)	Pa-230 S	2×10^{-9}	7×10^{-3}	6×10^{-11}	2×10^{-4}
		8×10^{-10}	7×10^{-3}	3×10^{-11}	2×10^{-4}
	Pa-231 S	1×10^{-12}	3×10^{-5}	4×10^{-14}	9×10^{-7}
		1×10^{-10}	8×10^{-4}	4×10^{-12}	2×10^{-5}
	Pa-233 S	6×10^{-7}	4×10^{-3}	2×10^{-8}	1×10^{-4}
		2×10^{-7}	3×10^{-3}	6×10^{-9}	1×10^{-4}
Radium (88)	Ra-223 S	2×10^{-9}	2×10^{-5}	6×10^{-11}	7×10^{-7}
		2×10^{-10}	1×10^{-4}	8×10^{-12}	4×10^{-6}
	Ra-224 S	5×10^{-9}	7×10^{-5}	2×10^{-10}	2×10^{-6}
		7×10^{-10}	2×10^{-4}	2×10^{-11}	5×10^{-6}
	Ra-226 S	3×10^{-11}	4×10^{-7}	3×10^{-12}	3×10^{-8}
		5×10^{-11}	9×10^{-4}	2×10^{-12}	3×10^{-5}
	Ra-228 S	7×10^{-11}	8×10^{-7}	2×10^{-12}	3×10^{-8}
		4×10^{-11}	7×10^{-4}	1×10^{-12}	3×10^{-5}
Radon (86)	Rn-220 S	3×10^{-7}		1×10^{-8}	
	Rn-222 S	1×10^{-7}		3×10^{-9}	
Rhenium (75)	Re-183 S	3×10^{-6}	2×10^{-2}	9×10^{-8}	6×10^{-4}
		2×10^{-7}	8×10^{-3}	5×10^{-9}	3×10^{-4}
	Re-186 S	6×10^{-7}	3×10^{-3}	2×10^{-8}	9×10^{-5}
		2×10^{-7}	1×10^{-3}	8×10^{-9}	5×10^{-5}
	Re-187 S	9×10^{-6}	7×10^{-2}	3×10^{-7}	3×10^{-3}
		5×10^{-7}	4×10^{-2}	2×10^{-8}	2×10^{-3}
Re-188 S	4×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}	
	2×10^{-7}	9×10^{-4}	6×10^{-9}	3×10^{-5}	
Rhodium (45)	Rh-103m S	8×10^{-5}	4×10^{-1}	3×10^{-6}	1×10^{-2}
		6×10^{-5}	3×10^{-1}	2×10^{-6}	1×10^{-2}
	Rh-105 S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}	
Rubidium (37)	Rb-86 S	3×10^{-7}	2×10^{-3}	1×10^{-8}	7×10^{-5}
		7×10^{-8}	7×10^{-4}	2×10^{-9}	2×10^{-5}
	Rb-87 S	5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		7×10^{-8}	5×10^{-3}	2×10^{-9}	2×10^{-4}
Ruthenium (44)	Ru-97 S	2×10^{-6}	1×10^{-2}	8×10^{-8}	4×10^{-4}
		2×10^{-6}	1×10^{-2}	6×10^{-8}	3×10^{-4}
	Ru-103 S	5×10^{-7}	2×10^{-3}	2×10^{-8}	8×10^{-5}
		8×10^{-8}	2×10^{-3}	3×10^{-9}	8×10^{-5}
	Ru-105 S	7×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		5×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
	Ru-106 S	8×10^{-8}	4×10^{-4}	3×10^{-9}	1×10^{-5}
		6×10^{-9}	3×10^{-4}	2×10^{-10}	1×10^{-5}
Samarium (62)	Sm-147 S	7×10^{-11}	2×10^{-3}	2×10^{-12}	6×10^{-5}
		3×10^{-10}	2×10^{-3}	9×10^{-12}	7×10^{-5}
	Sm-151 S	6×10^{-8}	1×10^{-2}	2×10^{-9}	4×10^{-4}
		1×10^{-7}	1×10^{-2}	5×10^{-9}	4×10^{-4}
Sm-153 S	5×10^{-7}	2×10^{-3}	2×10^{-8}	8×10^{-5}	
	4×10^{-7}	2×10^{-3}	1×10^{-8}	8×10^{-5}	
Scandium (21)	Sc-46 S	2×10^{-7}	1×10^{-3}	8×10^{-9}	4×10^{-5}
		2×10^{-8}	1×10^{-3}	8×10^{-10}	4×10^{-5}
	Sc-47 S	6×10^{-7}	3×10^{-3}	2×10^{-8}	9×10^{-5}
		5×10^{-7}	3×10^{-3}	2×10^{-8}	9×10^{-5}
	Sc-48 S	2×10^{-7}	8×10^{-4}	6×10^{-9}	3×10^{-5}
		1×10^{-7}	8×10^{-4}	5×10^{-9}	3×10^{-5}
Selenium (34)	Se-75 S	1×10^{-6}	9×10^{-3}	4×10^{-8}	3×10^{-4}
		1×10^{-7}	8×10^{-3}	4×10^{-9}	3×10^{-4}
Silicon (14)	Si-31 S	6×10^{-6}	3×10^{-2}	2×10^{-7}	9×10^{-4}
		1×10^{-6}	6×10^{-3}	3×10^{-8}	2×10^{-4}
Silver (47)	Ag-105 S	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		8×10^{-8}	3×10^{-3}	3×10^{-9}	1×10^{-4}
	Ag-110m S	2×10^{-7}	9×10^{-4}	7×10^{-9}	3×10^{-5}
		1×10^{-8}	9×10^{-4}	3×10^{-10}	3×10^{-5}
	Ag-111 S	3×10^{-7}	1×10^{-3}	1×10^{-8}	4×10^{-5}
		2×10^{-7}	1×10^{-3}	8×10^{-9}	4×10^{-5}

Element (atomic number)	Isotope ¹	Part I		Part II	
		Column 1 Air ($\mu\text{Ci/ml}$)	Column 2 Water ($\mu\text{Ci/ml}$)	Column 1 Air ($\mu\text{Ci/ml}$)	Column 2 Water ($\mu\text{Ci/ml}$)
Sodium (11)	Na-22 S	2×10^{-7}	1×10^{-3}	6×10^{-9}	4×10^{-5}
		9×10^{-9}	9×10^{-4}	1×10^{-10}	3×10^{-5}
	Na-24 S	1×10^{-6}	6×10^{-3}	4×10^{-8}	2×10^{-4}
		1×10^{-7}	8×10^{-4}	5×10^{-9}	3×10^{-5}
Strontium (38)	Sr-85m S	4×10^{-5}	2×10^{-1}	1×10^{-6}	7×10^{-3}
		3×10^{-5}	2×10^{-1}	1×10^{-6}	7×10^{-3}
	Sr-85 S	2×10^{-7}	3×10^{-3}	8×10^{-9}	1×10^{-4}
		1×10^{-7}	5×10^{-3}	4×10^{-9}	2×10^{-4}
	Sr-89 S	3×10^{-8}	3×10^{-4}	3×10^{-10}	3×10^{-6}
		4×10^{-8}	8×10^{-4}	1×10^{-9}	3×10^{-5}
	Sr-90 S	1×10^{-9}	1×10^{-5}	3×10^{-11}	3×10^{-7}
		5×10^{-9}	1×10^{-3}	2×10^{-10}	4×10^{-5}
	Sr-91 S	4×10^{-7}	2×10^{-3}	2×10^{-8}	7×10^{-5}
		3×10^{-7}	1×10^{-3}	9×10^{-9}	5×10^{-5}
Sr-92 S	4×10^{-7}	2×10^{-3}	2×10^{-8}	7×10^{-5}	
	3×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}	
Sulfur (16)	S-35 S	3×10^{-7}	2×10^{-3}	9×10^{-9}	6×10^{-5}
		3×10^{-7}	8×10^{-3}	9×10^{-9}	3×10^{-4}
Tantalum (73)	Ta-182 S	4×10^{-8}	1×10^{-3}	1×10^{-9}	4×10^{-5}
		2×10^{-8}	1×10^{-3}	7×10^{-10}	4×10^{-5}
Technetium (43)	Tc-96m S	8×10^{-5}	4×10^{-1}	3×10^{-6}	1×10^{-2}
		3×10^{-5}	3×10^{-1}	1×10^{-6}	1×10^{-2}
	Tc-96 S	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		2×10^{-7}	1×10^{-3}	8×10^{-9}	5×10^{-5}
	Tc-97m S	2×10^{-6}	1×10^{-2}	8×10^{-8}	4×10^{-4}
		2×10^{-7}	5×10^{-3}	5×10^{-9}	2×10^{-4}
	Tc-97 S	1×10^{-5}	5×10^{-2}	4×10^{-7}	2×10^{-3}
		3×10^{-5}	2×10^{-2}	1×10^{-8}	8×10^{-4}
	Tc-99m S	4×10^{-5}	2×10^{-1}	1×10^{-6}	6×10^{-3}
		1×10^{-5}	8×10^{-2}	1×10^{-7}	3×10^{-3}
Tc-99 S	2×10^{-6}	1×10^{-2}	7×10^{-8}	3×10^{-4}	
	6×10^{-8}	5×10^{-3}	2×10^{-9}	2×10^{-4}	
Tellurium (52)	Te-125m S	4×10^{-7}	5×10^{-3}	1×10^{-8}	2×10^{-4}
		1×10^{-7}	3×10^{-3}	4×10^{-9}	1×10^{-4}
	Te-127m S	1×10^{-7}	2×10^{-3}	5×10^{-9}	6×10^{-5}
		4×10^{-8}	2×10^{-3}	1×10^{-9}	5×10^{-5}
	Te-127 S	2×10^{-6}	8×10^{-3}	6×10^{-8}	3×10^{-4}
		9×10^{-7}	5×10^{-3}	3×10^{-8}	2×10^{-4}
	Te-129m S	8×10^{-8}	1×10^{-3}	3×10^{-9}	3×10^{-5}
		3×10^{-8}	6×10^{-4}	1×10^{-9}	2×10^{-5}
	Te-129 S	5×10^{-6}	2×10^{-2}	2×10^{-7}	8×10^{-4}
		4×10^{-6}	2×10^{-2}	1×10^{-7}	8×10^{-4}
Te-131m S	4×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}	
	2×10^{-7}	1×10^{-3}	6×10^{-9}	4×10^{-5}	
Te-132 S	2×10^{-7}	9×10^{-4}	7×10^{-9}	3×10^{-5}	
	1×10^{-7}	6×10^{-4}	4×10^{-9}	2×10^{-5}	
Terbium (65)	Tb-160 S	1×10^{-7}	1×10^{-3}	3×10^{-9}	4×10^{-5}
		3×10^{-8}	1×10^{-3}	1×10^{-9}	4×10^{-5}
Thallium (81)	Tl-200 S	3×10^{-6}	1×10^{-2}	9×10^{-8}	4×10^{-4}
		1×10^{-6}	7×10^{-3}	4×10^{-8}	2×10^{-4}
	Tl-201 S	2×10^{-6}	9×10^{-3}	7×10^{-8}	3×10^{-4}
		9×10^{-7}	5×10^{-3}	3×10^{-8}	2×10^{-4}
	Tl-202 S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
		2×10^{-7}	2×10^{-3}	8×10^{-9}	7×10^{-5}
	Tl-204 S	6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		3×10^{-8}	2×10^{-3}	9×10^{-10}	6×10^{-5}
	Th-228 S	9×10^{-12}	2×10^{-4}	3×10^{-13}	7×10^{-6}
		6×10^{-12}	4×10^{-4}	2×10^{-13}	1×10^{-5}
Th-230 S	2×10^{-12}	5×10^{-5}	8×10^{-14}	2×10^{-6}	
	1×10^{-11}	9×10^{-4}	3×10^{-13}	3×10^{-5}	
Th-232 S	3×10^{-11}	5×10^{-5}	1×10^{-12}	2×10^{-5}	
	3×10^{-11}	1×10^{-3}	1×10^{-12}	4×10^{-5}	
Th-natural	Th-natural S	6×10^{-11}	6×10^{-5}	2×10^{-12}	2×10^{-6}
		6×10^{-11}	6×10^{-4}	2×10^{-12}	2×10^{-5}
	Th-234 S	6×10^{-8}	5×10^{-4}		

((TABLE I

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II	
		Column 1 Air ($\mu\text{Ci}/\text{m}^3$)	Column 2 Water ($\mu\text{Ci}/\text{m}^3$)	Column 1 Air ($\mu\text{Ci}/\text{m}^3$)	Column 2 Water ($\mu\text{Ci}/\text{m}^3$)
Thulium (69)	Tm-170 S	4×10^{-8}	1×10^{-3}	1×10^{-9}	5×10^{-5}
		3×10^{-8}	1×10^{-3}	1×10^{-9}	5×10^{-5}
	Tm-171 S	1×10^{-7}	1×10^{-2}	4×10^{-9}	5×10^{-4}
		2×10^{-7}	1×10^{-2}	8×10^{-9}	5×10^{-4}
Tin (50)	Sn-113 S	4×10^{-7}	2×10^{-3}	1×10^{-8}	9×10^{-5}
		5×10^{-8}	2×10^{-3}	2×10^{-9}	8×10^{-5}
	Sn-125 S	1×10^{-7}	5×10^{-4}	4×10^{-9}	2×10^{-5}
		8×10^{-8}	5×10^{-4}	3×10^{-9}	2×10^{-5}
Tungsten (74)	W-181 S	2×10^{-6}	1×10^{-2}	8×10^{-8}	4×10^{-4}
		1×10^{-7}	1×10^{-2}	4×10^{-9}	3×10^{-4}
	W-185 S	8×10^{-7}	4×10^{-3}	3×10^{-8}	1×10^{-4}
		1×10^{-7}	3×10^{-3}	4×10^{-9}	1×10^{-4}
	W-187 S	4×10^{-7}	2×10^{-3}	2×10^{-8}	7×10^{-5}
		3×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
Uranium (92)	U-230 S	3×10^{-10}	1×10^{-4}	1×10^{-11}	5×10^{-6}
		1×10^{-10}	1×10^{-4}	4×10^{-12}	5×10^{-6}
	U-232 S	1×10^{-10}	8×10^{-4}	3×10^{-12}	3×10^{-5}
		3×10^{-11}	8×10^{-4}	9×10^{-13}	3×10^{-5}
	U-233 S	5×10^{-10}	9×10^{-4}	2×10^{-11}	3×10^{-5}
		1×10^{-10}	9×10^{-4}	4×10^{-12}	3×10^{-5}
	U-234 S	6×10^{-10}	9×10^{-4}	2×10^{-11}	3×10^{-5}
		1×10^{-10}	9×10^{-4}	4×10^{-12}	3×10^{-5}
	U-235 S	5×10^{-10}	8×10^{-4}	2×10^{-11}	3×10^{-5}
		1×10^{-10}	8×10^{-4}	4×10^{-12}	3×10^{-5}
	U-236 S	6×10^{-10}	1×10^{-3}	2×10^{-11}	3×10^{-5}
		1×10^{-10}	1×10^{-3}	4×10^{-12}	3×10^{-5}
	U-238 S	7×10^{-11}	1×10^{-3}	3×10^{-12}	4×10^{-5}
		1×10^{-10}	1×10^{-3}	5×10^{-12}	4×10^{-5}
U-240 S	2×10^{-7}	1×10^{-3}	8×10^{-9}	3×10^{-5}	
	2×10^{-7}	1×10^{-3}	6×10^{-9}	3×10^{-5}	
U-natural	S	1×10^{-10}	1×10^{-3}	5×10^{-12}	3×10^{-5}
	I	1×10^{-10}	1×10^{-3}	5×10^{-12}	3×10^{-5}
Vanadium (23)	V-48 S	2×10^{-7}	9×10^{-4}	6×10^{-9}	3×10^{-5}
		6×10^{-8}	8×10^{-4}	2×10^{-9}	3×10^{-5}
Xenon (54)	Xe-131m Sub ²	2×10^{-5}		4×10^{-7}	
	Xe-133m Sub	1×10^{-5}		3×10^{-7}	
	Xe-133 Sub	1×10^{-5}		3×10^{-7}	
	Xe-135 Sub	4×10^{-6}		1×10^{-7}	
Ytterbium (70)	Yb-175 S	7×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
		6×10^{-7}	3×10^{-3}	2×10^{-8}	1×10^{-4}
Yttrium (39)	Y-90 S	1×10^{-7}	6×10^{-4}	4×10^{-9}	2×10^{-5}
		1×10^{-7}	6×10^{-4}	3×10^{-9}	2×10^{-5}
	Y-91m S	2×10^{-5}	1×10^{-1}	8×10^{-7}	3×10^{-3}
		2×10^{-5}	1×10^{-1}	6×10^{-7}	3×10^{-3}
	Y-91 S	4×10^{-8}	8×10^{-4}	1×10^{-9}	3×10^{-5}
		3×10^{-8}	8×10^{-4}	1×10^{-9}	3×10^{-5}
	Y-92 S	4×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
		3×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
Y-93 S	2×10^{-7}	8×10^{-4}	6×10^{-9}	3×10^{-5}	
	1×10^{-7}	8×10^{-4}	5×10^{-9}	3×10^{-5}	
Zinc (30)	Zn-65 S	1×10^{-7}	3×10^{-3}	4×10^{-9}	1×10^{-4}
		6×10^{-8}	5×10^{-3}	2×10^{-9}	2×10^{-4}
	Zn-69m S	4×10^{-7}	2×10^{-3}	1×10^{-8}	7×10^{-5}
		3×10^{-7}	2×10^{-3}	1×10^{-8}	6×10^{-5}
Zn-69 S	7×10^{-6}	5×10^{-2}	2×10^{-7}	2×10^{-3}	
	9×10^{-6}	5×10^{-2}	3×10^{-7}	2×10^{-3}	
Zirconium (40)	Zr-93 S	1×10^{-7}	2×10^{-2}	4×10^{-9}	8×10^{-4}
		3×10^{-7}	2×10^{-2}	1×10^{-8}	8×10^{-4}
	Zr-95 S	1×10^{-7}	2×10^{-3}	4×10^{-9}	6×10^{-5}
		3×10^{-8}	2×10^{-3}	1×10^{-9}	6×10^{-5}
	Zr-97 S	1×10^{-7}	5×10^{-4}	4×10^{-9}	2×10^{-5}
		9×10^{-8}	5×10^{-4}	3×10^{-9}	2×10^{-5}

((TABLE I

CONCENTRATIONS IN AIR AND WATER ABOVE NATURAL BACKGROUND
[See notes at end of table]

Element (atomic number)	Isotope ¹	Part I		Part II	
		Column 1 Air ($\mu\text{Ci}/\text{m}^3$)	Column 2 Water ($\mu\text{Ci}/\text{m}^3$)	Column 1 Air ($\mu\text{Ci}/\text{m}^3$)	Column 2 Water ($\mu\text{Ci}/\text{m}^3$)
Any single radionuclide not listed above with decay mode other than alpha emission or spontaneous fission and with radioactive half-life less than 2 hours:	Sub ²	1×10^{-6}		3×10^{-8}	
		3×10^{-9}	9×10^{-5}	1×10^{-10}	3×10^{-6}
Any single radionuclide not listed above, which decays by alpha emission or spontaneous fission:	Sub ²	6×10^{-13}	4×10^{-7}	2×10^{-14}	3×10^{-8}
		3×10^{-9}	9×10^{-5}	1×10^{-10}	3×10^{-6}

¹Soluble(S); Insoluble(I).

²Sub² means that values given are for submersion in a semi-spherical infinite cloud of airborne material.

NOTE: In any case where there is a mixture in air or water of more than one radionuclide, the limiting values for purposes of this Appendix should be determined as follows:

1. If the identity and concentration of each radionuclide in the mixture are known, the limiting values should be derived as follows: Determine, for each radionuclide in the mixture, the ratio between the quantity present in the mixture and the limit otherwise established in Appendix "A" for the specific radionuclide when not in a mixture. The sum of such ratios for all the radionuclides in the mixture may not exceed "1" (i.e., "unity").

Example: If radionuclides a, b, and c are present in concentrations C_a , C_b , and C_c , and if the applicable MPC's are MPC_a , MPC_b , and MPC_c respectively, then the concentrations shall be limited so that the following relationship exists:

$$\frac{C_a}{MPC_a} + \frac{C_b}{MPC_b} + \frac{C_c}{MPC_c} \leq 1$$

2. If either the identity or the concentration of any radionuclide in the mixture is not known, the limiting values for purposes of Appendix "A" shall be:

- a. For purposes of Table I, Col. 1 6×10^{-13}
- b. For purposes of Table I, Col. 2 4×10^{-7}
- c. For purposes of Table II, Col. 1 2×10^{-14}
- d. For purposes of Table II, Col. 2 3×10^{-8}

3. If any of the conditions specified below are met, the corresponding values specified below may be used in lieu of those specified in paragraph 2 above:

a. If the identity of each radionuclide in the mixture is known but the concentration of one or more of the radionuclides in the mixture is not known, the concentration limit for the mixture is the limit specified in Appendix "A" for the radionuclide in the mixture having the lowest concentration limit, or p. b. If the identity of each radionuclide in the mixture is not known, but it is known that certain radionuclides specified in Appendix "A" are not present in the mixture, the concentration limit for the mixture is the lowest concentration limit specified in Appendix "A" for any radionuclide which is not known to be absent from the mixture; or

c. Element (atomic number) and isotope	Part I		Part II	
	Column 1	Column 2	Column 1	Column 2
	Air (µCi/ml)	water (µCi/ml)	Air (µCi/ml)	water (µCi/ml)

If it is known that Sr-90, I-125, I-126, I-129, I-131, I-133 Table H only, Pb-210, Po-210, At-211, Ra-223, Ra-224, Ra-226, Ac-227, Ra-228, Th-230, Pa-231, Th-232, Th-nat, Cm-248, Cf-254, and Fm-256 are not present

9X10 ⁻⁵	3X10 ⁻⁶
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If it is known that Sr-90, I-125, I-126, I-129, I-131, I-133, Table H only, Pb-210, Po-210, Ra-223, Ra-226, Ra-228, Pa-231, Th-nat, Cm-248, Cf-254, and Fm-256 are not present

6X10 ⁻⁵	2X10 ⁻⁶
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If it is known that Sr-90, I-129, I-125, I-126, I-131, Table H only, Pb-210, Ra-226, Ra-228, Cm-248, and Cf-254 are not present

2X10 ⁻⁵	6X10 ⁻⁷
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If it is known that I-129, Table H only, Ra-226, and Ra-228 are not present

3X10 ⁻⁶	1X10 ⁻⁷
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If it is known that alpha-emitters and Sr-90, I-131, Pb-210, Ac-227, Ra-228, Pa-230, Pu-241, and Bk-249 are not present

3X10 ⁻⁹	1X10 ⁻¹⁰
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If it is known that alpha-emitters and Pb-210, Ac-227, Ra-228, and Pu-241 are not present

3X10 ⁻¹⁰	1X10 ⁻¹¹
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If it is known that alpha-emitters and Ac-227 are not present

3X10 ⁻¹¹	1X10 ⁻¹²
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If it is known that Ac-227, Th-230, Pa-231, Pu-238, Pu-239, Pu-240, Pu-242, Pu-244, Cm-248, Cf-249 and Cf-251 are not present

3X10 ⁻¹²	1X10 ⁻¹³
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4. If the mixture of radionuclides consists of uranium and its daughter products in ore dust prior to chemical processing of the uranium ore, the values specified below may be used in lieu of those determined in accordance with paragraph 1 above or those specified in paragraphs 2 and 3 above:

a. For purposes of Table I, Column 1, 1×10^{-10} µCi/ml gross alpha activity; or 5×10^{-11} µCi/ml natural uranium; or 75 micrograms per cubic meter of air natural uranium.

b. For purposes of Table H, Column 1, 3×10^{-12} µCi/ml gross alpha activity; 2×10^{-12} µCi/ml natural uranium; or 3 micrograms per cubic meter of air natural uranium.

5. For purposes of this note, a radionuclide may be considered as not present in a mixture if (a) the ratio of the concentration of that radionuclide in the mixture (C_2) to the concentration limit for that radionuclide specified in Table H of Appendix "A" (MPC_2) does not

exceed 1/10, (i.e., $C_2/MPC_2 \leq 1/10$ and (b) the sum of such ratios for all radionuclides considered as not present in the mixture does not exceed 1/4, (i.e., $C_a/MPC_a + C_b/MPC_b + \dots \leq 1/4$)).

AMENDATORY SECTION (Amending Order 80-22, filed 10/31/80)

WAC 296-62-09005 NONIONIZING RADIATION. ((Workmen shall be protected from exposure to hazardous levels of nonionizing radiations:)) (1) Introduction. ((Biological responses in the various sections of the electro-magnetic spectrum are different. In certain instances there are also different responses within any segment of the spectrum, such as the infrared. Experience and experimentation have been sufficient to permit the establishment of certain standards which can be used to promote a healthful working environment.

(2) Microwaves. (a) Definitions. (i) "Partial body irradiation" shall mean the case in which part of the body is exposed to the incident electromagnetic energy.

(ii) "Radiation protection standard" means radiation level which shall not be exceeded.

(iii) "Symbol" means the overall design, shape, and coloring of the microwave radiation sign shown in figure 2.

(iv) "Whole body irradiation" shall mean the case in which the entire body is exposed to the incident electromagnetic energy or in which the cross section of the body is smaller than the cross section of the incident radiation beam.

(b) Radiation protection standard:

(i) For normal environmental conditions and for incident electromagnetic energy of frequencies from 10 megahertz to 100 gigahertz, the radiation protection standard is 10 mW/cm² (milliwatt per square centimeter) as averaged over any possible 0.1-hour period. This means the following:

Power density: 10mW/cm² for periods of 0.1-hour or more.

Energy density: 1mW-hr/cm² (milliwatt hour per square centimeter) during any 0.1-hour period.

This standard applies whether the radiation is continuous or intermittent.

(ii) These formulated standards pertain to both whole body irradiation and partial body irradiation. Partial body irradiation must be included since it has been shown that some parts of the human body (e.g., eyes, testicles) may be harmed if exposed to incident radiation levels significantly in excess of these levels.

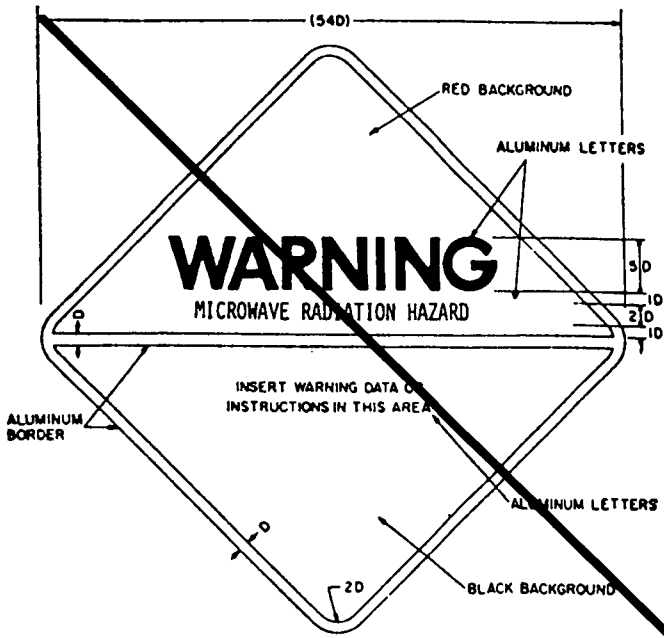
(c) Warning symbol:

(i) The warning symbol for microwave radiation hazards shall consist of a red isosceles triangle above an inverted black isosceles triangle, separated and outlined by an aluminum color border. The words "Warning—Microwave Radiation Hazard" shall appear in the upper triangle. See Figure 2.

(ii) American National Standard Safety Color Code for Marking Physical Hazards and the Identification of Certain Equipment, Z53.1-1953, shall be used for color specification. All lettering and the border shall be of aluminum color.

(iii) The inclusion and choice of warning information or precautionary instructions is at the discretion of the user. If such information is included it shall appear in the lower triangle of the warning symbol.

NOTE: Subsection (2) of this section does not apply to the deliberate exposure of patients by, or under the direction of, practitioners of the healing arts.



1. Place handling and mounting instructions on reverse side.
2. D = Scaling Unit.
3. Lettering. Ratio of letter height to thickness of letter lines:

Upper triangle.	5 to 1 Large
	6 to 1 Medium
Lower triangle.	4 to 1 Small
	6 to 1 Medium
4. Symbol is square, triangles are right-angle isosceles.

FIG. 2
Microwave Radiation Hazard Warning Symbol

(3) Permissible exposure limits:

(a) These exposure limit values refer to levels of physical agents and represent conditions under which it is believed that nearly all workers may be repeatedly exposed day after day without adverse effect. They are based on the best available information from experimental studies. Because of wide variations in individual susceptibility, exposure of an occasional individual, at, or even below, the permissible limit may not prevent annoyance, aggravation of a preexisting condition, or physiological damage.

(b) Permissible exposure limits refer to levels of exposure for an 8-hour workday within a 40-hour week. Exceptions are those limits which are given a ceiling value "C."

(c) These limits should be interpreted and applied only by a technically qualified person.

(d) Ceiling value. There are some physical agents which produce physiological response from short intense exposure and whose permissible limit is more appropriately based on this particular response. Physical agents with this type of response are best controlled by a ceiling "C" limit which is a maximum level of exposure which shall not be exceeded.

(4) 6943Å Lasers. Eye protection:

(a) The permissible exposure limits for exposure of the eye refer to levels of laser energy at the cornea under conditions to which nearly all workers may be exposed without adverse effects. These permissible exposure limits shall be used in the control of exposures to the eye from Q-Switched, and Non-Q-Switched laser energy at 6943Å.

(b) The values apply to direct illumination or specular reflected laser energy (6943Å) at the cornea and do not apply to laser energy at any other wave length or operational mode.

Energy Density	Joules/sq. centimeter
Mode	

Q-Switched (1 nanosecond - 1 microsecond)	1×10^{-7} *
Non-Q-Switched (1 microsecond - 0.1 sec. pulse)	1×10^{-6} *

*Ceiling value

(5) Continuous-wave lasers. Eye protection:

(a) The permissible exposure limits for exposure of the eye refer to levels of laser energy at the cornea under conditions to which nearly all workers may be exposed without adverse effects. These permissible exposure limits shall be used in the control of exposures to the eye from continuous wave laser energy in the 4000Å to 7500Å region of the spectra.

(b) The values apply to direct illumination or specular reflected continuous wave laser energy (4000Å to 7500Å) at the cornea and do not apply to laser energy at any other wave length or operational mode.

Power Density	Watt/sq. centimeter
Mode	

Continuous Wave (> 0.1 sec.)	1×10^{-5} *
---------------------------------	----------------------

*Ceiling value

(6) Lasers. Skin protection:

(a) The permissible exposure limits for exposure of the skin to levels of laser energy in the visible, near infrared, and infrared portions of the spectra are under conditions which it is believed nearly all workers may be exposed without adverse effects.

(b) These values shall be used in the control of exposure to pulsed and continuous wave laser energy.

(c) The notation "SKIN PROTECTION" refers to the potential risk of exposure of the skin to laser energy. These limits are not directly related to, or part of, the permissible exposure limit for eye protection and are intended to suggest that appropriate control measures may be necessary to prevent damage to the skin.

(d) The values apply to the maximum intensity of laser energy incident on the skin (excluding eyes) in the visible, near infrared and infrared wave lengths.

Mode	
Pulsed	0.1 Joules/sq. centimeter* (Energy Density)
Continuous Wave	1.0 Watts/sq. centimeter* (Power Density)

*Ceiling value

(7) Employees shall be protected from exposure to hazardous levels of nonionizing radiation. Health standards have been established for ultraviolet, radiofrequency/microwave, and laser radiations which shall be used to promote a healthful working environment. These standards refer to levels of nonionizing radiation and represent conditions under which it is believed that nearly all workers may be repeatedly exposed day after day without adverse effects. They are based on the best available information from experimental studies. Because of the wide variations in individual susceptibility, exposure of an occasional individual at, or even below, the permissible limit, may result in discomfort, aggravation of a preexisting condition, or physiological damage.

(a) Permissible exposure limits (PELs) refer to a time weighted average (TWA) of exposure for an 8-hour work day within a 40-hour workweek. Exceptions are those limits which are given a ceiling value.

(b) These PELs should be interpreted and applied only by technically qualified persons.

(c) Ceiling value. There are nonionizing radiations which produce physiological responses from short intense exposure and the PELs for

these radiations are more appropriately based on this particular hazard. Nonionizing radiations with this type of hazard are best controlled by a ceiling value which is a maximum level of exposure which shall not be exceeded.

(2) The employer shall establish and maintain a program for the control and monitoring of nonionizing radiation hazards. This program shall provide employees adequate supervision, training, facilities, equipment, and supplies, for the control and assessment of nonionizing radiation hazards.

(3) Radiofrequency/microwave radiation permissible exposure limits.

(a) Definitions:

(i) "Partial body exposure" means the case in which only the hands and forearms or the feet and legs below the knee are exposed.

(ii) "Specific absorption rate (SAR)" means the time rate at which radiofrequency/microwave energy is imparted to an element of mass of a biological body.

(b) Warning symbol.

(i) The warning symbol for radiofrequency/microwave radiation shall consist of a red isosceles triangle above an inverted black isosceles triangle, separated and outlined by an aluminum color border. The words "Warning - Radiofrequency/microwave Radiation Hazard" shall appear in the upper triangle. See Figure 1.

(ii) All areas where entry may result in an exposure to radiofrequency/microwave radiation in excess of the PEL shall have a warning symbol prominently displayed at their entrance.

(iii) American National Standard Safety Color Code for Marking Physical Hazards and the Identification of Certain Equipment, Z53.1-1953, shall be used for color specification. All lettering and the border shall be of aluminum color.

(iv) The inclusion and choice of warning information or precautionary instructions is at the discretion of the user. If such information is included it shall appear in the lower triangle of the warning symbol.

(iv) For mixed or broadband fields at a number of frequencies for which there are different PELs, the fraction of the PEL incurred within each frequency interval shall be determined and the sum of these fractions shall not exceed unity.

(v) PELs given in Table I for frequencies between 300 kHz and 1 GHz may be exceeded for partial body exposures if the output power of the radiating device is 7 watts or less.

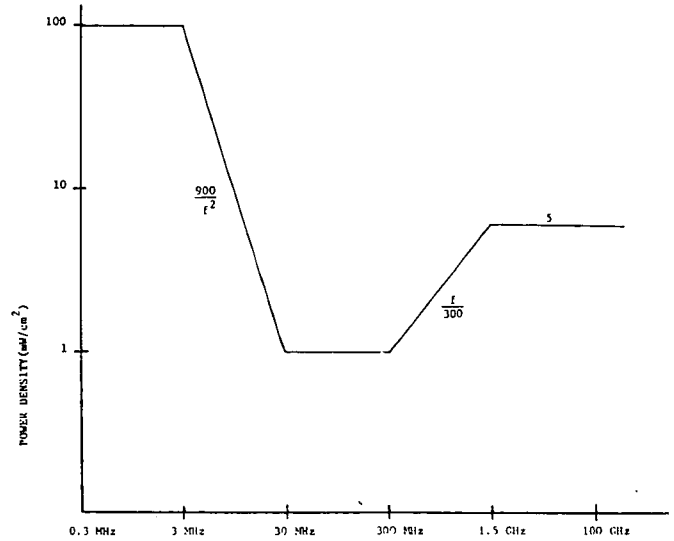
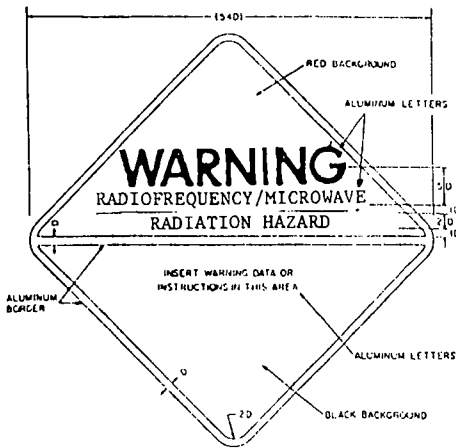


Figure 2. Permissible Exposure Limits (PELs) for radiofrequency/microwave radiation (whole body SAR less than 0.4 W/kg). Note f=frequency in MHz.



- Place handling and mounting instructions on reverse side.
- D = Scaling Unit.
- Lettering: Ratio of letter height to thickness of letter lines.
Upper triangle: 5 to 1 Large
6 to 1 Medium
Lower triangle: 4 to 1 Small
6 to 1 Medium
- Symbol is square, triangles are right-angle isosceles.

Figure 1

Radiofrequency/Microwave Radiation Hazard Warning Symbol

(c) These PELs refer to whole body exposures to radiofrequency/microwave radiation in the frequency range of 300 kHz to 100 GHz and an SAR not greater than 0.4 W/kg (see figure 2). Based on current knowledge, it is believed that workers may be exposed at these PELs without adverse health effects.

(i) Table I gives the PELs in terms of the mean squared electric (E²) and magnetic (H²) field strengths and in terms of the equivalent plane-wave free-space power density, as a function of frequency.

(ii) The average exposure for any 6 minute (0.1 hour) period shall not exceed the PEL.

(iii) Measurements shall be made at distances of 5 cm or greater from any object.

Table I. Radiofrequency/Microwave Radiation Permissible Exposure Limits (PELs).

Frequency(f)	Power Density*	Electric Field Strength Squared*	Magnetic Field Strength Squared*
	mW/cm ²	V ² /m ²	A ² /m ²
0.3 to 3 MHz	100	400,000	2.5
3 to 30 MHz	900/f ²	4000(900/f ²)	0.025(900/f ²)
30 to 300 MHz	1.0	4000	0.025
300 to 1500 MHz	f/300	4000(f/300)	0.025(f/300)
1.5 to 100 GHz	5.0	20,000	0.125

Note: f=frequency (MHz)

* Ceiling value

(4) Laser radiation permissible exposure limits.

(a) Definitions.

(i) "Diffuse reflection" means a change of the spatial distribution of a beam of radiation when it is reflected in many directions by a surface or medium.

(ii) "Specular reflection" means a mirrorlike reflection.

(iii) "Accessible radiation" means laser radiation to which human access is possible.

(b) All lasers and laser systems shall be classified in accordance with the Federal Laser Product Performance Standards (21 CFR 1040.10) or, if manufactured prior to August 2, 1976, in accordance with ANSI Z136.1-1980.

(i) Class I. Laser systems that are considered to be incapable of producing damaging radiation levels and are thereby exempt from control measures. This is a no hazard category.

(ii) Class II. Visible wavelength laser systems that have a low hazard potential because of the expected aversion response. There is some possibility of injury if stared at. This is a low hazard category.

(iii) Class III. Laser systems in which intrabeam viewing of the direct beam or specular reflections of the beam may be hazardous. This class may be further subdivided into IIIa and IIIb; Class IIIa is visible wavelength lasers considered to be hazardous only when the laser output beam is collected and focused by optical instruments. This is a moderate hazard category.

(iv) Class IV. Laser systems whose direct or diffusely reflected radiation may be hazardous and where the beam may constitute a fire hazard. Class IV systems require the use of controls that prevent exposure of the eye and skin to specular or diffuse reflections of the beam. This is a high hazard category.

(c) Warning signs and classification labels shall be prepared in accordance with 21 CFR 1040.10. All signs and labels shall be conspicuously displayed.

(i) The signal word "CAUTION" shall be used with all signs and labels associated with Class II and Class IIIa lasers and laser systems.

(ii) The signal word "DANGER" shall be used with all signs and labels associated with Class IIIb and Class IV lasers and laser systems.

(d) Personal protective equipment shall be provided at no cost to the employee and shall be worn whenever operational conditions or maintenance of lasers may result in a potentially hazardous exposure.

(i) Protective eyewear shall be specifically designed for protection against radiation of the wavelength and radiant energy of the laser or laser system.

(ii) For Class IV lasers and laser systems protective eyewear shall be worn for all operational conditions or maintenance which may result in exposures to laser radiation.

(e) Engineering controls shall be used whenever feasible to reduce the accessible radiation levels for Class IV lasers and laser systems to a lower classification level. These controls may include, but are not limited to: Protective housings, interlocks, optical system attenuators, enclosed beam paths, remote controls, beam stops, and emission delays with audible warnings.

(f) All employees who may be exposed to laser radiation shall receive laser safety training. The training shall ensure that the employees are knowledgeable of the potential hazards and control measures for the laser equipment in use.

(5) Ultraviolet radiation.

(a) These permissible exposure limits refer to ultraviolet radiation in the spectral region between 200 and 400 nanometer (nm) and represent conditions under which it is believed that nearly all workers may be repeatedly exposed without adverse effect. These values for exposure of the eye or the skin apply to ultraviolet radiation from arcs, gas, and vapor discharges, and incandescent sources, but do not apply to ultraviolet lasers or solar radiation. These levels should not be used for determining exposure of photosensitive individuals to ultraviolet radiation. These values shall be used in the control of exposure to continuous sources where the exposure relation shall not be less than 0.1 sec.

(b) The permissible exposure limit for occupational exposure to ultraviolet radiation incident upon skin or eye where irradiance values are known and exposure time is controlled are as follows:

(i) For the near ultraviolet spectral region (320 to 400 nanometer (nm)) total irradiance incident upon the unprotected skin or eye shall not exceed milliwatt/sq. centimeter for periods greater than 10³ seconds (approximately 16 minutes) and for exposure times less than 10³ seconds shall not exceed one Joules/sq. centimeter.

(ii) For the actinic ultraviolet spectral region (200 - 315 nm), radiant exposure incident upon the unprotected skin or eye shall not exceed the values given in Table 4 within an 8-hour period.

(iii) To determine the effective irradiance of a broadband source weighted against the peak of the spectral effectiveness curve (270 nanometer(nm)), the following weighting formulas shall be used.

$$E_{\text{eff}} = \sum (E-\text{Lambda}) (S-\text{Lambda}) (\text{Delta}-\text{Lambda})$$

Where:

E_{eff} = effective irradiance relative to a monochromatic source at 270nm

$E-\text{Lambda}$ = spectral irradiance in Watts/sq. centimeter/nanometer.

$S-\text{Lambda}$ = relative spectral effectiveness (unitless)

$\text{Delta}-\text{Lambda}$ = band width in nanometers

(iv) Permissible exposure time in seconds for exposure to actinic ultraviolet radiation incident upon the unprotected skin or eye may be computed by dividing 0.003 Joules/sq. centimeter by (superscript E)eff in Watts/sq. centimeter. The exposure time may also be determined using Table 5 which provides exposure times corresponding to effective irradiances in $\mu\text{W}/\text{cm}^2$.

TABLE 4

Wavelength nanometer	PEL millijoules/sq. centimeters	Relative Spectral Effectiveness S Lambda
200	100	0.03
210	40	0.075
220	25	0.12
230	16	0.19
240	10	0.30
250	7.0	0.43
254	6.0	0.5
260	4.6	0.65
270	3.0	1.0
280	3.4	0.88
290	4.7	0.64
300	10	0.30
305	50	0.06
310	200	0.015
315	1000	0.003

TABLE 5

DURATION OF EXPOSURE PER DAY	EFFECTIVE IRRADIANCE $E_{\text{EFF}} (\mu\text{W}/\text{CM}^2)$
8 hrs.	0.1
4 hrs.	0.2
2 hrs.	0.4
1 hr.	0.8
1/2 hr.	1.7
15 min.	3.3
10 min.	5
5 min.	10
1 min.	50
30 sec.	100
10 sec.	300
1 sec.	3,000
0.5 sec.	6,000
0.1 sec.	30,000

TABLE 6

Densities and Transmissions (in Percent); also Tolerances in Densities and Transmissions of Various Shades of Glasses for Protection Against Injurious Rays

(Shades 3 to 8, inclusive, are for use in goggles, shades 10 to 14, inclusive, for welder's helmets and face shields)

[CODIFICATION NOTE: The graphic presentation of this table has been varied slightly in order that it would fall within the printing specifications for the Washington Administrative Code. In the following table, the original table had columns relating to (1) "Optical Density" which is now "Part 1," (2) "Total Visible Luminous Transmittance" and "Maximum total Infrared" which are now "Part 2," (3) "Maximum Ultraviolet Transmission" which is now "Part 3," and (4) "Recommended Uses" which is now "Part 4." These columns were all positioned side by side. In the new WAC format these are split up into four separate tables.]

TABLE 6—Part 1

Shade No.	Optical Density		
	Minimum O.D.	Standard O.D.	Maximum O.D.
3.0	.64	.857	1.06
4.0	1.07	1.286	1.49
5.0	1.50	1.714	1.92
6.0	1.93	2.143	2.35
7.0	2.36	2.572	2.78
8	2.79	3.000	3.21
9	3.22	3.429	3.63

TABLE 6—Part 1

Shade No.	Optical Density		
	Minimum O.D.	Standard O.D.	Maximum O.D.
10	3.64	3.857	4.06
11	4.07	4.286	4.49
12	4.50	4.715	4.92
13	4.93	5.143	5.35
14	5.36	5.571	5.78

TABLE 6—Part 2

Shade No.	Total Visible Luminous Transmittance			Maximum total Infrared %
	Maximum %	Standard %	Minimum %	
3.0	22.9	13.9	8.70	9.0
4.0	8.51	5.18	3.24	5.0
5.0	3.16	1.93	1.20	2.5
6.0	1.18	.72	.45	1.5
7.0	.44	.27	.17	1.3
8	.162	.100	.062	1.0
9	.060	.037	.023	.8
10	.0229	.0139	.0087	.6
11	.0085	.0052	.0033	.5
12	.0032	.0019	.0012	.5
13	.00118	.00072	.00045	.4
14	.00044	.00027	.00017	.3

TABLE 6—Part 3

Shade No.	Maximum Ultraviolet Transmission			
	313mu %	334mu %	365mu %	405mu %
3.0	.2	.2	.5	1.0
4.0	.2	.2	.5	1.0
5.0	.2	.2	.2	.5
6.0	.1	.1	.1	.5
7.0	.1	.1	.1	.5
8	.1	.1	.1	.5
9	.1	.1	.1	.5
10	.1	.1	.1	.5
11	.05	.05	.05	.1
12	.05	.05	.05	.1
13	.05	.05	.05	.1
14	.05	.05	.05	.1

TABLE 6—Part 4

Shade No.	Recommended Uses
3.0	Glare of reflected sunlight from snow, water, sand, etc., stray light from cutting and welding metal pouring and work around furnaces and foundries.
4.0	Light acetylene cutting and welding; light electric spot welding.
5.0	
6.0	Acetylene cutting and medium welding; arc welding up to 30 amperes.
7.0	
8	Heavy acetylene welding; arc cutting and welding between 30 and 75 amperes.
9	
10	Arc cutting and welding between 75 and 200 amperes.
11	
12	Arc cutting and welding between 200 and 400 amperes.
13	
14	Arc cutting and welding above 400 amperes.

- a. American Standard Safety Code for the Protection of Heads, Eyes, and Respiratory Organs.
- b. Standard density is defined as the logarithms (base 10) of the reciprocal of the transmission. Shade number is determined by the density according to the relations:

$$\text{Shade number} = 7/3 \text{ density} + 1 \text{ with tolerances as given in the table.}$$

NOTE: Safety glasses are available with lenses which protect the eyes against ultraviolet radiation.

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-140 SANITATION. (1) Potable water. (a) An adequate supply of potable water shall be provided in all places of employment.

(b) Portable containers used to dispense drinking water shall be capable of being tightly closed, and equipped with a tap. Water shall not be dipped from containers.

(c) Any container used to distribute drinking water shall be clearly marked as to the nature of its contents and not used for any other purpose.

(d) The common drinking cup is prohibited.

(e) Where single service cups (to be used but once) are supplied, both a sanitary container for the unused cups and a receptacle for disposing of the used cups shall be provided.

(f) All water containers used to furnish drinking water shall be thoroughly cleaned at least once each week or oftener as conditions require.

(2) Nonpotable water. (a) Outlets for nonpotable water such as water for industrial or firefighting purposes only, shall be identified by signs meeting the requirements of Part E of this chapter, to indicate clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.

(b) There shall be no cross-connection, open or potential, between a system furnishing potable water and a system furnishing nonpotable water.

(3) Toilets at construction jobsites. (a) Reasonably accessible toilets shall be provided for employees according to the following table:

TABLE B-1

Number of Employees	Minimum Number of Facilities
1 - 20	1 toilet seat and 1 urinal
21 - 60	2 toilet seats and 2 urinals
61 - 70	3 toilet seats and 3 urinals
71 - 120	4 toilet seats and 4 urinals
121 - 150	5 toilet seats and 5 urinals
151 - 180	
Over 180	1 toilet seat and 1 urinal for each additional 40 employees or any fraction thereof.

Toilets shall be maintained so as to be clean and functional.

If there are more than 10 employees, toilet rooms shall be marked according to sex usage.

NOTE: The prime contractor shall ensure the above toilet requirements are met.

~~(b) ((Under temporary field conditions not covered by subdivision (c) or (d) of this subsection, provisions shall be made to assure not less than one toilet facility is available.))~~ Jobsites shall be provided with flush toilets and washing facilities consisting of warm water, wash basins for maintaining personal cleanliness if:

(i) The jobsite has a sanitary sewer or subsurface disposal system; and

(ii) The jobsite is for a construction project estimated to cost \$500,000 or more, or to employ 150 employees or more.

A building or mobile, self-contained unit shall be provided for such facilities. The number, types and maintenance of facilities shall conform to minimum standards set by Table B-1. This section does not apply to highway construction or maintenance projects or to electricity, water, sewer or gas transmission facility construction or maintenance of such projects.

(c) Job sites, not provided with a sanitary sewer, or subsurface disposal system, shall be provided for in accordance with Table B-1 and with one of the following toilet facilities unless prohibited by local codes:

(i) Privies (where their use will not contaminate ground or surface water), for specifications refer to the general safety and health standards, WAC 296-24-13003;

(ii) Caustic chemical toilets, for specifications refer to the general safety and health standards WAC 296-24-13005;

(iii) Recirculating toilets, for specifications refer to the general safety and health standards WAC 296-24-13011;

(iv) Combustion toilets, for specifications refer to the general safety and health standards WAC 296-24-13009;

(v) Noncaustic chemical toilets, the following specifications shall pertain:

(A) A noncaustic chemical toilet shall be a self-contained unit equipped with a waste receiving chemical holding container.

(B) Rooms, buildings, or shelters housing noncaustic chemical toilets shall be of sound construction and easy to clean, and shall provide shelter and privacy which includes a door lockable from the inside. The toilet rooms shall be ventilated to the outside and adequately lighted, and all openings into the toilet room shall be covered with 16-mesh screen.

(C) Noncaustic chemical toilets shall be serviced on a regular schedule. Servicing shall include the use of a disinfectant for cleaning urinal and seat, removing waste from container, recharging container with an odor controlling chemical and installing an adequate supply of toilet tissue.

(D) Service must be performed in accordance with local codes by approved servicing organizations. Waste shall be disposed of or discharged in accordance with requirements of local health department regulations.

(E) Toilets shall be furnished on every third floor of multi-story worksites and shall be furnished to be within 200 feet horizontally of all employees.

(F) Portable containers for high-rise, tunnel or other nonaccessible work areas. A complete unit, i.e. seats and urinal with waste container should conform to regular unit standards except an enclosure is not required where an adequate shield or enclosure is provided in which the unit may be placed. The unit shall be returned to a convenient location on ground level in order to be serviced by a servicing company.

(G) Waste containers shall be fabricated from impervious materials, e.g. plastic, steel, fiberglass or their equal. Containers shall be water

tight and capable of containing the chemical waste in a sanitary manner and the container shall be fitted to the building in a manner so as to prevent insects from entering from the exterior of the building. Containers shall be adequate in size to be used by the number of persons according to the schedule for minimum requirements without filling the container to more than half of its volume before regular schedule for servicing.

(H) Removal of waste shall be handled in a clean and sanitary manner by means of a vacuum hose and received by a leakproof tank truck. All valves on the tank shall be leak-proof.

(I) Provisions shall be made so service trucks have a clear approach and convenient access to the toilets which are to be serviced.

(J) Disposal of waste from tank trucks must be in accordance with local health department requirements. In the absence of provisions by local health departments, waste must be disposed of through municipal or district sanitary sewage systems. Municipal or area sanitary sewage district shall provide sewage disposal locations and facilities which are adequate and convenient for duly authorized toilet service organizations.

(d) The requirements of this section for sanitation facilities shall not apply to mobile crews having transportation readily available to nearby toilet facilities.

(4) Washing facilities.

(a) Facilities for maintaining personal cleanliness shall be provided in every place of employment, and shall be convenient for the employees for whom they are provided. These facilities shall be in close proximity to the toilet rooms.

(b) Warm water, wash basins and soap shall be provided at all construction sites falling within the requirements of subsection (3)(b) of this section.

(c) At other construction sites or temporary work locations, hand cleaning facilities which do not require water may be substituted in lieu of subsection (3)(b) of this section.

(d) The employer shall provide adequate washing facilities for employees engaged in the application of paints, coating, defatting solvents, pesticides or in other operations where contaminants may be harmful to the employees. Such facilities shall be in near proximity to the worksite and shall be so equipped as to enable employees to remove such substances.

(5) Food handling. All employees' food service facilities and operations shall meet the applicable laws, ordinances, and regulations of the jurisdictions in which they are located.

~~((5))~~ (6) Temporary sleeping quarters. When temporary sleeping quarters are provided, they shall be heated, ventilated, and lighted.

~~((6))~~ Washing facilities. The employer shall provide adequate washing facilities for employees engaged in the application of paints, coating, herbicides, or insecticides, or in other operations where contaminants may be harmful to the employees. Such facilities shall be in near proximity to the worksite and shall be so equipped as to enable employees to remove such substances.))

AMENDATORY SECTION (Amending Order 83-19, filed 7/13/83, effective 9/12/83)

WAC 296-155-145 OCCUPATIONAL NOISE EXPOSURE. ((Employees shall be protected against the effects of exposure to noise and shall be provided in accordance with WAC 296-62-0901.)) The occupational noise exposure requirements of the general occupational health standards, chapter 296-62 WAC, shall apply.

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-155 NONIONIZING RADIATION. (1) Only qualified and trained employees shall be assigned to install, adjust, and operate laser equipment.

(2) Proof of qualification of the laser equipment operator shall be available and in possession of operator at all times.

(3) Employees, when working in areas in which a ((potential)) potentially hazardous exposure (see WAC 296-62-09005(4)) to direct or reflected laser ((light greater than 0.005 watts (5 milliwatts))) radiation exists, shall be provided with antilaser eye protection devices specified in Part C of this chapter.

(4) Areas in which lasers are used shall be posted with standard laser warning placards.

(5) 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.

(6) Only mechanical or electronic means shall be used as a detector for guiding the internal alignment of the laser.

(7) The laser beam shall not be directed at employees.

(8) When it is raining or snowing, or when there is dust or fog in the air, and it is impracticable to cease laser system operation, employees shall be kept out of range of the area of source and target during such weather conditions.

(9) Laser equipment shall bear a conspicuously displayed label to indicate ((maximum output)) hazard classification. This label shall be prepared in accordance with 21 CFR 1040.10.

(10) ((Employees shall not be exposed to light intensities in excess of:

(a) Direct staring: 1 micro-watt per square centimeter;

(b) Incidental observing: 1 milliwatt per square centimeter;

(c) Diffused reflected light: 2 1/2 watts per square centimeter))

Only Class I, II, or III laser equipment shall be used. Class IV laser equipment shall not be used.

(11) Laser unit in operation shall be set up above the heads of the employees, when possible.

(12) Employees shall not be exposed to radiofrequency/microwave ((power densities in excess of 10 milliwatts per square centimeter)) radiation in excess of the permissible exposure limits specified in WAC 296-62-09005.

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-215 EYE AND FACE PROTECTION. (1) General. (a) Employees shall use eye and face protection equipment when machines or operations present potential eye or face injury from physical, chemical, or radiation agents.

(b) Eye and face protection equipment required by this part shall meet the requirements specified in American National Standards Institute, Z87.1-1968, Practice for Occupational and Educational Eye and Face Protection.

(c) Employees whose vision requires the use of corrective lenses in spectacles, when required by this regulation to wear eye protection, shall be protected by goggles or spectacles of one of the following types:

(i) Spectacles whose protective lenses provide optical correction;

(ii) Goggles that can be worn over corrective spectacles without disturbing the adjustment of the spectacles.

(iii) Goggles that incorporate corrective lenses mounted behind the protective lenses.

(d) Face and eye protection equipment shall be kept clean and in good repair. The use of this type equipment with structural or optical defects shall be prohibited.

(e) Table C-1 shall be used as a guide in the selection of face and eye protection for the hazards and operations noted.

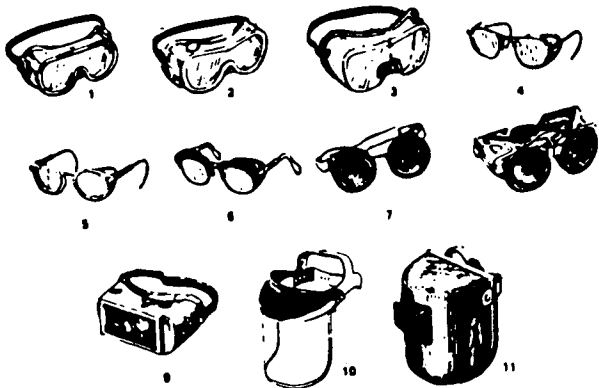


TABLE C-1

EYE AND FACE PROTECTION SELECTION GUIDE

1. GOGGLES, flexible fitting, regular ventilation
2. GOGGLES, flexible fitting, hooded ventilation
3. GOGGLES, cushioned fitting, rigid body
- *4. SPECTACLES, metal frame, with sideshields
- *5. SPECTACLES, plastic frame with sideshields
- *6. SPECTACLES, metal-plastic frame, with sideshields
- **7. WELDING GOGGLES, eyecup type, tinted lenses (illustrated)
- 7A. CHIPPING GOGGLES, eyecup type, clear safety lenses (not illustrated)
- **8. WELDING GOGGLES, coverspec type tinted lenses (illustrated)
- 8A. CHIPPING GOGGLES, coverspec type, clear safety lenses (not illustrated)
- **9. WELDING GOGGLES, coverspec type, tinted plate lens
10. FACE SHIELD (available with plastic or mesh window)
11. WELDING HELMETS

*Nonside shield spectacles are available for limited hazard use requiring only frontal protection.

**See Table C-2 in (2) of this section, Filter ((~~test~~)) lens shade numbers for protection against radiant energy.

APPLICATIONS		
OPERATION	HAZARDS	RECOMMENDED PROTECTORS: Underscored Numbers Signify Preferred Protection
ACETYLENE-BURNING ACETYLENE-CUTTING ACETYLENE-WELDING	SPARKS, HARMFUL RAYS, MOLTEN METAL, FLYING PARTICLES	<u>7, 8, 9</u>
CHEMICAL HANDLING	SPLASH, ACID BURNS, FUMES	<u>2</u> , 10 (For severe exposure add <u>10</u> over 2)
CHIPPING	FLYING PARTICLES	<u>1, 3, 4, 5, 6, 7A, 8A</u>
ELECTRIC (ARC) WELDING	SPARKS, INTENSE RAYS, MOLTEN METAL	<u>9, 11</u> (<u>11</u> in combination with 4, 5, 6, in tinted lenses, advisable)
FURNACE OPERATIONS	GLARE, HEAT, MOLTEN METAL	<u>7, 8, 9</u> (For severe exposure add <u>10</u>)
GRINDING-LIGHT	FLYING PARTICLES	<u>1, 3, 4, 5, 6, 10</u>
GRINDING-HEAVY	FLYING PARTICLES	<u>1, 3, 7A, 8A</u> (For severe exposure add 10)
LABORATORY	CHEMICAL SPLASH, GLASS BREAKAGE	<u>2</u> (10 when in combination with <u>4, 5, 6</u>)
MACHINING	FLYING PARTICLES	<u>1, 3, 4, 5, 6, 10</u>
MOLTEN METALS	HEAT, GLARE, SPARKS, SPLASH	<u>7, 8</u> (10 in combination with <u>4, 5, 6</u> , in tinted lenses)
SPOT WELDING	FLYING PARTICLES, SPARKS	<u>1, 3, 4, 5, 6, 10</u>

(2) Protection against radiant energy. (a) Selection of shade numbers for welding filter. Table C-2 shall be used as a guide for the selection of the proper shade numbers of filter lenses or plates used in welding. Shades more dense than those listed may be used to suit the individual's needs.

TABLE C-2

FILTER LENS SHADE NUMBERS FOR PROTECTION AGAINST RADIANT ENERGY

WELDING OPERATION	SHADE NUMBER
Shielded metal-arc welding 1/16-, 3/32-, 1/8-, 5/32-inch diameter electrodes	10
Gas-shielded arc welding (nonferrous) 1/16-, 3/32-, 1/8-, 5/32-inch diameter electrodes	11
Gas-shielded arc welding (ferrous) 1/16-, 3/32-, 1/8-, 5/32-inch diameter electrodes	12
Shielded metal-arc welding 3/16-, 7/32-, 1/4- inch diameter electrodes	12
5/16-, 3/8-inch diameter electrodes	14
Atomic hydrogen welding	10-14
Carbon-arc welding	14
Soldering	2
Torch brazing	3 or 4
Light cutting, up to 1 inch	3 or 4
Medium cutting, 1 inch to 6 inches	4 or 5
Heavy cutting, over 6 inches	5 or 6
Gas welding (light), up to 1/8-inch	4 or 5
Gas welding (medium), 1/8-inch to 1/2-inch	5 or 6
Gas welding (heavy), over 1/2-inch	6 or 9

(b) Laser protection. (i) Employees whose occupation or assignment requires potentially hazardous exposure (see WAC 296-62-09005(4)) to laser ((beams in excess of 5 milliwatts of power)) radiation shall wear suitable laser safety goggles which will protect for the specific wavelength of the laser and be of optical density (O.D.) adequate for the energy involved. Table C-3 lists the maximum power or energy density for which adequate protection is afforded by glasses of optical densities from 5 through 8.

TABLE C-3

SELECTING LASER SAFETY GLASS

INTENSITY	ATTENUATION	
	Optical density (O.D.)	Attenuation factor
CW maximum power density (watts/cm ²)		
10 ⁻²	5	10 ⁵
10 ⁻¹	6	10 ⁶
1.0	7	10 ⁷
10.0	8	10 ⁸

Output levels falling between lines in this table shall require the higher optical density.

(ii) All protective goggles shall bear a label identifying the following data:

- (a) The laser wavelengths for which use is intended;
- (b) The optical density of those wavelengths.
- (c) The visible light transmission.

WSR 84-20-061
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-157—Filed October 1, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to vessel buy back rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is this rule is necessary to effect a lessening of charter catch effort, and is interim until permanent adoption action can be held.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 1, 1984.

By Russell W. Cahill
 for William R. Wilkerson
 Director

NEW SECTION

WAC 220-95-016001 RANKING OF APPLICATIONS. Notwithstanding the provisions of WAC 220-95-016, effective immediately until further notice for charter vessels with the same number of years, the department shall rank applicants beginning with the highest average income generated by the license for sale in 1981, 1982, and 1983, and a marginal charter fisherman is a charter boat owner who cannot document at least four thousand dollars of income derived in Washington State from charter fishing generated by the license for sale in 1981, 1982, or 1983.

WSR 84-20-062
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-158—Filed October 1, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of coho salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 1, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100Q WILLAPA HARBOR GILL NET SEASON. *Notwithstanding the provisions of WAC 220-40-021, effective immediately until 6:00 p.m. October 14, 1984, it is unlawful to fish for or possess salmon taken from any Willapa Harbor Salmon Management and Catch Reporting Area except as provided for in this section:*

Area 2G – Immediately through 6:00 p.m. October 14, 1984.

Areas 2J and 2K – Open 6:00 p.m. October 3 through 6:00 p.m. October 4, 6:00 p.m. October 7 through 6:00 p.m. October 8, and 6:00 p.m. October 10 through 6:00 p.m. October 11, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100P WILLAPA HARBOR GILL NET SEASON. (84-155)

WSR 84-20-063
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-159—Filed October 1, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5, and 6C allow the least restrictive regulations that allow protection of adult Canadian chinook salmon while providing opportunity for limited harvest, limited impact, limited effort, immobile treaty Indian coho fisheries. Restrictions in Areas 6, 6A, 7 and 7A provide protection for Canadian origin chinook and coho. Restrictions in Areas 6B and 9 protect the validity of the terminal area coho run size updates. Restrictions in Area 10C and the Cedar River provide protection for Lake Washington sockeye. Restrictions in Area 10D provide protection for

Lake Washington sockeye while allowing harvest of surplus chinook. Restrictions in Areas 7B, 7C and the Nooksack and Samish rivers minimize further overharvest of Nooksack-Samish origin chinook. Restrictions in the Dungeness, Sekiu, Hoko, Clallam, Pysht, and Lyre rivers, Deep and Salt creeks and Area 6D provide protection for local summer-fall chinook and coho stocks. Restrictions in Area 8 and the Skagit River provide protection for Skagit River origin chinook and coho. Restrictions in Areas 10F and 10G protect Lake Washington origin chinook.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 1, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-424 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *Effective immediately, it is unlawful for treaty Indian fishermen to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

Areas 4B, 5 and 6C – Effective until further notice, gill net gear restricted to 6-1/2-inch maximum mesh, when open.

Area 6 – Closed to all commercial net gear.

**Areas 6A, 7 and 7A – closed to all commercial fishing.*

Areas 6B, 9 – Closed to all commercial fishing.

Area 6D – Closed to all commercial fishing.

Area 7B – Gill net gear restricted to 6-1/2-inch maximum mesh when open.

Area 7C – Closed to all commercial fishing.

Area 8 – Closed to all commercial fishing.

Skagit River – Closed to all commercial net gear except dip bag nets and beach seines, and all chinook greater than 24 inches in length and all coho greater than 20 inches in length must be released, when open.

Area 10C – Closed to all commercial fishing.

Area 10D – (1) Gill nets restricted to 6-1/2-inch minimum mesh, and other gear must release sockeye when open. (2) Closed to all commercial fishing in that portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek.

**Nooksack River – Gillnet gear restricted to 6-1/2-inch maximum mesh, when open. Dungeness River, Samish River, Cedar River, Sekiu River, Hoko River, Clallam River, Pysht River, Lyre River, Salt Creek, and Deep Creek – Closed to all commercial fishing.*

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately.

WAC 220-28-423 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (84-150)

**WSR 84-20-064
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Order 1841—Filed October 1, 1984]**

I, M. Keith Ellis, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to SEPA rules, chapter 16-236 WAC.

I, M. Keith Ellis, find that an emergency exists and that this 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 the emergency is RCW 43.21C.120 requires that all agencies have rules promulgated by October 1, 1984, that implement the state-wide rules in chapter 197-11 WAC, the SEPA rules. In addition to promulgating these emergency rules, a public hearing is to be scheduled for November 12 in Olympia, and permanent rules will be filed following that hearing.

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

This rule is promulgated pursuant to RCW 43.21C.120 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 1, 1984.

By M. Keith Ellis
Director

**Chapter 16-236 WAC
SEPA PROCEDURES**

WAC

- 16-236-010 Authority.
- 16-236-020 Adoption by reference.
- 16-236-030 Purpose.
- 16-236-040 Additional definition.
- 16-236-050 Designation of responsible official.
- 16-236-060 EIS preparation.

- 16-236-070 Environmentally sensitive areas.
- 16-236-080 Threshold levels adopted by local governments.
- 16-236-090 Coordination of combined state-federal action.
- 16-236-100 Public notice requirements.
- 16-236-110 Notice/statute of limitations.
- 16-236-120 Policies and procedures for conditioning or denying permits or other approvals.
- 16-236-130 Severability.

NEW SECTION

WAC 16-236-010 AUTHORITY. These rules are promulgated under RCW 43.21C.120 (the State Environmental Policy Act) and chapter 197-11 WAC (SEPA Rules).

NEW SECTION

WAC 16-236-020 ADOPTION BY REFERENCE. The department of agriculture adopts the following sections of chapter 197-11 WAC by reference:

WAC

- 197-11-020 Purpose.
- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-055 Timing of the SEPA process.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.
- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-360 Determination of significance (DS)/initiation of scoping.
- 197-11-390 Effect of threshold determination.
- 197-11-400 Purpose of EIS.
- 197-11-402 General requirements.
- 197-11-405 EIS types.
- 197-11-406 EIS timing.
- 197-11-408 Scoping.
- 197-11-410 Expanded scoping. (Optional)
- 197-11-425 Style and size.
- 197-11-430 Format.
- 197-11-435 Cover letter or memo.
- 197-11-440 EIS contents.
- 197-11-442 Contents of EIS on nonproject proposals.
- 197-11-443 EIS contents when prior nonproject EIS.
- 197-11-444 Elements of the environment.
- 197-11-448 Relationship of EIS to other considerations.
- 197-11-450 Cost-benefit analysis.
- 197-11-455 Issuance of DEIS.
- 197-11-460 Issuance of FEIS.
- 197-11-500 Purpose of this part.
- 197-11-502 Inviting comment.
- 197-11-504 Availability and cost of environmental documents.
- 197-11-508 SEPA register.
- 197-11-535 Public hearings and meetings.
- 197-11-545 Effect of no comment.
- 197-11-550 Specificity of comments.
- 197-11-560 FEIS response to comments.
- 197-11-570 Consulted agency costs to assist lead agency.
- 197-11-600 When to use existing environmental documents.

- 197-11-610 Use of Nepa documents.
 197-11-620 Supplemental environmental impact statement—Procedures.
 197-11-625 Addenda—Procedures.
 197-11-630 Adoption—Procedures.
 197-11-635 Incorporation by reference—Procedures.
 197-11-640 Combining documents.
 197-11-650 Purpose of this part.
 197-11-655 Implementation.
 197-11-660 Substantive authority and mitigation.
 197-11-680 Appeals.
 197-11-700 Definitions.
 197-11-702 Act.
 197-11-704 Action.
 197-11-706 Addendum.
 197-11-708 Adoption.
 197-11-710 Affected Tribe.
 197-11-712 Affecting.
 197-11-714 Agency.
 197-11-716 Applicant.
 197-11-718 Built environment.
 197-11-720 Categorical exemption.
 197-11-722 Consolidated appeal.
 197-11-724 Consulted agency.
 197-11-726 Cost-benefit analysis.
 197-11-728 County/city.
 197-11-730 Decision maker.
 197-11-734 Determination of nonsignificance (DNS).
 197-11-736 Determination of significance (DS).
 197-11-738 EIS.
 197-11-740 Environment.
 197-11-742 Environmental checklist.
 197-11-744 Environmental document.
 197-11-746 Environmental review.
 197-11-748 Environmental sensitive area.
 197-11-750 Expanded scoping.
 197-11-752 Impacts.
 197-11-754 Incorporation by reference.
 197-11-756 Lands covered by water.
 197-11-758 Lead agency.
 197-11-760 License.
 197-11-762 Local agency.
 197-11-764 Major action.
 197-11-766 Mitigated DNS.
 197-11-768 Mitigation.
 197-11-770 Natural environment.
 197-11-772 NEPA.
 197-11-774 Nonproject.
 197-11-776 Phased review.
 197-11-778 Preparation.
 197-11-780 Private project.
 197-11-782 Probable.
 197-11-784 Proposal.
 197-11-786 Reasonable alternative.
 197-11-788 Responsible official.
 197-11-790 SEPA.
 197-11-792 Scope.
 197-11-793 Scoping.
 197-11-794 Significant.
 197-11-796 State agency.
 197-11-797 Threshold determination.
 197-11-799 Underlying governmental action.
 197-11-800 Categorical exemptions.
 197-11-810 Exemptions and nonexemptions applicable to specific state agencies.
 197-11-850 Department of agriculture.
 197-11-880 Emergencies.
 197-11-890 Petitioning DOE to change exemptions.
 197-11-900 Purpose of this part.
 197-11-908 Environmentally sensitive areas.
 197-11-912 Procedures on consulted agencies.
 197-11-916 Application to ongoing actions.
 197-11-917 Relationship to chapter 197-10 WAC.
 197-11-920 Agencies with environmental expertise.
 197-11-922 Lead agency rules.
 197-11-924 Determining the lead agency.
 197-11-926 Lead agency for governmental proposals.
 197-11-928 Lead agency for public and private proposals.
 197-11-930 Lead agency for private projects with one agency with jurisdiction.
 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
 197-11-938 Lead agencies for specific proposals.
 197-11-940 Transfer of lead agency status to a state agency.
 197-11-942 Agreements on lead agency status.
 197-11-944 Agreements on division of lead agency duties.
 197-11-946 DOE resolution of lead agency disputes.
 197-11-948 Assumption of lead agency status.
 197-11-960 Environmental checklist.
 197-11-965 Adoption notice.
 197-11-970 Determination of nonsignificance (DNS).
 197-11-980 Determination of significance and scoping notice (DS).
 197-11-985 Notice of assumption of lead agency status.
 197-11-990 Notice of action.

NEW SECTION

WAC 16-236-030 PURPOSE. (1) This chapter implements the state-wide rules in chapter 197-11 WAC as they apply to the department of agriculture.

(2) In order to carry out the policy set forth in this chapter, it is the continuing responsibility of the department to use all practical means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(a) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(b) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(c) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(d) Preserve important historic, cultural, and natural aspects of our national heritage;

(e) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(f) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(g) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(3) The department recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

NEW SECTION

WAC 16-236-040 ADDITIONAL DEFINITION. "Department" means department of agriculture unless otherwise indicated.

NEW SECTION

WAC 16-236-050 DESIGNATION OF RESPONSIBLE OFFICIAL. Within the department of agriculture the ultimate responsible official is the director. The responsible official for a specific proposal shall be the assistant to the director in charge of environmental affairs or his/her designee.

NEW SECTION

WAC 16-236-060 EIS PREPARATION. (1) Preparation of draft and final EISs and SEISs is the responsibility of the assistant to the director in charge of environmental affairs or his/her designee. The responsible official shall be satisfied that all EISs and SEIS issued by the department are in compliance with these rules and chapter 197-11 WAC.

(2) Any draft or final EIS or SEIS shall be prepared by the department, the applicant, or by a consultant mutually agreed upon by the department and applicant.

(3) Whenever someone other than the department prepares a draft or final EIS or SEIS, the responsible official shall:

(a) Coordinate scoping to ensure that the individual preparing the document receives all substantive information submitted by any agency or person.

(b) Direct the areas of research and study to be undertaken and the content and organization of the document.

(c) Assist in obtaining information on file with another agency that is needed by the person preparing the document.

(d) Allow the person preparing the document access to department records relating to the document, as prescribed in chapter 16.06 WAC, Public Records.

(4) Nothing herein shall be construed to prohibit the department from charging any fee of an applicant that the department is otherwise authorized to charge (see WAC 197-11-914). A performance bond in amount specified by the department may be required of the applicant to ensure payment of department expenses in preparing, in whole or in part, a draft or final EIS or SEIS.

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

NEW SECTION

WAC 16-236-070 ENVIRONMENTALLY SENSITIVE AREAS. During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall give all due consideration to "environmentally sensitive area" designations made by local governments under WAC 197-11-908.

NEW SECTION

WAC 16-236-080 THRESHOLD LEVELS ADOPTED BY LOCAL GOVERNMENTS. During threshold determination and in determining whether a

proposal is exempt from SEPA, the department shall respect threshold levels adopted by local governments under WAC 197-11-800.

NEW SECTION

WAC 16-236-090 COORDINATION OF COMBINED STATE-FEDERAL ACTION. When the department considers actions which also involve federal actions, it shall coordinate the two governmental processes so that only one EIS, or other environmental document, need be prepared for that proposal.

NEW SECTION

WAC 16-236-100 PUBLIC NOTICE REQUIREMENTS. (1) When these rules require notice of environmental document preparation or availability, as a lead agency and taking into consideration the geographic area affected by the proposal, the size and complexity of the proposal, the public notice requirements for the permit or approval required from the department, public interest expressed in the proposal, and whether the proposal is a project or regulation, the department shall give public notice by using at least one of the following methods:

(a) Posting the property, for site-specific proposals;

(b) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;

(c) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;

(d) Notifying the news media; and/or

(e) Publishing notice in a department newsletter.

(2) Whenever possible, the department shall integrate these public notice requirements with existing notice procedures for any department permits or approvals required for the proposal.

(3) The department may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

NEW SECTION

WAC 16-236-110 NOTICE/STATUTE OF LIMITATIONS. (1) The department, applicant for, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080.

(2) The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published by the department, applicant, or proponent pursuant to RCW 43.21C.080.

NEW SECTION

WAC 16-236-120 POLICIES AND PROCEDURES FOR CONDITIONING OR DENYING PERMITS OR OTHER APPROVALS. (1) The policies and goals in this section are supplementary to existing authorities of the department.

(2) It is the policy of the department to avoid or mitigate adverse environmental impacts which may result from the department's decisions.

(3) The department shall ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision-making along with economic and technical considerations.

(4) When the environmental document for a proposal shows it will cause significant adverse impacts, the responsible official shall consider whether:

(a) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;

(b) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(c) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(5) When the environmental document for a proposal shows it will cause significant adverse impacts, the responsible official may:

(a) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in this section; or

(b) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in this section.

(6) The procedures in WAC 197-110-660 shall also be followed when conditioning or denying permits or other approvals.

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

NEW SECTION

WAC 16-236-130 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

WSR 84-20-065 PROPOSED RULES DEPARTMENT OF ECOLOGY

[Filed October 1, 1984]

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 implementation of regulations air contaminant sources, chapter 173-403 WAC. The changes will increase the civil penalty for violations from \$250 to \$1,000 per day per violation; allow \$5,000 fine for purposes of effective enforcement; limit the fine for opacity violations to \$400 per day; clarify the department's issuance of compliance orders in conjunction with the serving of notices of violation (WAC 173-403-170) and delete the requirement that certain emission reductions can only be used as an offset by the source creating the reduction (WAC 173-403-050).

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 9, 1984.

The authority under which these rules are proposed is chapter 70.94 RCW.

This notice is connected to and continues the matter in Notice No. WSR 84-16-077 filed with the code reviser's office on August 1, 1984.

Dated: September 27, 1984

By: Donald W. Moos
Director

WSR 84-20-066

ADOPTED RULES

HOSPITAL COMMISSION

[Order 84-05, Resolution No. 84-05—Filed October 1, 1984]

Be it resolved by the Washington State Hospital Commission, acting at the Vance Airport Inn, Seattle, Washington, that it does adopt the annexed rules relating to the amending of chapters 261-02, 261-06, 261-10, 261-12, 261-20 and 261-40 WAC.

This action is taken pursuant to Notice No. WSR 84-17-138 filed with the code reviser on August 22, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 70.39 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 26, 1984.

By Maurice A. Click
Executive Director

AMENDATORY SECTION (Amending Order 73-01, filed 1/11/74)

WAC 261-02-030 DESCRIPTION OF ORGANIZATION. The commission is a ((five-member)) nine-member independent state agency with the authority over financial disclosure ((and)), budget ((and)), prospective rate ((review)) approval, and other ((hospital)) related matters. The executive head of the commission is a chairman who, like other commission members, is appointed by the governor.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-02-040 OPERATIONS AND PROCEDURES. (1) Vice chairman: By majority vote, the members of the commission shall elect from among themselves a vice chairman who shall act as chairman in the absence of the chairman. The vice chairman shall hold office for two years or until his successor is elected, whichever is later. Whenever a vacancy occurs in the office of vice chairman, the members of the commission

shall elect a successor who shall serve out the remaining term of the prior vice chairman.

(2) Commission staff: The staff of the commission shall consist of a full-time executive director, a deputy director, an associate director for budget and rate review, an associate director for program planning and research, a confidential secretary and such other employees as are necessary to fulfill the responsibilities and duties of the commission. The executive director shall be the chief administrative officer of the commission and shall be subject to its direction. All other staff shall be under the supervision and direction of the executive director and the commission.

(3) Administrative office: The administrative office of the commission and its staff is located at 206 Evergreen Plaza Building, 711 South Capitol Way, Olympia, Washington 98504, which office shall be open each day for the transaction of business from 8:00 a.m. to 5:00 p.m. (Saturdays, Sundays, and legal holidays excepted).

(4) Address for communications: All communications with the commission including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW, and these rules; requests for copies of the commission's decisions and other matters, shall be addressed as follows: Washington State Hospital Commission, c/o Public Records Officer, 206 Evergreen Plaza Building, 711 South Capitol Way, FJ-21, Olympia, Washington 98504.

(5) Communication with hospitals: The commission shall furnish a copy of any report regarding a hospital to the chief executive officer of the hospital and the presiding officer of the hospital's governing body.

(6) Commission meetings: The meetings of the commission shall be held on the second and fourth Thursdays of each month, beginning at 9:30 a.m. unless previously cancelled, moved or otherwise rescheduled, in which case such meetings shall be deemed a special meeting. The location of each meeting is announced in the agenda which is mailed to each person on the commission's general mailing list. Any person may be placed on that list by filing a written request.

The meetings of the commission are governed by the Washington State Open Public Meetings Act, chapter 42.30 RCW. In accordance with that act, all commission meetings will be open to the public except those portions which are governed by RCW 42.30.110 (executive sessions), RCW 42.30.140 (exceptions) or those portions which involve the attorney-client privilege.

~~((6))~~ (7) Quorum: ~~((Three))~~ Five members shall constitute a quorum, but a vacancy on the commission shall not impair its power to act. No action of the commission shall be effective unless ~~((three))~~ five members concur therein.

~~((7))~~ (8) Chairman's voting rights: The chairman shall have the right to vote on all matters before the commission, just as any other commission member.

~~((8))~~ (9) Minutes of meetings: Minutes shall be kept of the proceedings of an action taken by the commission.

~~((9))~~ (10) Rule of order: The commission shall generally follow Robert's Rules of Order in conducting its business meetings.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-10-020 DEFINITIONS. As used in this chapter, unless the context requires otherwise,

(1) "Commission" shall mean the Washington state hospital commission created by chapter 70.39 RCW.

(2) "Hospital" shall mean any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include beds utilized by a comprehensive cancer center for cancer research, or any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination.

(3) "Gross operating costs" shall mean the sum of direct operating expenses required to be reported in cost centers 6000-8899, excluding the professional component of hospital-based physicians, and prior to the distribution of other operating revenue reported in accounts 5000-5799, all as specified in the manual adopted under WAC 261-20-030.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-06-030 PUBLIC RECORDS AVAILABLE. All public records of the commission, as defined in WAC 261-06-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW ~~((42.17.310))~~ 42.17.250 through 42.17.340, 70.39.110, and WAC ~~261-06-080~~.

AMENDATORY SECTION (Amending Order 73-01, filed 1/11/74)

WAC 261-06-040 PUBLIC RECORDS OFFICER. The commission's public records shall be in the charge of the public records officer designated by the executive director of the commission. The person so designated shall be located in the administrative office of the commission. The public records officer shall be responsible for implementing the commission's rules and regulations regarding release of public records, coordinating the staff of the commission in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

AMENDATORY SECTION (Amending Order 76-01, filed 2/13/76)

WAC 261-12-020 DEFINITIONS. As used in this chapter, unless the context requires otherwise,

(1) "Commission" means the Washington state hospital commission created by chapter 70.39 RCW;

(2) "Hospital" means any health care institution which is required to qualify for a license under RCW

70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include beds utilized by a comprehensive cancer center for cancer research, or any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination;

(3) "Price" means the amount of money demanded for each service, procedure, treatment, medication, or other hospital service provided a patient; the term "charge" as used in chapter 70.39 RCW may be a synonym;

(4) "Price schedule" means the compilation of prices;

(5) "Pricing policy" means the controlling principles, policies, and procedures adopted or utilized by a hospital in establishing its prices.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-010 PURPOSE. This chapter is adopted by the Washington state hospital commission pursuant to RCW 70.39.180 to implement the provisions of RCW 70.39.100, 70.39.110, 70.39.120, and 70.39.140 regarding the establishment of a uniform system of accounting, financial reporting, budgeting, cost allocation, and prospective rate setting for hospitals in Washington state. This system shall be utilized by each hospital to record and report to the commission its revenues, expenses, other income, other outlays, assets and liabilities, and units of service and to submit information, as may be required by the commission, pertaining to the total financial needs of the hospital and the resources available or expected to become available to meet such needs. This system is intended to carry out the commission's mandate to assure all purchasers of hospital health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital, that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs, and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-020 DEFINITIONS. As used in this chapter, unless the context requires otherwise.

(1) "Washington state hospital commission" and "commission" each shall mean the Washington state hospital commission created by chapter 70.39 RCW.

(2) "Hospital" shall mean any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include beds utilized by a comprehensive cancer center for cancer research, or any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination.

(3) "Basic service hospital" means a hospital classified in peer groups 1 and 2 or a specialty hospital having fewer than fifty licensed beds.

(4) "Manual" means the Washington State Hospital Commission Accounting and Reporting Manual for Hospitals, second edition adopted under WAC 261-20-030.

~~((4))~~ (5) "System of accounts" means the list of accounts, code numbers, definitions, units of measure, and principles and concepts included in the manual.

~~((5))~~ (6) "Rate" means the maximum revenue ~~((per defined))~~ which a hospital may receive for each unit of service ~~((for each revenue center identified in the manual)), as determined by the commission.~~

~~((6))~~ (7) "Budget" means the forecast of each hospital's total financial needs and the resources available to meet such needs for its next fiscal year and includes such information as shall be specified in the manual concerning goals and objectives, volume and utilization projections, operating expenses, ~~((planned capital and service component (applicable to nonprofit hospitals) or return on investment (applicable to proprietary hospitals)))~~ capital requirements, deductions from revenue, and proposed rates.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-030 ADOPTION AND ESTABLISHMENT OF UNIFORM SYSTEM. The commission, pursuant to RCW 70.39.100, hereby adopts and establishes a uniform system of accounting, financial reporting, budgeting, cost allocation, and prospective rate setting for hospitals in Washington state, which system is described in the commission's publication entitled Washington State Hospital Commission Accounting and Reporting Manual for Hospitals, second edition, which publication is hereby incorporated by this reference. The manual shall be utilized by each hospital for submitting information, as may be required by the commission, pertaining to the total financial needs of the hospital and the resources available or expected to become available to meet such needs.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-040 SUBMISSION OF BUDGET AND RATE REQUEST. (1) Each hospital shall submit its budget and rate request to the commission not less than seventy-five days prior to the beginning of its fiscal year, including the effect of proposals made by area-wide and state comprehensive health planning agencies ~~((: PROVIDED, That for hospitals with fiscal years ending on or before September 30, 1983, the time for submission of the budget and rate request shall not be less than sixty days prior to the beginning of the next fiscal year))~~. The budget and rate request shall contain that information specified in the commission's manual and shall be submitted in the form and manner specified in the manual. Where more than one hospital is operated by the reporting organization, the information required

by this section shall be reported for each hospital separately.

(2) The chief executive officer and (~~chairman of the governing board of the hospital~~) presiding officer of the hospital's governing body shall attest that the information submitted under this section or budget amendments under WAC 261-20-045 has been examined by such person and that to the best of his/her knowledge and belief such information is a true and correct statement of the total financial needs of the hospital and the rates necessary to meet those needs for the budget period.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-045 BUDGET AMENDMENT SUBMITTALS AUTHORIZED—TIME LIMITATIONS—PRESUMPTION. (1) Hospitals are authorized, upon learning of facts justifying revision of their approved budgets, to submit amendments to such budgets not less than thirty days in advance of the proposed effective date of any associated proposed rate changes, however, any budget amendment must be received more than ninety days prior to the hospital's fiscal year end; amendments submitted without effective dates will be assigned effective dates falling thirty days after receipt.

(2) Within thirty days after receipt of a budget amendment submittal, the staff shall determine whether it is complete and conforms to commission regulations, policies, and instructions, and shall verify the data contained therein.

(3) The provisions of WAC 261-40-100, 261-40-105, 261-40-110, 261-40-115, 261-40-120, 261-40-125, 261-40-130, 261-40-135, 261-40-140, 261-40-145, and 261-40-150 shall apply to budget amendment submittals with the same force with which they apply to annual budget submittals.

(4) Any element of a hospital's budget amendment submittal which is not specifically identified as changed from the previously approved amount (~~will be presumed to remain the same as previously approved~~) may be reopened to assure that the hospital's amended budget complies with WAC 261-40-150.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-050 SUBMISSION OF YEAR-END REPORT. (1) Each hospital annually shall file its year-end report with the commission within one hundred twenty days after the close of its fiscal year in the form and manner specified in the manual (chapter 10000): **PROVIDED, HOWEVER,** The one hundred twenty-day period may be extended up to and including an additional sixty days upon submission to the commission, of what it in its discretion, may consider good and sufficient reasons. Where more than one hospital is operated by the reporting organization, the information required by this section shall be reported for each hospital separately.

(2) Information submitted pursuant to this section shall be certified by the hospital's certified or licensed public accountant, or under oath by the hospital's administrative and financial officers, that such reports, to the best of their knowledge and belief, have been prepared in accordance with the prescribed system of accounting and reporting, and fairly state the financial position of the hospital as of the specified date; the commission also may require attestation as to such statements from responsible officials of the hospital so designated by the governing (~~board~~) body, if any, of the hospital.

NEW SECTION

WAC 261-20-054 INSPECTION OF HOSPITALS' BOOKS AND RECORDS. The commission will inspect a hospital's books, audits, and records as reasonably necessary to implement the policies and purposes of chapter 70.39 RCW.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-20-074 MODIFICATIONS OF UNIFORM SYSTEM APPLICABLE TO ONLY "BASIC SERVICE" HOSPITALS. (1) The commission may notify a hospital at any time that it will be classified as a "basic service" hospital for the purpose of submitting its next budget and year-end report. Notice of such change to the affected hospital shall be provided at least six months before the beginning of the hospital's next fiscal year.

(2) Any hospital notified by the commission that it has been classified as a "basic service" hospital may combine the accounts specified below in the following manner for the purpose of submitting information to the commission pursuant to WAC 261-20-040 and 261-20-050:

(a) Combine Electrodiagnosis-7110 into Laboratory-7070.

(b) Combine Cafeteria-8330 into Dietary-8320.

(c) Combine Accounting-8510, Communications-8520, Patient Accounting-8530, Data Processing-8540, and Admitting-8560 into a single account, Fiscal Services-8500, which cost center should be allocated on the basis of accumulated costs.

(d) Combine Hospital Administration-8610, Public Relations-8630, Management Engineering-8640, Personnel-8650, Auxiliary-8660, and Chaplaincy-8670 into a single account, Administrative Services-8600, which cost center should be allocated on the basis of accumulated costs.

(e) Combine Medical Library-8680 into Medical Records-8690.

(f) Combine Inservice Education-Nursing-8740 into Nursing Administration-8720.

(3) The commission will provide notice to the affected hospital of any change from "basic service" to a more complex class at least (~~four~~) six months before the next budget is due.

AMENDATORY SECTION (Amending Order 75-05, filed 11/10/75)

WAC 261-40-010 PURPOSE. The purpose of this chapter is to implement the provisions of RCW 70.39.140 through 70.39.160 regarding the commission's review and approval of annual budget submittals, hospital rates, rate schedules, other charges, and changes therein. The commission's objective is to assure purchasers of hospital health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital, that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs, and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-40-015 DEFINITIONS. As used in this chapter, unless the context requires otherwise:

(1) "Annual budget submittal" and "submittal" mean the information submitted to the commission pursuant to WAC 261-20-040.

(2) "Washington state hospital commission" and "commission" mean the Washington state hospital commission created by chapter 70.39 RCW.

(3) "Hospital" means any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include beds utilized by a comprehensive cancer center for cancer research, or any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination. The term "hospital" also refers to an entity that has submitted to the commission an annual budget submittal, which submittal is subject to review by the staff and commission in accordance with the provisions of this chapter.

(4) "Person" when used in this chapter means any individual, partnership, association, corporation, comprehensive health planning agency created pursuant to chapter 70.38 RCW, hospital, or any body politic or municipal corporation.

(5) "Rate" means the maximum revenue (~~(per defined)~~) which a hospital may receive for each unit of service (~~(for each revenue center identified in the commission's publication entitled Accounting and Reporting Manual for Hospitals adopted under WAC 261-20-030)~~), as determined by the commission.

(6) "Staff" means the executive director, deputy director, associate directors, confidential secretary and all other employees of the commission.

(7) "Party" means those persons described in WAC 261-40-201.

(8) "Comprehensive cancer center" means an institution and its research programs as recognized by the National Cancer Institute prior to April 20, 1983.

(9) "Region" means one of the health service areas established pursuant to RCW 70.38.085, except that King County shall be considered a separate region.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-40-020 APPLICABILITY OF THIS CHAPTER. (1) Required commission approval of rate changes: No rate described in any hospital's annual budget submittal as approved by the commission may be changed by such hospital without applying to the commission for the approval of a rate change in accordance with the procedures set forth in this chapter. Rate changes for volume variance under WAC 261-40-150 are not considered rate changes under this section.

(2) Effective date of change in approved rates: Hospitals shall utilize only those rates that have been approved by the commission. Every request for a change in rates shall provide for a proposed effective date for that change which shall be no sooner than thirty days after the commission receives the request. If the request does not include a proposed effective date, that date shall be deemed to be thirty days after the receipt of the request.

The new rates may be utilized by the hospital after the proposed effective date unless the commission has suspended the date pursuant to WAC 261-40-030.

(3) Publication of a schedule of rates and proposed changes in rates: Each hospital shall issue and make available to the public a schedule of rates as approved by the commission. Any proposed changes in rates shall be plainly indicated on the schedule effective at that time and shall be open to public inspection for at least thirty days prior to the proposed effective date.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-40-150 CRITERIA FOR APPROVAL, MODIFICATION, OR DISAPPROVAL OF ANNUAL BUDGET SUBMITTAL AND RATES, RATE SCHEDULES, OTHER CHARGES, AND CHANGES THEREIN. The following criteria shall be utilized by the commission in reviewing and acting on annual budget submittals; however, the relative importance of each criterion listed below is a matter of commission discretion:

(1) Whether the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein:

(a) Are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the hospital are reasonably related to the total services offered by that hospital;

(b) Are such that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital;

(c) Are such that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs;

~~((c))~~ (d) Are such that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

(2) Whether the commission action will permit ((a nonprofit)) any hospital to render necessary, effective and efficient service in the public interest ((and on a solvent basis)).

(3) Whether the commission action will ((~~permit a proprietary profit-making hospital to render effective and efficient service in the public interest as well as allow such hospital's shareholders a fair return based upon actual investment or, if the hospital elects, upon the fair value of the investment on July 16, 1973. PROVIDED, That, once the election is made it may not be changed without the approval of the commission~~)) assure access to necessary, effective, economically viable and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.

~~((a) For the purposes of this subsection, "investment" is defined as the sum of the differences between a hospital's current assets and current liabilities on the one hand and long term assets and long term liabilities, on the other hand, to the extent such assets and liabilities are allowable for ratemaking. The commission has adopted written policies regarding the allowance of assets and liabilities which are available upon request.~~

~~(b) For the purposes of this subsection, the term "actual investment" shall refer to assets computed as set forth in subdivision (a) of this subsection on the basis of historical cost less accumulated depreciation.~~

~~(c) For the purposes of this subsection, the term "fair value of the investment" shall mean the result of the computation performed in subdivision (a) of this subsection on assets whose value as of July 16, 1973 is determined by means of impartial appraisal.))~~

(4) Whether the appropriate area-wide and state comprehensive health planning agencies have recommended approval, modification, or disapproval of the annual budget submittal, or the rates, rate schedules, other charges, or changes therein.

(5) ~~((Whether the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein will in the aggregate produce sufficient total revenue for the hospital to meet all of the reasonable obligations specified in chapter 70.39 RCW.~~

~~((6))~~ Whether the rates, rate schedules, other charges, and changes therein contained in the hospital's annual budget submittal are reasonable and necessary.

~~((7))~~ (6) Whether the rates implemented and revenues collected by the hospital in previous budget years conformed to the applicable commission determinations for such years. Conformance will be determined by comparing, at the end of the budget year, actual revenues for the budget year to commission-approved revenues, on the basis of either the aggregate rate per adjusted patient day, or the revenues for individual revenue centers, as either may be modified, where appropriate, for volume variance between budgeted and actual levels; such comparison shall be made using actual, rather than budgeted, deductions from revenue.

The approved planned capital and service component and return on investment shall be considered a fixed cost

when considering year-end conformance. Only that portion of total costs per patient day designated as variable according to the following schedule will be adjusted for volume variance:

Peer groups 1 and 2 and specialty hospitals having fewer than fifty beds; fixed costs - eighty percent, variable costs - twenty percent

Peer groups 3 and 4 and specialty hospitals having fifty or more beds; fixed costs - seventy percent, variable costs - thirty percent

Peer groups 5 and 6 hospitals; fixed costs - sixty percent, variable costs - forty percent

Alternatively, the hospital may submit suggested ratios of fixed costs to variable costs, either in the aggregate or by revenue center. Upon approval by the commission, such approved ratios will be used only prospectively to determine allowable revenue variance due to volume changes.

The hospital may submit any justifying information to explain deviations/variances from approved revenues.

(7) Whether the hospital or its medical staff either adopts or maintains admission practices or policies which result in:

(a) A significant reduction in the proportion of patients who have no third-party coverage or who are unable to pay for hospital services;

(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services;

(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital.

AMENDATORY SECTION (Amending Order 75-05, filed 11/10/75)

WAC 261-40-315 COMMISSION RIGHT TO TERMINATE INFORMAL HEARING. The commission may terminate an informal hearing at any time either to protect substantial rights of the public, a hospital, or the commission or its staff; or, in connection with an annual budget submittal before it for review, to assure all purchasers of that hospital's health care services that total hospital costs are reasonably related to total services, that costs do not exceed those that are necessary for prudently and reasonably managed hospitals, that hospital rates are reasonably related to aggregate costs, and that rates are set equitably among all purchasers of these services without undue discrimination. Whenever an informal hearing is so terminated, the commission shall attempt to give advance notice of such action to the hospital, staff, and public, but it is not required to do so. In the event an informal hearing is so terminated, the commission shall immediately schedule a formal hearing regarding the annual budget submittal previously being reviewed in the informal hearing.

AMENDATORY SECTION (Amending Order 75-05, filed 11/10/75)

WAC 261-40-480 BRIEFS. Briefs may be filed in any formal commission hearing by any interested party, and shall be filed by any party to the proceeding upon the request of the presiding officer, and within such time as shall he/she directs. The presiding officer may require the filing of all briefs within three days after the close of the hearing if he/she considers the proceeding to be such that an order should issue promptly; and in the case of matters requiring an immediate decision, he/she may require the parties, or their counsel, to present their arguments and authority orally at the close of the hearing, instead of by written brief. Briefs should set out the leading facts and conclusion which the evidence tends to prove, and point out the particular evidence relied upon to support such conclusion. Briefs may be printed multilithed, mimeographed, typewritten or otherwise mechanically reproduced (size 8 1/2" x 11"), and all copies shall be clearly legible. ~~((Six))~~ Ten copies of each brief shall be filed with the commission and copies thereof shall be served on all parties to the case, or their counsel, and proof of such service furnished to the commission in the manner provided by WAC 261-40-440(3).

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-40-485 ORDERS. (1) Preparation of proposed order: The presiding officer for a formal hearing shall prepare a proposed order including findings of fact, conclusions of law, and a decision regarding the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein; and the same shall be served upon all parties of record.

(2) Exceptions: Number filed and time for filing: ~~((Six))~~ Ten copies of exceptions to proposed orders must be filed with the commission and a copy must be served upon all other parties within twenty days from the date of issuance of said order, unless a different time for filing is designated by the commission at or following the issuance of the proposed order. Proof of service must be made in accordance with WAC 261-40-440(3).

(3) Exceptions: Who may file: Any party of record may file exceptions to the presiding officer's proposed order.

(4) Exceptions: Contents: Exceptions to proposed orders shall be specific and must be stated and numbered separately. Exceptions to findings of fact must be supported by a reference to that page or part of the record or in the alternative by a statement of the evidence relied upon to support the exception, and shall be accompanied by a recommended finding of fact. Exceptions to conclusions of law must be supported by reference to the appropriate statute or regulation involved and shall be accompanied by a corrected conclusion of law. When exceptions are taken to conclusions in the summary portion of the proposed order there shall be included a statement showing the legal or factual justification for such exceptions, together with a statement showing how

the alleged defect in the summary affects the findings of fact or conclusions of law, or the ultimate decision.

(5) Replies: ~~((Six))~~ Ten copies of a reply to exceptions must be filed with the commission and a copy served upon the excepting party within ten days of the date of service of the exceptions, unless a different time for filing is designated by the commission.

(6) Briefs and arguments supporting exceptions or replies: Briefs or written arguments supporting exceptions or replies thereto shall be attached to such documents and shall be served and filed in the same manner as provided in subsections (2) and (5). The commission may in its discretion hear oral arguments at a time and place to be designated by it upon notice to all affected parties.

(7) Final order: After reviewing the exceptions, replies, briefs, oral arguments, if any, and the record or such portions thereof as may be cited by the parties, a majority of the commission may affirm the proposed order by an appropriate final order, or it may make such changes as it deems necessary in its final order. The statutory time for judicial review under chapter 34.04 RCW shall not commence until the date of the commission's final order.

WSR 84-20-067**ADOPTED RULES****HOSPITAL COMMISSION**

[Order 84-06, Resolution No. 84-06—Filed October 1, 1984]

Be it resolved by the Washington State Hospital Commission, acting at the Vance Airport Inn, Seattle, Washington, that it does adopt the annexed rules relating to adding new chapter 261-50 WAC to Title 261 WAC: Washington State Hospital Commission, regarding hospital reporting to patient discharge information, including data necessary for identification of discharges by diagnosis-related groups. The rules set forth: Specific data elements to be collected and reported by hospitals; acceptable media for submission of data; record layout for magnetic tape and diskette, time deadlines for submission of data; edits and revisions to submitted data; and confidentiality considerations.

This action is taken pursuant to Notice No. WSR 84-18-016 filed with the code reviser on August 29, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 70.39 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 26, 1984.

By Maurice A. Click
Executive Director

Chapter 261-50

RULES FOR REPORTING HOSPITAL PATIENT DISCHARGE INFORMATION

WAC

- 261-50-010 Purpose
- 261-50-020 Definitions
- 261-50-030 Reporting of UB-82 data set information
- 261-50-040 Acceptable media for submission of data
- 261-50-045 Magnetic diskette and tape record layout
- 261-50-050 Time deadline for submission of data
- 261-50-060 Edits to data
- 261-50-065 Revisions to submitted data
- 261-50-070 Confidentiality of data

NEW SECTION

WAC 261-50-010 PURPOSE. This chapter is adopted by the Washington State Hospital Commission pursuant to RCW 70.39.180 to implement provisions of RCW 70.39.100 as amended by Laws of 1984, Chapter 288, Section 10, relating to the collection and maintenance of patient discharge data, including data necessary for identification of discharges by diagnosis-related groups.

NEW SECTION

WAC 261-50-020 DEFINITIONS. As used in this chapter, unless the context requires otherwise,

- (1) "Commission" means the Washington State Hospital Commission created by chapter 70.39 RCW;
- (2) "Diagnosis-related groups" is a classification system that groups hospital patients according to principal and secondary diagnosis, presence or absence of a surgical procedure, age, presence or absence of significant comorbidities or complications, and other relevant criteria;
- (3) "Hospital" means any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination;
- (4) "UB-82 data set" means the data element specifications developed by the Washington State Uniform Billing Implementation Committee and set forth in the State of Washington UB-82 Procedure Manual, which is available to the public upon request, which are to be reported by a hospital in processing hospital patient bills/claims for payment.

NEW SECTION

WAC 261-50-030 REPORTING OF UB-82 DATA SET INFORMATION. (1) Effective with all hospital patient discharges on or after July 1, 1984, hospitals shall collect and report the following UB-82 data set elements to the Commission: (References to: "Lcn" means location on the UB-82 billing form; "Type"

means (A)lpha, (N)umeric, or (D)ate; "Just" means justification, either (R)ight or (L)eft; "Size" means size of the field in bytes.)

(a) Lcn=3 Patient Control Number Type=A Just=L Size=17

Patient's unique alpha-numeric number assigned by the hospital to facilitate retrieval of individual patient records and posting of payments. This number should be constructed to allow prompt hospital access to the patient's discharge record for data verification. Example "235198-001" or "345873".

(b) Lcn=4 Type of Bill Type=A Size=3
This three-digit code requires 1 digit each, in the following sequence form: Type of facility, Bill Classification, Frequency.

Digit #1 must be "1" to indicate a hospital.
Digit #2 must be a "1" or a "2" to indicate an inpatient.

- Digit #3 must be one of the following:
- 0 - Nonpayment/zero claims
 - 1 - Admit through discharge claim
 - 2 - Interim - first claim
 - 3 - Interim - continuing claim
 - 4 - Interim - last claim
 - 7 - Replacement of prior claim
 - 8 - Void/Cancel of a prior claim

Example: "111" or "114".

(c) Lcn=7 Medicare Provider Number Type=A Just=L Size=6

This is the number assigned to the provider by Medicare. Example: "020888". Note: Dashes are excluded. On hardcopy of the UB-82 billing form, the dash may be included. Example: "02-0888".

(d) Lcn=10 Patient Identifier Type=A Just=L Size=31

This field may be developed manually and entered in location 10 on the UB-82 for hardcopy submittal (basic service hospitals). For magnetic tape or diskette submittal, programming will be required to generate the composite variable and place it in the required record layout.

(e) Lcn=11 Zipcode Type=A Just=L Size=9
Patient's zipcode. If 9 digits are used the zipcode is provided in xxxxxxxx format (no hyphen). Example: "98102" or "981023452". On hardcopy of the UB-82 billing form, this value may be indicated with a hyphen.

(f) Lcn=12 Birthdate Type=N Size=6
The patient's date of birth in MMDDYY format. Example: "062424" or "122292". Note: If the patient is over 100 years old at the date of admission, then "17" must be the value in the "Condition Code #1" field. On hardcopy of the UB-82 billing form, this value may be indicated in MM-DD-YY format.

(g) Lcn=13 Sex Type=A Size=1
Patient's sex in M/F format. Example: "M" or "F".

(h) Lcn=15 Admission Date Type=D Size=6
Admission Date in MMDDYY format. Example: "030284" or "120883". On hardcopy of the UB-82 billing form, this value may be indicated with hyphens. Example: "12-08-83".

(i) Lcn=17 Type of Admission Type=A Size=1
This field is filled with one of the following codes:

- 1 Emergency

- 2 Urgent
- 3 Elective
- 4 Newborn
- 5 Other

Example: "1" or "3".

(j) Lcn=18 Source of Admission Type=A Size=1

This field is completed with one of the following codes:

- 1 Physician Referral
- 2 Clinic Referral
- 3 HMO Referral
- 4 Transfer from another hospital
- 5 Transfer from a SNF
- 6 Transfer from another HCF
- 7 Emergency Room
- 8 Court/Law Enforcement
- 9 Other

Example "1" or "4".

(k) Lcn=21 Patient Status Type=A Size=2

Patient discharge disposition in one of the following codes:

- 01 Discharged home
- 02 Discharged to another short-term general hospital
- 03 Discharged to SNF
- 04 Discharged to an ICF
- 05 Discharged to another type institution
- 06 Discharged to home under care of HHA
- 07 Left against medical advice
- 20 Expired
- 30 Still patient

Example: "01" or "06".

(l) Lcn=22 Statement Covers Period Type=D Size=12

This is the beginning and ending dates for which the UB-82 covers. This should be provided in the following format: MMDDYYMMDDYY. Example: "080183081083" or "122283122583". On hardcopy of the UB-82 billing form, dashes may be included in the dates. Example: "08-01-83 08-10-83".

(m) Lcn=35 Condition Code #1 Type=A Size=2

If a patient is over 100 years old at the time of admission, the value "17" must be the value of this field.

(n) Lcn=53 Total Charges Type=N Just=R Size=9

Total Charges for Revenue Code 001 in xxxxxxxx format, where the last two digits are cents and no decimal point is shown. Example: "367287" or "1223398".

(o) Lcn=57A Payer Identification #1 Type=A Just=L Size=25

Data should be entered in the following format "XXX xxxxxxx" where XXX, is equal to one of the following entries:

- 001 for Medicare
- 002 for Medicaid
- 003 for Self Insured Employers
- 004 for Group Health
- 005 for Other HMO
- 006 for Commercial
- 007 for County Medical Bureaus
- 008 for Labor and Industries
- 009 for Self Pay

010 - 500 for Blue Cross (See UB-82 Manual)

Examples: "001", or "002". Note: The first three digits of this field must be filled.

(p) Lcn=57B Payer Identification #2 Type=A Just=L Size=25

Same requirements as in Payer Identification #1. This field should only be completed when a secondary payer has been identified.

(q) Lcn=77 Principal Diagnosis Code Type=A Just=L Size=6

ICD9-CM Code describing the principal diagnosis (the condition established after study to be chiefly responsible or causing the hospitalization) that exists at time of admission. Example: "0539", or "23452". Note: Leading zeros are included and decimals are excluded.

(r) Lcn=78 Diagnosis #2 Code Type=A Just=L Size=6

ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. Example: "0539", or "23452". Note: Leading zeros are included and decimals are excluded.

(s) Lcn=79 Diagnosis #3 Code Type=A Just=L Size=6

ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. Example: "0539", or "23452". Note: Leading zeros are included and decimals are excluded.

(t) Lcn=80 Diagnosis #4 Code Type=A Just=L Size=6

ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. Example: "0539", or "23452". Note: Leading zeros are included and decimals are excluded.

(u) Lcn=81 Diagnosis #5 Code Type=A Just=L Size=6

ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. Example: "0539", or "23452". Note: Leading zeros are included and decimals are excluded.

(v) Lcn=84 Principal Procedure Code Type=A Just=L Size=5

The ICD9-CM Code that identifies the principal procedure performed during the patient admission. Example: "100" or "0101". Note: Leading zeros are included and decimals are excluded.

(w) Lcn=85 Procedure #2 Code Type=A Just=L Size=5

Secondary procedure code identifying procedures, other than the principal procedure, performed during the admission. Note: Leading zeros are included and decimals are excluded.

(x) Lcn=86 Procedure #3 Code Type=A Just=L Size=5

Secondary procedure code identifying procedures, other than the principal procedure, performed during the admission. Note: Leading zeros are included and decimals are excluded.

(y) Lcn=92 Attending Physician ID Type=A Just=L Size=22

The attending physician's number assigned by Medicaid. If the attending physician does not have a Medicaid number, the physician's state license number is used. The format for this field should be "physician number, physician name". (Physician name is optional.) Example: "0027834, Dr. Marvin Jones" or "1456234, Dr. Crocker". Note: The first seven digits in this field must be the physician number.

(z) Filler Type=A Size=33

This field may be used in the future and is included here so that the record length is compatible with microcomputer database management systems.

(2) It shall be the responsibility of each hospital to ensure that data reported pursuant to WAC 261-50-030 (1) is provided for all patient discharges.

NEW SECTION

WAC 261-50-040 ACCEPTABLE MEDIA FOR SUBMISSION OF DATA. For purposes of the data collected and reported pursuant to WAC 261-50-030, hospitals may submit such data on the following media:

(1) Hardcopy of the UB-82 billing form or a form prescribed by the commission:

(a) for all patient discharges during the period from July 1, 1984 to September 30, 1984;

(b) for all patient discharges after September 30, 1984 from hospitals which are classified as "basic service" hospitals;

(2) Magnetic floppy diskette (5 1/4 inch) formatted in Microsoft Disk Operating System (MS-DOS) version 2.0 and utilizing the MS-DOS back-up function;

(3) Magnetic tape with the following physical specifications as well as external identification setting forth such specifications:

- (a) 800, 1600, or 6250 bytes per inch;
- (b) ASCII or EBCDIC data representation codes;
- (c) block length, if blocked;
- (d) unlabeled;
- (e) seven or nine track;
- (f) hospital name and patient discharge period.

NEW SECTION

WAC 261-50-045 MAGNETIC DISKETTE AND TAPE RECORD LAYOUT. (1) For purposes of data submitted in accordance with WAC 261-50-040(2) and (3), the data elements for each patient discharge record must have a logical record length of 256 characters along with the following record layout: (References to: "No" means field number for the record; "Lcn" means location on the UB-82 billing form; "Description" means description of the record field; "Type" means (A)lpha, (N)umeric, or (D)ate; "Just" means justification, either (R)ight or (L)eft; "Size" means size of the field in bytes; "Position" means position of the field on magnetic diskette or tape.)

No.	Lcn	Description	Type	Just	Size	Position
1	3	Patient Control Number	A	L	17	1-17
2	4	Type of Bill	A		3	18-20
3	7	Medicare Provider Number	A	L	6	21-26
4	10	Name	A	L	31	27-57
5	11	Zipcode	A	L	9	58-66
6	12	Birthdate	N		6	67-72
7	13	Sex	A		1	73-73
8	15	Admission Date	D		6	74-79
9	17	Type of Admission	A		1	80-80
10	18	Source of Admission	A		1	81-81
11	21	Patient Status	A		2	82-83
12	22	Statement Covers Period	N		12	84-95
13	35	Condition Code #1	A		2	96-97
14	53	Total Charges	N	R	9	98-106
15	57A	Payer Identification #1	A	L	25	107-131
16	57B	Payer Identification #2	A	L	25	132-156
17	77	Principal Diagnosis Code	A	L	6	157-162
18	78	Diagnosis #2 Code	A	L	6	163-168
19	79	Diagnosis #3 Code	A	L	6	169-174
20	80	Diagnosis #4 Code	A	L	6	175-180
21	81	Diagnosis #5 Code	A	L	6	181-186
22	84	Principal Procedure Code	A	L	5	187-191
23	85	Procedure #2 Code	A	L	5	192-196
24	86	Procedure #3 Code	A	L	5	197-201
25	92	Attending Physician ID	A	L	22	202-223
26		Filler	A		33	224-256

(2) Any group of six or more hospitals, or any group of hospitals which in the aggregate have more than 30,000 patient discharges per year (determined on the basis of each hospital's commission-approved budget in effect as of July 1, 1984), may in writing request a waiver from the commission to the required record layout of WAC 261-50-045(1) providing such hospitals have a common alternative record layout with the required data set elements set forth in WAC 261-50-030.

NEW SECTION

WAC 261-50-050 TIME DEADLINE FOR SUBMISSION OF DATA. Data collected by hospitals pursuant to WAC 261-50-030 shall be submitted to the commission or its designee by the following dates:

(1) for data submitted on hardcopy in accordance with the provisions of WAC 261-50-040 (1), within forty-five days following the end of each calendar month;

(2) otherwise, within forty-five days following the end of every three-month calendar period commencing with July 1, 1984.

NEW SECTION

WAC 261-50-060 EDITS TO DATA. The commission or its designee shall subject the data submitted to the commission pursuant to WAC 261-50-030 to the following set of edits:

(1) record layout compatibility edits on data submitted in accordance with WAC 261-50-040 (1) and WAC 261-50-045;

(2) verification of the data set elements set forth in WAC 261-50-030.

NEW SECTION

WAC 261-50-065 REVISIONS TO SUBMITTED DATA. (1) All data revisions required as a result of the edits performed pursuant to WAC 261-50-060 shall be corrected and resubmitted in the prescribed manner to

the commission or its designee within fourteen working days.

(2) The commission may assess a civil penalty as provided in RCW 70.39.200, as amended by Laws of 84, Chapter 288, Section 20, for the costs associated with more than one cycle of edits as described in WAC 261-50-060.

NEW SECTION

WAC 261-50-070 CONFIDENTIALITY OF DATA. The commission deems information submitted pursuant to WAC 261-50-030 (1)(a) and (d) privileged medical information as stated in RCW 70.39.110, as amended by Laws of 84, Chapter 288, Section 11 (5) and, therefore, such information will not be available for public inspection and copying pursuant to Chapter 42.17 RCW.

WSR 84-20-068
ADOPTED RULES
PARKS AND RECREATION
COMMISSION

[Order 80—Filed October 2, 1984]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Wenatchee, Washington, that it does adopt the annexed rules relating to Land exchange—Fee, WAC 352-32-295.

This action is taken pursuant to Notice No. WSR 84-13-071 filed with the code reviser on June 20, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.51.210 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Yvonne S. Ferrell
Deputy Director

NEW SECTION

WAC 352-32-295 LAND EXCHANGE—FEE. A party who exchanges land with the commission shall pay a nonrefundable transfer fee to the commission of one hundred dollars for each exchange.

WSR 84-20-069
ADOPTED RULES
PARKS AND RECREATION
COMMISSION

[Order 81—Filed October 2, 1984]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Wenatchee, Washington, that it does adopt the annexed rules relating to easement, franchise, license, and special use permit applications and fees, WAC 352-32-300.

This action is taken pursuant to Notice No. WSR 84-13-072 filed with the code reviser on June 20, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.51.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Yvonne S. Ferrell
Deputy Director

NEW SECTION

WAC 352-32-300 EASEMENT, FRANCHISE, LICENSE, AND SPECIAL USE PERMIT APPLICATIONS AND FEES. (1) A party that desires to have a request for an easement, franchise, license, or special use permit considered by the commission shall submit an application on a form provided by the director to the:

Washington State Parks and Recreation
Commission
7150 Cleanwater Lane KY-11
Olympia, WA 98504

Each application from a party other than a government agency shall be accompanied by a nonrefundable application fee of one hundred dollars.

A party shall pay the commission for any appraisal, appraisal review, and survey costs incurred by the commission during the consideration of an application for an easement, franchise, license, or special use permit. The amount of any appraisal, appraisal review, and survey costs shall be determined by the director or the designee of the director.

An application fee and any appraisal, appraisal review, and survey payments shall be submitted to the commission at the address listed above and shall be in the form of a check or money order payable to the Washington state parks and recreation commission.

(2) The application fee and the appraisal, appraisal review, and survey payments established by subsection (1) of this section may be waived by the director or the

designee of the director when the director or the designee determines that the action authorized by an easement, franchise, license, or special use permit will be of benefit to the general public, if approved by the commission.

WSR 84-20-070
ADOPTED RULES
PARKS AND RECREATION
COMMISSION

[Order 82—Filed October 2, 1984]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Wenatchee, Washington, that it does adopt the annexed rules relating to filming within state parks, chapter 352-74 WAC.

This action is taken pursuant to Notice No. WSR 84-13-073 filed with the code reviser on June 20, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.51.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Yvonne S. Ferrell
 Deputy Director

Chapter 352-74 WAC
FILMING WITHIN STATE PARKS

WAC

- 352-74-010 Purpose.
- 352-74-020 Definitions.
- 352-74-030 Filming within state parks.
- 352-74-040 Film permit application, fee, and conditions.
- 352-74-050 Approval or disapproval of film permit application.
- 352-74-060 Issuance and revocation of film permit.
- 352-74-070 Additional fees and release of bond or damage deposit.

NEW SECTION

WAC 352-74-010 PURPOSE. This chapter is promulgated in order to establish procedures for the issuance of permits for filming within state parks.

NEW SECTION

WAC 352-74-020 DEFINITIONS. When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different

meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "Applicant" means an individual or organization who submits an application to the commission to film within state parks for other than personal or news purposes.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Director" means the director of the Washington state parks and recreation commission.

(4) "Film and filming" mean still and movie camera filming and video taping.

(5) "Film maker" means an applicant who has received approval to film within state parks through the issuance of a filming permit by the director or the designee of the director.

NEW SECTION

WAC 352-74-030 FILMING WITHIN STATE PARKS. The commission recognizes the desire of individuals and organizations to film within the state parks. Individuals and organizations may film within state parks in a manner which is not disruptive to park users or resources when the filming is for personal or news purposes. Individuals and organizations that desire to film within state parks for other than personal or news purposes may do so only in accordance with the film permit requirements of chapter 352-74 WAC.

NEW SECTION

WAC 352-74-040 FILM PERMIT APPLICATION, FEE, AND CONDITIONS. Persons or organizations that desire to film within a state park for other than personal or news purposes shall submit a film permit application provided by the director to the:

Washington State Parks and Recreation
 Commission
 7150 Cleanwater Lane KY-11
 Olympia, WA 98504

Each application shall be accompanied by an application fee of one hundred dollars which shall be in the form of a check or money order payable to the Washington state parks and recreation commission.

All applicants shall agree to film in a manner which is compatible with the activities of park visitors, does not damage facilities or resources, does not disrupt wildlife, does not imply the endorsement of the commission for the content of the film, acknowledges the cooperation of the commission, and conforms with all of the applicable statutes, rules, policies, and procedures of the commission, and the instructions of the commission staff who supervise the filming.

NEW SECTION

WAC 352-74-050 APPROVAL OR DISAPPROVAL OF FILM PERMIT APPLICATION. The director or the designee of the director shall approve or disapprove a film permit application and establish the filming locations, time periods, and conditions for an approved application.

The director or the designee of the director may require an approved applicant to submit the following to the commission prior to the issuance of a film permit:

(1) Fees payable to the Washington state parks and recreation commission in the form of a check or money order in an amount, as determined by the director or the designee of the director, which covers the charges for the facilities to be used by a film maker and any staff costs to be incurred by the commission due to the filming that are beyond the regular responsibilities of the staff of the commission;

(2) A bond or damage deposit payable to the Washington state parks and recreation commission in an amount, as determined by the director or the designee of the director, which is sufficient to cover any damages to park resources or facilities which may occur during the filming; and

(3) Certification that an approved applicant has liability insurance in an amount, as determined by the director or the designee of the director, which is sufficient to cover any liability costs associated with the actions of a film maker during filming.

NEW SECTION

WAC 352-74-060 ISSUANCE AND REVOCATION OF FILM PERMIT. The director or designee of the director, shall issue a film permit provided by the commission to an approved applicant after the applicant has submitted to the commission any fees, bond, damage deposit, and insurance certification established pursuant to WAC 352-74-050.

If a film maker does not comply with all of the applicable statutes, rules, policies, and procedures of the commission, and the instructions of the commission staff who supervise the filming, then the director or designee of the director shall revoke a film permit.

NEW SECTION

WAC 352-74-070 ADDITIONAL FEES AND RELEASE OF BOND OR DAMAGE DEPOSIT. After completion of filming the director or the designee of the director shall determine if any additional fees are to be assessed a film maker and whether or not any bond or damage deposit submitted to the commission by a film maker may be released.

If the director or the designee of the director determines that no additional fees are to be assessed and that a bond or damage deposit is to be released, then a bond or damage deposit shall be returned to a film maker.

If the director or the designee of the director determines that additional fees are to be assessed or that a bond or damage deposit is not to be released, then the film maker shall be so informed.

If a film maker pays additional fees in the form of a check or money order payable to the Washington state parks and recreation commission which is submitted to the commission within thirty days of receipt of the notice to pay the fees, then the director or the designee of the director shall return a bond or damage deposit to a film maker.

If a film maker does not pay additional fees within the time period and in accordance with the procedures set forth above, then the director or designee of the director shall exercise the rights of the commission under a bond or damage deposit to pay the additional fees and so inform a film maker.

WSR 84-20-071

ADOPTED RULES PARKS AND RECREATION COMMISSION

[Order 83—Filed October 2, 1984]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Wenatchee, Washington, that it does adopt the annexed rules relating to Wood debris collection permit—Fee, WAC 352-32-290.

This action is taken pursuant to Notice No. WSR 84-13-074 filed with the code reviser on June 20, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.51.045 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Yvonne S. Ferrell
Deputy Director

NEW SECTION

WAC 352-32-290 WOOD DEBRIS COLLECTION PERMIT—FEE. (1) As used in this section "wood debris" means down and dead tree material which may be removed without adversely impacting the environment of the park at which it is located significantly and which is surplus to the needs of such park.

(2) A person may collect and remove wood debris from a state park area only when a park manager or ranger has issued the person a wood debris collection permit.

(3) A wood debris collection permit is valid only at the state park at which the permit is issued and only during the calendar year when the permit is issued.

(4) Subject to availability, for each wood debris collection permit issued, a person may collect and remove from a state park area not more than five cords of wood debris. Wood debris may be collected only for personal firewood use and only from sites and during time periods designated by a park manager or ranger.

(5) The nonrefundable fee for a wood debris collection permit shall be ten dollars, except for persons sixty-five years of age or over who shall be exempt from the fee.

WSR 84-20-072
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-160—Filed October 2, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is this rule allows harvest of salmon and conforms Washington state regulations with recommendations of the Columbia River compact.

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

This rule is promulgated pursuant to RCW 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 1, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-32-03000N GILL NET SEASON-COLUMBIA RIVER BELOW BONNEVILLE. Notwithstanding the provisions of WAC 220-32-030, 220-32-031 and 220-32-032, it is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except in those areas and at those times designated below:

6:00 p.m. October 1, to 6:00 p.m. October 5, except that Area 1E is open only from 6:00 p.m. October 1st to 6:00 p.m. October 2nd
6:00 p.m. October 8, to 6:00 p.m. October 12,
6:00 p.m. October 15, to 6:00 p.m. October 18,
6:00 p.m. October 22, to 6:00 p.m. October 25,
6:00 p.m. October 28, to 6:00 p.m. November 2,
6:00 p.m. November 4, to 6:00 p.m. November 9,
6:00 p.m. November 11, to 6:00 p.m. November 16, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-03000M GILL NET SEASON-COLUMBIA RIVER BELOW BONNEVILLE. (84-140)

WSR 84-20-073
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-161—Filed October 2, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of coho salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 2, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100R WILLAPA HARBOR GILL NET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective immediately until 6:00 p.m. October 14, 1984, it is unlawful to fish for or possess salmon taken from any Willapa Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

Area 2G - Immediately through 6:00 p.m. October 14, 1984.

Areas 2J and 2K - 6:00 p.m. October 3 through 6:00 p.m. October 4, 6:00 p.m. October 7 through 6:00 p.m. October 8, and 6:00 p.m. October 10 through 6:00 p.m. October 11, 1984.

Area 2M - 6:00 p.m. October 3 through 6:00 p.m. October 4, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-40-02100Q WILLAPA HARBOR
GILL NET SEASON. (84-158)**

**WSR 84-20-074
ADOPTED RULES
UNIVERSITY OF WASHINGTON**

[Order—Filed October 2, 1984]

Be it resolved by the board of regents of the University of Washington, acting at Seattle, Washington, that it does adopt the annexed rules relating to the University of Washington SEPA (State Environmental Policy Act) procedures, in accordance with the SEPA rules, chapter 197-11 WAC, which requires each state agency to adopt amended or new SEPA procedures. The board of regents adopts the new procedures, identified as chapter 478-324 WAC, and repeals the old existing procedures, identified as chapter 478-325 WAC.

This action is taken pursuant to Notice No. WSR 84-16-078 filed with the code reviser on August 1, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 43.21C-.120 and WAC 197-11-904 which directs that the University of Washington has authority to implement the provisions of the State Environmental Policy Act, chapter 43.21C RCW.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1984.

By Elsa Kircher Cole
Assistant Attorney General

NEW SECTION

WAC 478-324-010 AUTHORITY. The University of Washington adopts these procedures under the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA rules, WAC 197-11-904.

NEW SECTION

WAC 478-324-020 ADOPTION BY REFERENCE. The university hereby adopts by reference the following sections of the 1984 SEPA rules, chapter 197-11 of the Washington Administrative Code.

General Requirements

WAC	
197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.

Categorical Exemptions and Threshold Determination

WAC	
197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of nonsignificance (DNS).
197-11-350	Mitigated DNS.
197-11-360	Determination of significance (DS)/initiation of scoping.
197-11-390	Effect of threshold determination.

EIS

WAC	
197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping. (Optional)
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonproject proposals.
197-11-443	EIS contents when prior nonproject EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.
197-11-460	Issuance of FEIS.

Commenting

WAC	
197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA register.
197-11-510	Public notice.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.
197-11-560	FEIS response to comments.
197-11-570	Consulted agency costs to assist lead agency.

Using Existing Environmental Documents

WAC	
197-11-600	When to use existing environmental documents.
197-11-610	Use of NEPA documents.
197-11-620	Supplemental environmental impact statement—Procedures.
197-11-625	Addenda—Procedures.
197-11-630	Adoption—Procedures.
197-11-635	Incorporation by reference—Procedures.
197-11-640	Combining documents.

SEPA and Agency Decisions

WAC	
197-11-650	Purpose of this part.
197-11-655	Implementation.
197-11-660	Substantive authority and mitigation.
197-11-680	Appeals.

Definitions

WAC	
197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.

197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/city.
197-11-730	Decision maker.
197-11-732	Department.
197-11-734	Determination of nonsignificance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.
197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-748	Environmentally sensitive area.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.

Categorical Exemptions

WAC	
197-11-800	Categorical exemptions.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.

Agency Compliance

WAC	
197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.
197-11-904	Agency SEPA procedures.
197-11-914	SEPA fees and costs.
197-11-916	Application to ongoing actions.
197-11-918	Lack of agency procedures.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-938	Lead agencies for specific proposals.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.

Forms

WAC	
197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of nonsignificance (DNS).
197-11-980	Determination of significance and scoping notice (DS).
197-11-985	Notice of assumption of lead agency status.

197-11-990 Notice of action.

NEW SECTION

WAC 478-324-030 ADDITIONAL CONSIDERATION IN TIMING OF THRESHOLD DETERMINATION AND EIS PROCESS. (1) For project-type actions involving construction or modification of facilities, the threshold determination, DNS, mitigated-DNS or draft EIS shall be completed prior to the authorization to prepare working drawings. When an EIS is required, the final EIS shall be issued no later than seven days prior to the award of a construction contract.

(2) For nonproject type actions, the threshold determination and any required DNS, mitigated-DNS or EIS shall be completed prior to final approval or adoption of the proposal by the board of regents or agent delegated by the board to take such action. When an EIS is required, the final EIS shall be issued no later than seven days prior to the approval or adoption of a proposal.

NEW SECTION

WAC 478-324-040 SEPA ADVISORY COMMITTEE ESTABLISHED FOR ENVIRONMENTAL REVIEW. A SEPA advisory committee (the committee) shall be established to assist the university with environmental review and with integrating SEPA procedures with the planning and decision-making process. The committee shall aid the university in complying with the State Environmental Policy Act (chapter 43.21C RCW) and State Environmental Policy Act Rules (chapter 197-11 WAC), except for those actions pertaining to the metropolitan tract. The committee shall consist of members representing the students, faculty, and staff of the university and shall be appointed by the president. It shall be the mission of the committee to ensure that sound decision-making at the university includes early consideration of environmental values and goals and timely preparation and review of environmental analysis. This mission shall be carried out in the following ways:

(1) The committee shall adopt procedures which provide for the review of environmental documents within the time limits established by WAC 197-11-455(6), 197-11-340, and 197-11-408.

(2) The committee shall be involved from the initiation of the university's scoping procedures.

(3) The committee shall review all nonexempt actions for compliance with the provisions of the SEPA rules. Generally, review shall occur:

(a) At the earliest possible time after a proposed action is sufficiently well defined to permit meaningful environmental analysis.

(b) In all cases, before a final decision has been made.

(4) Specifically, committee review shall occur:

(a) After completion of an environmental checklist but before threshold determination.

(b) Prior to the responsible official's reconsideration of the threshold determination if substantive comments have been received regarding the DNS.

(c) Prior to the responsible official issuing a mitigated DNS.

(d) Prior to the publication of any draft EIS.

(e) Prior to the publication of any final EIS.

(5) At least one member representing the committee shall attend public hearings on the environmental impact of a proposal.

(6) To enable the SEPA advisory committee to be involved in the university's SEPA procedures at the earliest possible time, the university environmental planning staff shall:

(a) Review capital project programs, project proposals, and nonproject proposals to identify potential environmental issues and/or constraints.

(b) Consult with the chairperson on significant issues to determine which issues should be reviewed with the full committee.

(7) The committee's recommendations shall be advisory and shall not relieve the responsible officials of their responsibilities as established by these procedures.

NEW SECTION

WAC 478-324-050 **ADDITIONAL CONSIDERATIONS IN THRESHOLD DETERMINATION PROCESS.** The SEPA advisory committee shall be consulted before the threshold determination to obtain input regarding level of detail of information provided in the checklist, proposed or potential mitigating measures, and appropriate threshold determination.

NEW SECTION

WAC 478-324-060 **ADDITIONAL CONSIDERATIONS IN DETERMINATION OF NONSIGNIFICANCE.** (1) The responsible official shall send the DNS and environmental checklist to agencies with jurisdiction, the city-university community advisory committee, and the SEPA advisory committee.

(2) Agencies with jurisdiction, the city-university community advisory committee, and the SEPA advisory committee shall be advised of any withdrawn DNS and the reasons for its withdrawal.

NEW SECTION

WAC 478-324-070 **ADDITIONAL CONSIDERATIONS IN MITIGATED DNS.** (1) In consultation with the SEPA advisory committee, city-university community advisory committee, and other agencies with jurisdiction, the responsible official will determine if there are mitigating measures and clarifications or changes to the environmental checklist which would reduce impacts to the extent that a mitigated DNS could be issued.

(2) All mitigation measures in a mitigated DNS for a proposed project shall be included in the final project, with the exception of any measures clearly the responsibility of another agency.

NEW SECTION

WAC 478-324-090 **ADDITIONAL CONSIDERATIONS IN SCOPING.** (1) Scoping shall be used for EIS's and supplemental EIS's.

(2) The university shall notify members of the SEPA advisory committee, the city-university community advisory committee, agencies with jurisdiction, and others on the university SEPA mailing list of the DS and the initiation of this scoping process. Written comments shall be provided to the university within twenty-one days of the issuance of the DS.

NEW SECTION

WAC 478-324-100 **ADDITIONAL CONSIDERATION OF EIS CONTENT.** Where the university is lead agency, the EIS preparers of the university shall determine the organization of the EIS, even though other agencies with jurisdiction are involved with the proposal.

NEW SECTION

WAC 478-324-110 **ADDITIONAL RECIPIENTS OF DEIS.** The university shall send copies of the draft EIS to the SEPA advisory committee, the city-university community advisory committee, other agencies with jurisdiction, and all individuals, organizations and agencies who provided comments during the scoping process.

NEW SECTION

WAC 478-324-120 **ADDITIONAL RECIPIENTS OF FEIS.** A final EIS (FEIS) shall be issued by the responsible official and shall be sent to the city-university community advisory committee, agencies with jurisdiction, the SEPA advisory committee, all other individuals, organizations and agencies who provided comments on the draft EIS, and to anyone requesting an FEIS. Notices of availability of the final EIS shall be sent to others on the SEPA mailing list and to those who expressed an interest in the draft EIS, but who did not provide comments.

NEW SECTION

WAC 478-324-130 **ESTABLISHMENT OF SEPA INFORMATION CENTER.** (1) The University of Washington Visitors' Information Center shall serve as the university's SEPA information center.

(2) The following documents shall be maintained at the SEPA public information center:

(a) Copies of all SEPA public information registers for a period of one year from the date of publication.

(b) Copies of all environmental checklists, determinations of nonsignificance and determinations of significance for a period of one year from the date of issue.

(c) Copies of all current scoping and public hearing notices.

(d) Copies of all draft and final EIS's for a period of three years after the date of publication.

(e) Copies of all documents which have been incorporated by reference in the environmental assessments maintained at the information center.

(f) A current list of individuals designated as responsible officials for university compliance with SEPA.

(g) A current membership list of the SEPA advisory committee.

(h) Copies of agendas and minutes of the SEPA advisory committee for a period of one year after the date of issue.

(3) The documents at the SEPA information center shall be available for public inspection and copies thereof shall be provided upon request. A fee to cover the actual cost of printing/copying may be charged for copies.

NEW SECTION

WAC 478-324-140 ADDITIONAL METHODS OF PUBLIC NOTICE. The university shall provide public notice of scoping, DNS with comment period, public hearings scheduled in accordance with these procedures and availability of draft and final EIS's by:

(1) Sending copies of the document or notice of availability of the document to those identified in WAC 478-324-090 above;

(2) Posting a notice on the proposed site (for project EIS's);

(3) Providing notice in such form as a press release or advertisement in the University Week, University of Washington Daily, and a Seattle newspaper of general circulation.

NEW SECTION

WAC 478-324-150 ADDITIONAL DEFINITIONS. (1) "Final action" means the university's decision to proceed or not proceed with a proposal and is so defined in compliance with public notice requirements, RCW 43.21C.080. For proposals involving a series of decision points, the final action shall be clearly identified in the environmental checklist and/or EIS. The point at which the final action is made during the planning process may vary depending upon the nature of the proposal, but at no time shall the final action occur before fifteen days following issuance of a DNS or seven days following issuance of an FEIS.

(2) "Lead unit" means that unit of the university which is responsible for preparing the environmental checklist, making the threshold determination, and preparing the draft and final EIS's.

(3) "SEPA mailing list" means a current list maintained at the campus planning office at the university of all individuals, groups, and agencies who have communicated to the university their interest in SEPA policies, procedures, and documents. This list shall include the City-University community advisory committee and all community organizations represented on the committee, including those with alternative representation.

NEW SECTION

WAC 478-324-160 UNIVERSITY COMPLIANCE WITH FLEXIBLE THRESHOLDS. The university will use the flexible thresholds established by the particular jurisdiction in which a university project is located.

NEW SECTION

WAC 478-324-170 EMERGENCIES. Actions that must be undertaken immediately or within a time

too short to allow full compliance with these rules, to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt from the procedural requirements of this chapter. Such actions include, but are not limited to, the following:

(1) Emergency pollution control actions responding to accidental discharges, leaks or spills into the air, state waters, or on land.

(2) Implementation of a change in waste disposal procedures caused by unanticipated changes in waste sources which are in compliance with federal and state regulations and standards.

(3) Clean-up or decontamination of academic and research facilities or equipment accidentally exposed or contaminated, to permit maintenance, repair or relocation, when procedures followed are in accordance with federal or state guidelines, recommendations, or standards.

(4) Emergency actions implemented to reduce an imminent hazard to the health and safety of an element of the university resulting from structural failure, equipment malfunction, human error or natural event.

NEW SECTION

WAC 478-324-180 DESIGNATION OF RESPONSIBLE OFFICIAL. (1) The president shall appoint a responsible official for each unit of the university which may propose a nonexempt action.

(2) The director of campus planning shall serve as the responsible official for any unit of the university which requests that the campus planning office serve as the lead unit.

(3) Responsible officials shall carry out the duties and functions of the university with regard to these rules for all major actions initiated by their unit.

NEW SECTION

WAC 478-324-190 PROCEDURES ON CONSULTED AGENCIES. The campus planning office shall be responsible for coordinating, receiving, and reviewing comments and requests for information from agencies regarding threshold determinations, scoping, EIS's, and supplemental EIS's.

NEW SECTION

WAC 478-324-200 DETERMINING THE LEAD AGENCY. (1) Except as otherwise specially provided herein, the university shall serve as the lead agency for all proposals it initiates. In the event that one or more additional agencies share in the implementation of the proposal, the university and the agencies shall by agreement determine which agency will assume the status of lead agency. Any dispute over lead agency determination shall be settled in accordance with the provisions of WAC 197-11-946.

(2) When the total proposal will involve both private and university construction activity, it shall be characterized as either a private or a university project for the purposes of lead agency designation, depending upon whether the primary sponsor or initiator of the project is

the university or a private party. Any project in which university and private interests are too intertwined to make this characterization shall be considered a university project.

(3) The university's responsibilities as lead agency include complying with the threshold determination procedures; the initiation and administration of the scoping process; the supervision or actual preparation of draft EIS's, including the circulation of such statements, the conduct of any public hearings or public meetings required by these rules; and the supervision or preparation of required final EIS's and supplemental EIS's.

NEW SECTION

WAC 478-324-210 DETERMINATION OF LEAD UNIT. (1) For university actions subject to SEPA, the campus planning office or the university academic or administrative unit initiating or administering the action shall be charged with the university's lead agency responsibilities.

(2) For actions involving more than one university unit, the involved units shall by agreement determine which unit will assume the university's lead agency responsibilities. Any dispute as to lead unit determination shall be resolved by the president.

(3) The campus planning office shall have primary university responsibility for providing procedural advice with regard to these rules. All university units with environmental expertise should strive to make their services available to lead units to assist in the university's compliance with SEPA.

NEW SECTION

WAC 478-324-220 SEPA POLICY RULE AND SUBSTANTIVE AUTHORITY. In order to carry out the policy of the state environmental policy act, the University of Washington or its agents shall use all practical means, consistent with other essential considerations of state and university policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) Assure for all people of Washington safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) Preserve important historic, cultural, and natural aspects of our national heritage;

(5) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(6) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(7) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

NEW SECTION

WAC 478-324-230 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

WSR 84-20-075

PROPOSED RULES

MEDICAL DISCIPLINARY BOARD

[Filed October 2, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Medical Disciplinary Board intends to adopt, amend, or repeal rules concerning the amending of WAC 320-20-020, 320-20-030, 320-20-040, 320-20-050 and 320-20-080 regarding mandatory reporting of physicians; adding new section 320-20-025 and amending 320-18-010 relating to prescribing Schedule II stimulant drugs;

that the agency will at 1:00 p.m., Friday, December 14, 1984, in the Children's Orthopedic Hospital and Medical Center, New Board Room, 4800 Sand Point Way N.E., Seattle, WA 98105, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.72.265 and 18.72.150(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 3, 1984.

Dated: September 28, 1984

By: Robert C. Coe, MD
Chairperson

STATEMENT OF PURPOSE

Name of Agency: Washington State Medical Disciplinary Board.

Purpose: WAC 320-20-020, amendment would clarify when certain information would be exempt from reporting and provide immunity to persons reporting to the Medical Disciplinary Board; 320-20-025, new section would provide that individual physicians must report knowledge regarding unprofessional conduct committed by other physicians; 320-20-030, amendment would set forth instances when mandatory reports do not have to be submitted to the Medical Disciplinary Board; 320-20-040, amendment would set forth instances when mandatory reports do not have to be submitted to the Medical Disciplinary Board; 320-20-050, amendment would delete word "flagrantly" in conjunction with overutilization of medical services; 320-20-080, amendment would clarify when officers of state or federal programs must report impaired physicians or physicians who have engaged in unprofessional conduct; and 320-18-010, amendment would redefine the circumstances under which a physician may prescribe amphetamines or other Schedule II nonnarcotic stimulant drugs.

Statutory Authority: RCW 18.72.265 and 18.72.150(1).

Summary of the Rules: WAC 320-20-020 Mandatory reporting; 320-20-030 Health care institutions; 320-20-040 Medical associations or societies; 320-20-050 Health care service contractors and disability insurance carriers; 320-20-080 State and federal agencies; 320-18-010 Prescription—Schedule II stimulant drugs; and new section WAC 320-20-025 Physicians and surgeons.

Reasons Proposed: These rules are proposed to provide definite guidelines regarding mandatory reporting of physicians and to redefine when certain amphetamines or Schedule II nonnarcotic stimulant drugs may be prescribed.

Responsible Departmental Personnel: In addition to the members of the board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Deanna Dicomis, Executive Secretary, and Maxine Nelson, Administrative Assistant, 1300 South Quince, Olympia, WA 98504, 234-2205 scan, 753-2205 comm.

Proponents: All amendments and new sections were proposed by the Washington State Medical Disciplinary Board.

Small Business Economic Impact Statement: A small business economic impact statement is not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 360, filed 10/29/80)

WAC 320-20-020 MANDATORY REPORTING. (1) All reports required by these regulations shall be submitted to the board as soon as possible, but no later than sixty days after a determination is made.

(2) A report should contain the following information as known:

- (a) The name, address and telephone numbers of the person making the report.
- (b) The name and address and telephone numbers of the physician being reported.
- (c) The case number of any patient whose treatment is a subject of the report.
- (d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.
- (e) If court action is involved, the name and the court in which the action is filed along with the date of filing and docket number.
- (f) Any further information which would aid the evaluation of the report.

(3) The mandatory reporting shall not act as a waiver of confidentiality of medical records and committee reports. The information reported or disclosed shall be kept for the confidential use of the board as provided in the Medical Disciplinary Act and shall not be subject to subpoena or discovery proceedings in any civil action as provided in RCW 4.24.150, and shall be exempt from public disclosure pursuant to chapter 42.17 RCW except for review as provided in RCW 18.72.265(2).

(4) Medical records of information learned or maintained in connection with an alcohol or drug abuse prevention function which is conducted, regulated, or directly or indirectly assisted by any department or agency of the United States shall be exempt from the reporting requirement of this section to the extent that such reporting is in violation of 21 U.S.C. section 1175(a), 42 U.S.C. section 4582(a), or regulation promulgated thereunder.

(5) Any person making a report required by this section or testifying in a judicial or administrative proceeding as a result of such report shall be immune from any civil liability resulting therefrom unless such person acted in bad faith or with malicious intent.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 320-20-025 PHYSICIANS AND SURGEONS. Physicians licensed to practice medicine and surgery under chapter 18.71 RCW shall report to the Medical Disciplinary Board when he or she has personal knowledge that a practicing physician has either committed an act or acts which may constitute statutorily defined unprofessional conduct or that a practicing physician may be unable to practice medicine with reasonable skill and safety to patients by reason of illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental and physical condition.

This regulation shall not require reporting by a treating physician of a physician patient currently involved in a treatment program as long as the physician patient actively participates in the treatment program and the physician patients' impairment does not constitute a clear and present danger to the public health safety and welfare.

AMENDATORY SECTION (Amending Order PL 360, filed 10/29/80)

WAC 320-20-030 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the board when any physician's clinical privileges are terminated or are restricted based on a determination, in accordance with an institution's bylaws, that a physician has either committed an act or acts which may constitute unprofessional conduct or that a physician may be mentally or physically disabled. Said officer shall also report if a physician accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon unprofessional conduct or upon being mentally or physically disabled. PROVIDED, no report shall be required of the reporting agency if the physician is actively participating in an institution or professionally approved or sponsored program developed to correct the cause of the physician's unprofessional conductor treat the physician's mental or physical disability, unless the physician's conduct or condition constitutes a clear and present danger to the public health, safety and welfare, or the physician does not actively participate in the established program.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order PL 360, filed 10/29/80)

WAC 320-20-040 MEDICAL ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any medical association or society within this state shall report to the board when a medical society hearing panel or committee determines that a physician has committed unprofessional conduct or that a physician may not be able to practice medicine with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety and welfare. The report required by this subsection shall be made without regard to whether the license holder appeals, accepts or acts upon the determination made by the association or society. Notification of appeal shall be included. PROVIDED, no report shall be required of the reporting agency if the physician is actively participating in an institution or professionally approved or sponsored program developed to correct the cause of the physician's unprofessional conduct or treat the physician's mental or physical disability, unless the physician's conduct or condition constitutes a clear and present danger to the public health, safety and welfare, or the physician does not actively participate in the established program.

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 PL 360, filed 10/29/80)

WAC 320-20-050 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A and 48.44 RCW operating in the state of Washington, shall report to the board all final determinations that a physician has engaged in flagrant overcharging for medical services or has ~~((flagrantly))~~ engaged in overutilization of medical services or has charged fees for medical services not actually provided.

AMENDATORY SECTION (Amending Order PL 360, filed 10/29/80)

~~WAC 320-20-080 STATE AND FEDERAL AGENCIES. ((The board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a physician is employed to provide patient care services, to report to the board whenever such a physician has been judged to have demonstrated his/her incompetency or negligence in the practice of medicine, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled physician.))~~ (1) Executive officers of any state or federal program operating in the State of Washington under which a physician is employed to provide patient care services, shall report to the board when any physicians clinical privileges are terminated or restricted based on a determination that the physician has either committed an act or acts which may constitute unprofessional conduct or that a physician may be mentally or physical disabled. Said officer shall also report if a physician accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon unprofessional conduct or upon being mentally or physical disabled. PROVIDED, no report shall be required of the reporting agency if the physician is actively participating in an institution or professionally approved or sponsored program developed to correct the cause of the physician's unprofessional conduct or treat the physician's mental or physical disability, unless the physician's conduct or condition constitutes a clear and present danger to the public health, safety and welfare or the physician does not actively participate in the established program.

(2) Executive officers of any state or federal agency acting as a contractor for medical services funded by public tax revenue shall report to the Medical Disciplinary Board all determinations that a physician appears to have engaged in an act or acts which may constitute statutorily defined unprofessional conduct.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order PL 296, filed 1/29/79)

WAC 320-18-010 PRESCRIPTIONS — SCHEDULE II STIMULANT DRUGS. (1) A physician shall be guilty of unprofessional conduct if he or she prescribes, orders, dispenses, administers, supplies or otherwise distributes any amphetamines or other Schedule II non-narcotic stimulant drug to any person except for the therapeutic treatment of:

- (a) Narcolepsy
- (b) ~~((Hyperkinesis))~~ attention deficit disorder, including attention deficit disorder without hyperactivity (314.00), with hyperactivity (314.01) and residual type 314.80)
- (c) Brain dysfunction of sufficiently specific diagnosis, or etiology which clearly indicates the need for these substances in treatment or control
- (d) Epilepsy
- (e) Differential psychiatric evaluation of depression
- (f) Depression shown to be refractory to other therapeutic modalities;

or for the clinical investigation of the effects of such drugs or compounds in which case an investigative protocol must be submitted to and reviewed and approved by the medical disciplinary board before the investigation has begun.

(2) A physician prescribing or otherwise distributing controlled substances as permitted by section (1) shall maintain a complete record which must include:

- (a) Documentation of the diagnosis and reason for prescribing

(b) Name, dose, strength, and quantity of drug, and the date prescribed or distributed.

(3) The records required by section (2) shall be made available for inspection by the board or its authorized representative upon request.

(4) Schedule II stimulant drugs shall not be dispensed or prescribed for the treatment or control of exogenous obesity.

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 84-20-076**PROPOSED RULES****DEPARTMENT OF LICENSING**

[Filed October 2, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning the amending of WAC 308-34-080;

that the agency will at 1:30 p.m., Friday, November 16, 1984, in the Third Floor Conference Room, 1300 Quince Street S.E., Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.36.040.

The specific statute these rules are intended to implement is RCW 18.36.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 16, 1984.

Dated: September 26, 1984

By: Yvonne Braeme
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: State of Washington Department of Licensing.

Purpose: To amend WAC 308-34-080 to place on the program requesting review, the responsibility for certain expenses.

Summary: WAC 308-34-080, adoption of an amendatory section placing on the program requesting review, the responsibility for certain expenses.

Statutory Authority: RCW 18.36.040.

Reason Proposed: The adoption of the amendatory section will enhance the department's ability to protect the public.

Responsible Departmental Personnel: The following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Yvonne Braeme, Executive Secretary, 1300 Quince Street S.E., Olympia, WA 98504, 234-0776 scan, 753-0776 comm.

Proponents: The subject matter of this rule hearing has been proposed by the director of the Washington State Department of Licensing.

Small Business Economic Impact Statement: A small business economic impact statement is not required since

these rules do not impact small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 396, filed 4/14/82)

WAC 308-34-080 REVIEW PROCEDURES. The director may send a representative or an examining or evaluation committee to inspect any institution requesting approval. Such inspections may be at any reasonable time during the normal operating hours of the institution. The report of the representative or committee and the institution's response shall be submitted as part of the documentation necessary for the director's action on the institution's application. Expenses incurred for the site review shall be the responsibility of the program requesting approval.

WSR 84-20-077
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Order 84-35—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—General apportionment, chapter 392-121 WAC.

This action is taken pursuant to Notice No. WSR 84-20-023 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41.170 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
 Superintendent of Public Instruction

NEW SECTION

WAC 392-121-101 AUTHORITY. The authority for this chapter is RCW 28A.41.170 which authorizes the superintendent of public instruction to adopt rules and regulations as are necessary for the proper administration of chapter 28A.41 RCW. This general authority is supplemental by RCW 28A.41.055 which authorizes the superintendent of public instruction to develop apportionment factors based on data and statistics derived in an annual period established by the superintendent of public instruction.

NEW SECTION

WAC 392-121-103 PURPOSE. The purpose of this chapter is to set forth policies and procedures related to the general apportionment of state moneys for the operation of common schools within the state of Washington.

AMENDATORY SECTION (Amending Order 83-14, filed 10/10/83)

WAC 392-121-105 DEFINITIONS—ENROLLED AND FULL-TIME EQUIVALENT STUDENT. As used in this chapter, the terms:

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

(2) "Full-time equivalent student" shall mean each student who is enrolled in the school district as of the fourth school day following the commencement of the school year (September 1 through August 31) and/or as of the first school day of any of the subsequent eight months for the number of hours set forth below, inclusive of class periods and normal class change passing time, but exclusive of noon intermissions: PROVIDED, That the hours set forth below shall be construed as annual average hours for the purposes of compliance with this chapter: PROVIDED FURTHER, That for districts commencing basic education programs prior to September first, the first month enrollment count shall be made on the fourth school day in September:

- (a) Kindergarten (full-day): 20 hours each week, or 4 hours (240 minutes) for 90 scheduled school days;
- (b) Kindergarten (half-day): 10 hours each week, or 2 hours (120 minutes) each scheduled school day;
- (c) Primary (grades 1 through 3): 20 hours each week, or 4 hours (240 minutes) each scheduled school day;
- (d) Elementary (grades 4 through 6): 25 hours each week, or 5 hours (300 minutes) each scheduled school day;
- (e) Secondary (grades 7 through 12): 25 hours each week, or 5 hours (300 minutes) each scheduled school day.

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

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

(5) "Kindergarten" shall mean an instructional program conducted pursuant to RCW ((28A.35.010)) 28A.58.754 for students who meet the entry age requirements pursuant to chapter 180-39 WAC ((180-16-166)).

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

(7) Except as provided in subsection (8) below, no student shall be counted as more than one full-time equivalent for purposes of basic education allocation.

(8) School districts operating approved vocational skills center programs during the summer vacation months may claim additional full-time-equivalent students based upon actual enrollment in such vocational skills centers on the first school day of July of each year. Each district operating an approved vocational skills center program shall be entitled to claim one full-time-equivalent student for each 900 hours of planned student enrollment for the summer term based upon the July enrollment data.

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

WAC 392-121-121 DEFINITION—CERTIFICATED STAFF MIX FACTOR. As used in this chapter, "certificated staff mix factor" shall mean any one of the numbers to three decimal places which appears on LEAP Document 1 dated April 20, 1981, at 11:35 a.m.

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

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

(1) Assigning a certificated staff mix factor from LEAP Document 1 dated April 20, 1981, at 11:35 a.m. to each certificated employee of the school district who is employed in the school district's basic education program as determined by the school district on October 1 of each school year depending upon the employee's placement on the appropriate years of service line and on the appropriate education column. Placement on LEAP Document 1 shall be according to the following criteria:

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

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

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

(3) For part-time employees, multiplying the fraction of each employee's basic education full-time equivalency

rounded to three decimal places by the respective mix factors;

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

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

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

WAC 392-121-126 DEFINITION—SYSTEM-WIDE CERTIFICATED STAFF MIX FACTOR. As used in this chapter, the term "system-wide certificated staff mix factor" shall mean the composite staff mix factor for all full-time-equivalent certificated staff in the state-wide basic education program as of October 1 of each school year. The factor shall be calculated as follows:

(1) The superintendent of public instruction shall first total the products obtained by (a) multiplying the number of full-time basic education certificated employees by their respective and appropriate certificated staff mix factors and (b) for part-time basic education certificated employees, multiplying the fraction of each employee's basic education full-time equivalency rounded to three decimal places by the respective and appropriate mix factors. Rounding shall be accomplished by increasing the last required digit to the next highest number when the next digit to the right of the last required digit has a numeric value of five or more. The last required digit shall remain constant when the next digit to the right is less than five.

(2) The superintendent shall then divide the sum obtained in subsection (1) of this section by the total number of full-time-equivalent employees in the state-wide basic education program and round to four decimal places using the rounding process set forth in subsection (1) of this section.

(3) The quotient obtained in subsection (2) of this section shall be the system-wide certificated staff mix factor.

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

WAC 392-121-127 PRORATION OF SCHOOL DISTRICT CERTIFICATED STAFF MIX FACTOR. If the system-wide certificated staff mix factor exceeds 1.6182 in 1981-82 and 1982-83, each district's certificated staff mix factor shall be prorated down by a uniform percentage to the extent necessary to bring the system-wide certificated staff mix factor to 1.6182 in each of those years. The superintendent shall make the initial calculation of the system-wide certificated staff mix factor no later than the last business day in January of each year. The superintendent shall incorporate the revised district certificated staff mix factor into the calculations governing the February payment of basic education allocation funds. If school districts submit revised staff data which would change the district's certificated

staff mix factor, the superintendent will accept such revisions until the last business day in March of each year. The superintendent shall make a final determination of the system-wide certificated staff mix factor and uniform percentage rate for reducing each district's certificated staff mix factor pursuant to this section and incorporate that uniform percentage rate in the calculation of each district's basic education allocation.

AMENDATORY SECTION (Amending Order 80-29, filed 7/28/80)

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

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

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

(3) Employment in educational institutions in any professional position, including but not limited to C.P.A., architect, business manager, physician, if employment is in an education agency or institution such as an educational service district, office of superintendent of public instruction, or United States Department of Education; and

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

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

(b) Sabbatical leave; and

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

AMENDATORY SECTION (Amending Order 80-29, filed 7/28/80)

WAC 392-121-135 (~~(ADDITIONAL)~~) DEFINITION—HIGHEST DEGREE LEVEL. As used in this chapter, the term "highest degree level" shall mean the highest degree earned by the employee from an accredited college or university.

AMENDATORY SECTION (Amending Order 80-29, filed 7/28/80)

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

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

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

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

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

WAC 392-121-145 PLACEMENT OF NONDEGREE CERTIFICATED PERSONNEL ON LEAP DOCUMENT 1. Certificated employees without college degrees shall be placed on LEAP Document 1 as follows:

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

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

(3) Persons holding valid vocational certificates as provided for in chapter 180-77 WAC shall be placed on LEAP Document 1 as follows:

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

(b) Additional quarter credit hours earned shall be recognized on the basis of one quarter hour for each ten clock hours of approved teacher training and/or one quarter hour for each 100 clock hours of occupational experience as defined in chapter 180-77 WAC each earned after meeting the minimal vocational certification requirements. Persons reaching the BA + 135 credits column with this process shall be placed on the MA column.

(4) Persons designated as the school district superintendent shall be placed in the BA column.

AMENDATORY SECTION (Amending Order 80-29, filed 7/28/80)

WAC 392-121-150 PLACEMENT OF CERTIFICATED STAFF WITH DEGREES ON CERTIFICATED STAFF MIX TABLE. Districts shall report each certificated employee's actual degree level pursuant to this chapter. If an employee holds two or more degrees of the same level, the first degree conferred or awarded shall be the degree after which additional credits are counted regardless of whether the first degree was

in education. A certificated employee who holds a valid vocational certificate acquired as the result of industrial experience rather than college training, and who also holds an earned college degree which is incidental to or not related to the vocational certificate shall be reported by the school district as holding no degree.

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

WAC 392-121-155 PLACEMENT ON CERTIFICATED STAFF MIX TABLE—DOCUMENTATION REQUIRED. School districts shall have documentation on file and available for review which substantiates each certificated employee's placement on LEAP Document 1.

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

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

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

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

AMENDATORY SECTION (Amending Order 81-15, filed 10/6/81)

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

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

(3) Any school district that terminates an interdistrict cooperative agreement established pursuant to chapter 392-135 WAC for which the superintendent of public instruction executes a transfer of basic education funds for apportionment purposes shall inform the superintendent of public instruction and the serving district of the termination in writing. The superintendent of public instruction shall adjust the involved districts' apportionment after the written notification of termination has been received.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-121-100 AUTHORITY AND PURPOSE.

WSR 84-20-078

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 84-36—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Categorical apportionment, chapter 392-122 WAC.

This action is taken pursuant to Notice No. WSR 84-20-024 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41-.170 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-122-100 STATE HANDICAPPED PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state moneys for the state education program for handicapped students:

- (1) WAC 392-122-100 through 392-122-160; and
- (2) WAC 392-122-900 through 392-122-905.

NEW SECTION

WAC 392-122-105 DEFINITION—LEAP DOCUMENT FOR STATE HANDICAPPED PROGRAM ALLOCATION. "LEAP document for state handicapped program allocation" means the formula unit

worksheet establishing the ratios and percentage distribution of specified handicapping conditions cited in the state operating appropriations act currently in effect for the purpose of distributing handicapped program allocations.

NEW SECTION

WAC 392-122-110 DEFINITION—STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CERTIFICATED DERIVED BASE SALARY. "Handicapped program certificated derived base salary" means the handicapped program certificated derived base salary for the current school year calculated and provided annually by the superintendent of public instruction for the purpose of distributing handicapped program allocations.

NEW SECTION

WAC 392-122-115 DEFINITION—STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CLASSIFIED AVERAGE SALARY. "Handicapped program classified average salary" means the handicapped program classified average salary for the current school year calculated and provided annually by the superintendent of public instruction for the purpose of distributing handicapped program allocations.

NEW SECTION

WAC 392-122-120 STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CERTIFICATED DERIVED BASE SALARY. State handicapped program moneys shall be allocated using each school district's handicapped program certificated derived base salary and its staff mix factor for certificated handicapped program staff as provided in the state operating appropriation act currently in effect and provided by the superintendent of public instruction for the purpose of distributing handicapped program allocations. The certificated staff mix factor used for certificated staff in each school district shall be determined using the procedure described in WAC 392-121-121 and 392-121-125. The staff mix factor and average salary computations shall be based on certificated staff as reported on Form S-275 with work assignments in the state handicapped program.

NEW SECTION

WAC 392-122-125 STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CLASSIFIED AVERAGE SALARY. State handicapped program moneys shall be allocated using each school district's handicapped program classified average salary and its classified increment mix factor for classified state handicapped program staff as provided in the state operating appropriation act currently in effect and provided by the superintendent of public instruction for the purpose of distributing handicapped program allocations. The classified increment mix factor used for classified staff in each school district shall be determined using the procedure described in WAC 392-121-128 and 392-

121-129. The classified increment mix factor and average salary computations shall be based on classified staff as reported on Form S-277 with work assignments in the state handicapped program.

NEW SECTION

WAC 392-122-130 STATE HANDICAPPED PROGRAM—NONEMPLOYEE RELATED COST. State handicapped program moneys for nonemployee related costs (NERC) shall be allocated to school districts for eligible handicapped students served at the maximum rate established in the LEAP document for state handicapped programs.

NEW SECTION

WAC 392-122-135 STATE HANDICAPPED PROGRAM—ELIGIBLE HANDICAPPED STUDENTS. State handicapped program moneys shall be allocated in accordance with the LEAP document for state handicapped program allocation for each served, eligible handicapped student as defined in:

- (1) WAC 392-171-381 (developmentally handicapped preschool students);
- (2) WAC 392-171-386 (seriously behaviorally disabled students);
- (3) WAC 392-171-391 (communication disordered students);
- (4) WAC 392-171-396 (orthopedically impaired students);
- (5) WAC 392-171-401 (health impaired students);
- (6) WAC 392-171-406 (specific learning disabled students);
- (7) WAC 392-171-421 (mentally retarded students);
- (8) WAC 392-171-431 (multihandicapped students);
- (9) WAC 392-171-436 (deaf students);
- (10) WAC 392-171-441 (hard of hearing students);
- (11) WAC 392-171-446 (visually handicapped students); and
- (12) WAC 392-171-451 (deaf-blind students).

NEW SECTION

WAC 392-122-140 STATE HANDICAPPED PROGRAM—HOME AND/OR HOSPITAL CARE. State handicapped program moneys shall be allocated to school districts for students eligible under WAC 392-171-486 temporarily requiring home and/or hospital care at the maximum rate provided annually by the superintendent of public instruction for the purpose of distributing home and/or hospital care allocations.

NEW SECTION

WAC 392-122-145 STATE HANDICAPPED PROGRAM—HOME AND/OR HOSPITAL CARE—EXTENDED ABSENCES. Students eligible under WAC 392-171-486 temporarily requiring home and/or hospital care, otherwise not deemed "handicapped" pursuant to WAC 392-171-310, whose absence from the regular attendance continues through two consecutive monthly enrollment report days shall be dropped from the rolls and shall not be counted as an

enrolled student until attendance is resumed as provided under WAC 392-121-180(6). These students whose absences extends beyond the two consecutive monthly enrollment report days shall only be eligible for home and/or hospital care allocations until attendance in the regular program is resumed.

NEW SECTION

WAC 392-122-150 STATE HANDICAPPED PROGRAM—HOSPITAL EDUCATIONAL PROGRAM. State handicapped program moneys shall be allocated by the superintendent of public instruction to school districts operating a hospital educational program for the exclusive purpose of maintaining and operating the hospital educational program. School districts shall be allocated funds for hospital educational programs at the maximum rate provided annually by the superintendent of public instruction for the purpose of distributing hospital educational program allocations.

NEW SECTION

WAC 392-122-155 STATE HANDICAPPED PROGRAM—BOARD AND ROOM COST. State handicapped program moneys shall be allocated to school districts for the cost of approved board and room for eligible handicapped students served and requiring board and room, who are not eligible under programs of the department of social and health services, but deemed in need of the board and room by the superintendent of public instruction. School districts shall be allocated funds for board and room of eligible handicapped students at the maximum rate provided annually by the superintendent of public instruction for the purpose of distributing board and room allocations.

NEW SECTION

WAC 392-122-160 STATE HANDICAPPED PROGRAM—REPORTING. (1) At such times as are designated by the superintendent of public instruction, each school district shall report the number of eligible handicapped students by each handicapping condition and age receiving special education according to instructions provided by the superintendent of public instruction. The handicapping condition shall be one of such conditions in WAC 392-122-135. The age for the purpose of determining the handicapped program allocation calculated in WAC 392-122-105 shall be the age of the student as of midnight August 31 of the school year. The age reported by the school district shall be for apportionment purposes only and not for determination of a child's eligibility for access to a special education program as provided in chapter 392-171 WAC.

(2) Each school district shall provide, upon request, such additional data as are necessary to enable the superintendent of public instruction to allocate and substantiate the school district's allocation of state handicapped moneys.

NEW SECTION

WAC 392-122-200 STATE INSTITUTIONAL EDUCATION PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state moneys for the state institutional education program:

- (1) WAC 392-122-200 through 392-122-280; and
- (2) WAC 392-122-900 through 392-122-905.

NEW SECTION

WAC 392-122-205 STATE INSTITUTIONAL EDUCATION PROGRAM—ELIGIBLE PROGRAMS. Programs supported as state institutional education programs include:

(1) State operated group homes—i.e., facilities financed by the juvenile rehabilitation division of the department of social and health services to house adjudicated youth twenty-four hours a day;

(2) Juvenile parole learning centers—i.e., facilities funded by the division of juvenile rehabilitation of the department of social and health services for adjudicated youth residing in the community. Education is provided under the guidance of local school districts.

(3) Juvenile detention centers—i.e., facilities maintained for treatment and education of juveniles who have been placed under protective custody or have committed a criminal offense.

(4) Institutions for juvenile delinquents—i.e., facilities established by the department of social and health services for the diagnosis, confinement and rehabilitation of juveniles committed by the courts.

(5) Institutions for the handicapped—i.e., facilities established by the department of social and health services for care and treatment of persons with exceptional needs by reason of mental and/or physical deficiency.

NEW SECTION

WAC 392-122-210 DEFINITION—STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CERTIFICATED DERIVED BASE SALARY. "Institutional program certificated derived base salary" means the district's institutional education program certificated derived base salary calculated and provided annually by the superintendent of public instruction for the purpose of distributing institutional education program allocations.

NEW SECTION

WAC 392-122-215 DEFINITION—STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CLASSIFIED AVERAGE SALARY. "Institutional program classified average salary" means the district's institutional education program classified average salary calculated and provided annually by the superintendent of public instruction for the purpose of distributing institutional education program allocations.

NEW SECTION

WAC 392-122-230 STATE INSTITUTIONAL EDUCATION PROGRAM—ELIGIBLE INSTITUTIONAL EDUCATION STUDENTS. State institutional education program moneys shall be allocated to school districts based on the institutional enrollment levels provided by the department of social and health services to the special and institutional education division in the office of the superintendent of public instruction.

NEW SECTION

WAC 392-122-235 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CERTIFICATED AVERAGE SALARY. State institutional education program moneys for the purpose of recognition of institutional program certificated staff salaries shall be allocated using each school district's state institutional certificated derived base salary and the district's staff mix factor for certificated institutional education program staff as provided in the state appropriations act currently in effect and provided by the superintendent of public instruction for the purpose of distributing institutional education program allocations. The certificated staff mix factor used for certificated staff in each school district shall be determined using the procedure described in WAC 392-121-121 and 392-121-125. The staff mix factor and average salary computations for the institutional education program shall be based on certificated staff with work assignments in the state institutional education program as reported by the district on the Form S-275 for the current school year.

NEW SECTION

WAC 392-122-240 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CLASSIFIED AVERAGE SALARY. State institutional education program moneys for the purpose of recognition of institutional program classified staff salaries shall be allocated using each school district's state institutional education classified average salary and the district's classified increment mix factor for classified institutional education program staff as provided in the appropriations act currently in effect and provided by the superintendent of public instruction for the purpose of distributing institutional education program allocations. The classified increment mix factor shall be determined using the procedure described in WAC 392-121-128 and 392-121-129. The district's classified increment mix factor and average salary shall be based on classified staff with work assignments in the state institutional education program as reported by the district on Form S-277 for the current school year.

NEW SECTION

WAC 392-122-245 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM INSURANCE BENEFITS. State institutional education program moneys for the purpose of recognition of institutional program employee insurance

shall be allocated to school districts based on the amount per month authorized in the state appropriations act currently in effect per full-time equivalent employee.

NEW SECTION

WAC 392-122-250 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM NONEMPLOYEE RELATED COST. State institutional education program moneys for the purpose of recognition of nonemployee related costs (NERC) shall be allocated to school districts at the maximum rate of one hundred sixty-seven dollars per eligible institutional education student for the 1984-85 school year.

NEW SECTION

WAC 392-122-255 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM INDIRECT COST. State institutional education program moneys for the purpose of recognition of institutional program indirect costs shall be allocated to school districts based on the district's prior year indirect cost percent for the institutional program multiplied by the district's current school year state institutional education program allocation for certificated and classified salaries, statutory and health benefits, and nonemployee related costs.

NEW SECTION

WAC 392-122-260 STATE INSTITUTIONAL EDUCATION PROGRAM—BASIC EDUCATION BACK-OUT FOR STATE LEARNING CENTERS. The back-out of basic education funds from the district's state institutional education program allocation for a school year shall be calculated by multiplying the state guarantee per full-time equivalent pupil rate by the number of eligible institutional education students as defined in WAC 392-122-230.

NEW SECTION

WAC 392-122-265 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM TRAFFIC SAFETY ALLOCATION. Traffic safety moneys shall be allocated to eligible state institutional education programs pursuant to chapter 392-153 WAC by January of each school year.

NEW SECTION

WAC 392-122-270 STATE INSTITUTIONAL EDUCATION PROGRAM—INITIAL ALLOCATION. The initial allocation for state institutional education programs shall be based upon the sum of moneys allocated in accordance with WAC 392-122-235, 392-122-240, 392-122-245, 392-122-250, and 392-122-255. Additional funds shall be allocated to state institutional education programs during the school year as approved by the superintendent of public instruction.

NEW SECTION

WAC 392-122-275 STATE INSTITUTIONAL EDUCATION PROGRAM—REPORTING. (1) At such times as designated by the superintendent of public instruction, each school district operating an institutional education program shall report the number of eligible institutional education students receiving institutional education according to instructions provided by the superintendent of public instruction.

(2) Each school district operating an institutional education program shall provide, upon request, such additional data as are necessary to enable the superintendent of public instruction to allocate and substantiate the district's allocation of state institutional education program funds.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-600 STATE REMEDIATION ASSISTANCE PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state moneys for the state remediation assistance program:

- (1) WAC 392-122-600 through 392-122-610; and
- (2) WAC 392-122-900 through 392-122-905.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-605 FORMULA FOR DISTRIBUTION OF STATE MONEYS FOR ((A)) THE STATE REMEDIATION ASSISTANCE PROGRAM. (1) As used in this section, the term "basic skills test" shall mean the approved fourth grade test administered by districts pursuant to RCW 28A.03.060.

(2) A district's entitlement for state moneys for ((a)) the state remediation assistance program shall be calculated as follows:

(a) Multiplying the percentage of students taking the basic skills test for last year that scored in the lowest quartile as determined by the nationally normed scores by the number of estimated average annual full-time equivalent students enrolled in the district in grades two through six: PROVIDED, That if the district did not have any student score in the lowest quartile as defined above in the basic skills test, the district shall use the average percentage of students so scoring for the previous five years state-wide averages;

(b) Multiply the number of students obtained in the above calculation by the per pupil allocation established in the state appropriation act for ((a)) the state remediation assistance program; and

(c) The product is the district's entitlement subject to WAC 392-122-610, 392-122-900 and its provision for enrollment adjustment.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-610 DISTRIBUTION OF STATE MONEYS FOR ((A)) THE STATE REMEDIATION ASSISTANCE PROGRAM. The superintendent of

public instruction shall apportion to districts for the state remediation assistance program the amount calculated per district in WAC 392-122-605 in monthly payments according to the schedule depicted in RCW 28A.48.010 that shall be adjusted in intervals to accurately reflect the changes in each district's grades two through six annual average full time enrollment.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-700 STATE TRANSITIONAL BILINGUAL PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state funds for the state transitional bilingual program:

- (1) WAC 392-122-700 through 392-122-710; and
- (2) WAC 392-122-900 through 392-122-905.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-705 FORMULA FOR THE DISTRIBUTION OF STATE MONEYS FOR THE STATE TRANSITIONAL BILINGUAL PROGRAM.

(1) As used in this section the term "eligible student" shall mean those students defined under WAC 392-160-005(c).

(2) A district's entitlement for state moneys for ((a)) the state transitional bilingual program shall be calculated as follows:

(a) Multiplying the number of eligible students by the per pupil allocation established in the state appropriation act for ((a)) the state transitional bilingual program.

(b) The result of the calculation provided in (a) of this subsection is the district's entitlement subject to WAC 392-122-710 and its provision for enrollment adjustment.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-710 DISTRIBUTION OF STATE MONEYS FOR ((A)) THE TRANSITIONAL BILINGUAL PROGRAM. The superintendent of public instruction shall apportion to districts for the state transitional bilingual program the amount calculated per district in WAC 392-122-700 according to the apportionment schedule provided in RCW 28A.48.010. The amount apportioned may be adjusted intermittently to reflect changes in the district's reported eligible students as reported on the P223SN, Special needs enrollment reporting form.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-805 FORMULA FOR DISTRIBUTION OF STATE MONEYS FOR ((A)) THE STATE HIGHLY CAPABLE STUDENTS EDUCATION PROGRAM. (1) As used in this section, the term "average annual full-time equivalent students" or AAFTE shall be defined as that term defined in WAC 392-121-105(3).

(2) A district's entitlement for state moneys for ((a)) the state highly capable students education program shall be calculated as follows:

(a) Multiplying the AAFTE of the reporting district by one percent;

(b) Multiplying the number of students obtained in the above calculation by the per pupil allocation established in the State Operating Appropriations Act in effect at the time the apportionment is due; and

(c) The product is the district's entitlement subject to WAC 392-122-810 and its provision for enrollment adjustment.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-810 DISTRIBUTION OF STATE MONEYS FOR ((A)) THE STATE HIGHLY CAPABLE STUDENTS EDUCATION PROGRAM. The superintendent of public instruction shall apportion to districts for the state highly capable student education program the amount calculated per district in WAC 392-122-805 according to the apportionment schedule provided in RCW 28A.48.010. The amount apportioned may be adjusted intermittently to reflect changes in the district's AAFTE students as reported on the P223, Monthly report of school district enrollment form.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-900 GENERAL PROVISION—CARRYOVER PROHIBITION. Categorical apportionment moneys shall not be carried over from one school district fiscal ((school)) year to another. Moneys distributed by the ((state)) superintendent of public instruction for a categorical program which remain unspent during the applicable school district fiscal year in expenditure classifications deemed allowable by the superintendent of public instruction((=i.e., an unrestricted fund balance—at close of the fiscal shall revert to the state)) shall:

(1) At the end of the first year of each biennium revert to the superintendent of public instruction for reallocation; and

(2) At the end of the second year of each biennium revert to the state treasurer.

WSR 84-20-079

ADOPTED RULES

**SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 84-37—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Nonresident attendance, chapter 392-137 WAC.

This action is taken pursuant to Notice No. WSR 84-20-025 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they

are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.58.240 and 28A.58.242 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 83-11, filed 8/18/83)

WAC 392-137-020 NONRESIDENT STUDENTS UNDER THE AGE OF TWENTY-ONE—MUTUAL AGREEMENT BETWEEN RESIDENT AND NONRESIDENT DISTRICT REQUIRED. (1) A nonresident student who is under the age of twenty-one may be admitted tuition free (but see permissive tuition in WAC 392-137-045(1)) by a nonresident district only pursuant to an agreement between the student's resident district and the nonresident district or pursuant to an order of the superintendent of public instruction pursuant to RCW 28A.58.242 and WAC 392-137-065 or pursuant to an order of a court of law. In the event the student is considered to be a resident of more than one district pursuant to the definition of "resident student" set forth in WAC 392-137-010(2), the agreement shall be between the nonresident district and the district in which the student was last enrolled and is considered to be a resident.

(2) A student's attendance shall be credited in all cases to the school district of enrollment unless:

(a) The superintendent of public instruction is notified by order of the board of directors of a student's resident district provided for in subsection (1) that the student is a resident of its district and is attending a nonresident district without authorization pursuant to an agreement or order of the superintendent or a court of law releasing the student, and

(b) it is established that the student is a resident of the district and that neither such an agreement nor order of the superintendent or a court of law exists.

(3) In the event a district claims that a student attending another district is a resident of its district, the board of directors of such district, in its order, shall set forth the correct residence of the student and the facts upon which such determination was made. A copy of such order shall be provided to the student and the district of enrollment. If the student or the district of enrollment protests the correctness of the student's residence, the board of directors of the district of enrollment shall cause the matter to be investigated and determine within forty-five calendar days whether the student is a resident of the district of enrollment and the district thereby is entitled to claim the student for apportionment purposes. The superintendent of public instruction shall consider the decision of the board of

directors of the district of enrollment final unless set aside by a court of law.

(4) In the event it is so established that a student is enrolled in a nonresident district without authorization, the basic education allocation and other state payments in connection with the student's enrollment shall be discontinued until:

(a) The student enrolls in a resident district,

(b) An agreement required by subsection (1) is entered into, or

(c) The superintendent or a court of law orders the release of the student.

(5) In the event an agreement is entered into or the superintendent of public instruction or a court of law orders the release of the student, the basic education entitlement shall be allocated to the nonresident district for the period of the agreement or the order which may be retroactive to the month in which such entitlement was discontinued.

WSR 84-20-080

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 84-38—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

This action is taken pursuant to Notice No. WSR 84-20-027 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41-.170 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-140-045 1984-85 RAP, GRADES SEVEN THROUGH NINE—APPLICABLE PROVISIONS. The provisions of WAC 392-140-045 through 392-140-064 shall be applicable to the distribution of state categorical apportionment funds to districts for the grades seven through nine remediation program established in section 511, chapter 285, Laws of 1984.

NEW SECTION

WAC 392-140-046 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—SUPPLEMENTAL INSTRUCTIONAL ASSISTANCE. As used in this chapter, the term "supplemental instructional assistance" shall mean instruction in reading, math, or communication skills designed and implemented consistent with supplemental service models approved for ECIA Chapter I Regular, i.e., classroom, limited pullout, replacement, add-on, and/or locally designed models.

NEW SECTION

WAC 392-140-047 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—LIKE SERVICES. As used in this chapter, the term "like services" shall mean programs conducted pursuant to chapter 28A.13 RCW which provides services designed to meet the special educational needs of participating students. However, the term "like services" does not include communication disorder or physical or occupational therapy services if the student is receiving no other special education instruction.

NEW SECTION

WAC 392-140-048 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISCRETIONARY REMEDIATION PROGRAM. As used in this chapter, the term "discretionary remediation program" shall mean providing supplemental instructional assistance in reading, math, or communication skills to any students in grades seven through nine who are in the bottom quartile on a nationally normed standardized test and who are not receiving like services in programs established in chapter 28A.13 RCW.

NEW SECTION

WAC 392-140-049 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—ELIGIBLE STUDENTS. As used in this chapter, the term "eligible students" means students in grades seven through nine who score in the lowest quartile on a nationally normed standardized test in reading, math or communication skills and are not receiving like services under the provisions of chapter 28A.13 RCW.

NEW SECTION

WAC 392-140-050 1984-85 RAP, GRADES SEVEN THROUGH NINE—DISTRICT APPLICATION. Each district that seeks an allocation from the state for the discretionary remediation program shall submit for approval an annual application on forms provided by the superintendent of public instruction.

NEW SECTION

WAC 392-140-051 1984-85 RAP, GRADES SEVEN THROUGH NINE—BOARD APPROVAL. The district's annual application shall be approved by formal action of the district's board of directors.

NEW SECTION

WAC 392-140-052 1984-85 RAP, GRADES SEVEN THROUGH NINE—CONTENT OF DISTRICT APPLICATION. The district's annual application shall contain the following:

- (1) Instructional program description which describes the supplementary services to be offered to eligible students;
- (2) Estimated number of students to be served;
- (3) Assurances that the total expenditure of program moneys will be for purposes specified in the statute and these administrative codes.

NEW SECTION

WAC 392-140-053 1984-85 RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—NOTIFICATION OF PARENTS. The district shall notify parents of participating students of the involvement of their child in the remediation assistance program.

NEW SECTION

WAC 392-140-054 1984-85 RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—ALLOWABLE EXPENDITURE. School districts shall expend discretionary remediation assistance program revenue only in the allowable objects of expenditure as specified for the remediation program in the accounting manual for the public school districts in the state of Washington.

NEW SECTION

WAC 392-140-055 1984-85 RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—END OF YEAR REPORT. Districts shall submit to the superintendent of public instruction at the close of the program year an end-of-year report on forms provided by the superintendent of public instruction which includes number of students served by grade level, basic skills area, ethnicity, and gender.

NEW SECTION

WAC 392-140-056 1984-85 RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—PROGRAM EVALUATION. The district shall use a nationally normed standardized test score to evaluate educational achievement of students participating in the discretionary remediation assistance program. Resulting data shall be reported annually to the superintendent of public instruction on provided forms.

NEW SECTION

WAC 392-140-057 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT 7-9 FTE ENROLLMENT. As used in this chapter, the term "district 7-9 FTE enrollment" shall mean that enrollment reported pursuant to WAC 392-121-105(3) by the district for grades seven through nine.

NEW SECTION

WAC 392-140-058 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT RAP PERCENTAGE. As used in this chapter, the term "district RAP percentage" shall mean the percentage of students who scored in the lowest quartile of the basic skills test conducted in the 1983-84 school year pursuant to RCW 28A.03.360.

NEW SECTION

WAC 392-140-059 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT HANDICAPPED ENROLLMENT FOR AGES SEVEN TO FOURTEEN. As used in this chapter "district handicapped enrollment for age seven to fourteen" shall mean that enrollment reported by the district pursuant to WAC 392-171-135 excluding those students reported pursuant to WAC 392-122-135 (1) and (3) for students whose chronological age is seven to fourteen years inclusive.

NEW SECTION

WAC 392-140-060 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—LIKE SERVICES FACTOR. As used in this chapter "like services factor" shall mean that uniformly applied percentage calculated by the superintendent of public instruction based on data from the basic skills test conducted pursuant to RCW 28A.03.360 involving handicapped students who took the basic skills test and scored in the lowest quartile.

NEW SECTION

WAC 392-140-061 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT GRADES SEVEN THROUGH NINE SERVICE POPULATION. As used in this chapter "district grades seven through nine remediation service population" shall mean the result obtained from the following calculation:

- (1) Multiply the district 7-9 FTE enrollment by the district RAP percentage;
- (2) Multiply the district handicapped enrollment for ages seven through fourteen by the like services factor;
- (3) Subtract the result obtained in subsection (2) of this section from the result obtained in subsection (1) of this section; and
- (4) In the event the result obtained in subsection (3) of this section is a negative number, the district shall not receive moneys for the purposes of WAC 392-140-045 through 392-140-064.

NEW SECTION

WAC 392-140-062 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—PER STUDENT SUPPORT LEVEL. As used in this chapter the term "per student support level" shall mean the amount of money calculated by the superintendent of public instruction based upon the state's total service

population and available appropriation authority. In no case shall the per student support level exceed three hundred dollars.

NEW SECTION

WAC 392-140-063 1984-85 RAP, GRADES SEVEN THROUGH NINE—DISTRICT ALLOCATION. The district allocation shall be determined by the superintendent of public instruction by multiplying the result obtained in WAC 392-140-061 by the result obtained in WAC 392-140-062.

NEW SECTION

WAC 392-140-064 1984-85 RAP, GRADES SEVEN THROUGH NINE—DISTRIBUTION OF STATE MONEYS FOR THE STATE REMEDIATION ASSISTANCE PROGRAM GRADES SEVEN THROUGH NINE. The superintendent of public instruction shall apportion to districts the amount calculated per district in WAC 392-140-063 in monthly payments according to the schedule depicted in RCW 28A.48.010 that shall be adjusted in intervals to reflect the changes in each district's 1984-85 grades seven through nine annual average full time equivalent enrollment, 1984-85 handicapped enrollment for ages seven to fourteen, and the 1984-85 like services factor.

WSR 84-20-081

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 84-39—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Transportation—Specifications for school buses, chapter 392-143 WAC.

This action is taken pursuant to Notice No. WSR 84-20-028 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.61.380 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-001 AUTHORITY. The authority for this chapter is RCW 46.61.380 which authorizes the

superintendent of public instruction to adopt and enforce regulations to govern the design, marking, and mode of operation of all school buses transporting common school students.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-010 DEFINITIONS. As used in this chapter and subject to the "School bus specifications," as now or hereafter established by the superintendent of public instruction, the term:

(1) "School bus" shall mean every vehicle with a seating capacity of more than ten persons including the driver regularly used to transport students to and from school or in connection with school activities.

(2) A Type "A" school bus shall mean a conversion or body constructed upon a van-type compact truck or a front-section vehicle(;) with a gross vehicle weight rating of 10,000 pounds or less(;) and designed for carrying more than ten persons, including the driver.

(3) A Type "B" school bus shall mean a conversion or body constructed and installed upon a van or front-section vehicle chassis(;) or stripped chassis(;) with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons(~~(-Most of)~~), and where most of the engine is beneath and/or behind the windshield and beside the driver's seat(;) and the entrance door is behind the front wheels.

(4) A Type "C" school bus shall mean a body installed upon a flat back cowl chassis with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons(;), and where all of the engine is in front of the windshield and the entrance door is behind the front wheels. A Type "C" school bus (~~(may)~~) shall also mean a body installed on a stripped chassis with a vehicle weight rating of more than 10,000 pounds, designed for carrying 35/36 passengers or more(;), and where part of the engine is beneath and/or behind the windshield and beside the driver's seat(;) and the entrance door is behind the front wheels.

(5) A Type "D" school bus shall mean a body installed upon a chassis, with the engine mounted in the front, midship, or rear, with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons(;), and where the engine (~~(may be)~~) is behind the windshield and beside the driver's seat(~~(; it may be)~~) or at the rear of the bus, behind the rear wheels, or midship between the front and rear axles(;) and the entrance door is ahead of the front wheels.

(6) A school bus designed to transport special education students shall mean any Type A, B, C₂ or D school bus as defined in this section which has been modified to transport special education students.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-015 SCHOOL BUS SPECIFICATIONS MANUAL. The superintendent of public instruction shall publish and distribute to each school district a school bus specification manual which shall be referred to as "School Bus Specifications." Such manual

shall incorporate all specifications required by the federal department of transportation motor vehicle safety standards and govern the specifications for all school buses. Such manual is hereby incorporated into this chapter by reference. Prior to any revision of the school bus specification manual, the superintendent of public instruction shall serve notice to interested parties and shall hold at least one public hearing.

AMENDATORY SECTION (Amending Order 84-1, filed 1/5/84)

WAC 392-143-030 INITIAL INSPECTION OF SCHOOL BUSES—PERMIT AND LICENSE. All school buses, as a condition for ~~((its))~~ use to transport students, shall have a school bus operation permit issued in accordance with WAC 392-142-065. If the school bus is approved in compliance with WAC 392-142-060, the superintendent shall send three copies of the school bus operation permit to the appropriate school district. The original ~~((and such other information as is requested by the superintendent))~~ shall be retained by the school district; one copy shall be placed in the permit holder in the school bus; and one copy shall be presented to the county auditor, along with the operator's application for an exempt state license for the bus if applicable. County auditors shall not issue an exempt license for the bus unless a school bus operation permit accompanies the application for a license. All inspections of new school buses shall be made prior to the delivery to the purchaser.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-035 ROUTINE INSPECTION OF SCHOOL BUSES. All school buses shall be inspected annually by the Washington state patrol. ~~((These))~~ Inspection dates and centers shall be determined by the superintendent of public instruction and the chief of the state patrol. School districts shall be notified by the chief of the state patrol prior to each annual inspection of the time and place of inspection. School buses not presented for inspection at the time and place scheduled by the chief of the state patrol shall not be operated as a school bus unless the requirement is temporarily waived in writing by the chief of the state patrol or until the school bus has passed a required inspection. A second inspection of at least twenty-five percent of each school district's fleet shall be conducted annually by the Washington state patrol. This second inspection shall be unannounced and the inspection team shall select which buses in the fleet it will inspect. These unannounced inspections shall be scheduled so that they do not disrupt the regular transportation program.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-040 OTHER REQUIRED INSPECTIONS OF SCHOOL BUSES. All school buses which have been rebuilt, ~~((and/or))~~ have received a major modification ~~((and/or))~~, have received a major repair, or have received an interior renovation or

refurbishment shall be inspected prior to transporting students in accordance with the following criteria:

(1) A rebuilt school bus: For the purpose of this section, a rebuilt school bus shall fully comply with all current Washington specifications at the time the school bus is rebuilt~~((;))~~ and shall be inspected in accordance with WAC 392-143-030.

(2) A school bus receiving a major modification: For the purpose of this section, school bus modifications (e.g., hydraulic lift and/or ramp for wheelchairs) ~~((must))~~ shall meet all current state of Washington specifications at the time the major modification is made and shall be inspected in accordance with WAC 392-143-030.

(3) A school bus receiving a major repair (not routine maintenance): For the purpose of this section, a school bus that has received repairs to or rebuilding of the frame, steering, suspension, or braking systems or has been repowered~~((;))~~ shall be identified as ~~((that))~~ needing inspection. Any repairs made shall meet or exceed Washington specifications in effect at the time of the original manufacturing date of the bus and shall be inspected in the same manner as a new school bus with emphasis on mechanical safety items.

(4) A school bus receiving an interior renovation or refurbishment (not routine seat repair): For the purpose of this section, a school bus that has received an interior renovation or refurbishment shall be identified as needing inspection. Renovation or refurbishment of interiors shall meet the Federal Motor Vehicle Safety Standard (FMVSS) 222 and shall be inspected in the same manner as a new school bus with respect to FMVSS 222.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-050 RESOLD SCHOOL BUSES. A school district which sells a school bus to anyone other than another school district shall be responsible for removing the school district's name~~((;))~~ and number and all lettering~~((;))~~ and markings~~((;))~~ identifying the vehicle as a school bus prior to its delivery to the purchaser. However, if the district sells the school bus to a private party who certifies in writing that the school bus shall be used as a private carrier bus, the district need not remove the emergency lights and stop signal paddle.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-060 SCHOOL BUS SPECIFICATIONS CONTINUED COMPLIANCE. School districts shall maintain all school buses in such condition that they shall continue to meet or exceed Washington state specifications in effect when the bus was manufactured, except as such standards or specifications ~~((were))~~ are subsequently repealed or reduced.

AMENDATORY SECTION (Amending Order 83-13, filed 10/10/83)

WAC 392-143-065 SCHOOL BUS TIRES. No school bus shall be operated with regrooved, recapped, or retreaded tires on the front wheels.

AMENDATORY SECTION (Amending Order 84-1, filed 1/5/84)

WAC 392-143-070 OTHER VEHICLES USED TO TRANSPORT STUDENTS. All vehicles with a seating capacity including the driver of ten persons or less(~~(;)~~) shall not be required to meet school bus specifications. Such vehicles regularly used to transport students to and from school or in connection with school activities(~~(, must)~~) shall carry the approved school bus first aid kit, fire extinguisher, and highway warning kit. These vehicles also (~~(must)~~) shall pass a safety inspection routinely conducted at the intervals outlined in WAC 392-143-035.

Students, while being transported in any vehicle not required to meet school bus specifications but used (~~(m)~~) for to and from school transportation and to and from school activities transportation, shall share the same compartment and shall be provided the same general safety and comfort as the driver.

WSR 84-20-082**ADOPTED RULES****SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 84-40—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Transportation—Operation rules, chapter 392-145 WAC.

This action is taken pursuant to Notice No. WSR 84-20-029 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.61.380 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-145-005 PURPOSE(~~(S)~~) AND DEFINITION OF "SCHOOL BUS." The purpose(~~(s)~~) of this chapter (~~(are)~~) is to (~~(implement RCW 46.61.380 and)~~) establish the manner of operating all school buses owned and operated by any school district and all school buses which are privately owned and operated under contract or otherwise with any school district in the state for the transportation of (~~(school children-)~~) students(~~(h)~~). The provisions of this chapter shall be incorporated by express reference into all school district contracts for the transportation of (~~(school children)~~)

students in privately owned and operated school buses. Every school district, its officers and employees, and every person employed under contract or otherwise by a school district shall be subject to the applicable provisions of this chapter.

This chapter does not apply to the operation of buses by common carriers in the urban transportation of (~~(school children)~~) students (e.g., the transportation of (~~(school children)~~) students via a municipal transit system).

The definition of "school bus" as the term is used in this chapter shall be as now or hereafter set forth in WAC 392-143-010.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-145-015 GENERAL OPERATING REGULATIONS. (1) Every school district board of directors shall adopt written policies or rules implementing the provisions and objectives of WAC 392-145-035. District policies or rules governing student conduct during the course of transportation shall be established and implemented pursuant to the state board of education (~~("Student rights and responsibilities code,"~~), chapter 180-40 WAC, as now or hereafter amended.

(2) All school bus drivers shall meet the qualifications established in chapter 180-20 WAC, as now or hereafter amended.

(3) Each school bus driver shall hold a valid and current first aid card which certifies that he/she has completed a course in the basic principles of first aid within the past three years.

(4) When a teacher, coach, or other certificated staff member is assigned to accompany students on a bus, such person shall be (~~(primarily)~~) responsible for the behavior of the students in (~~(their)~~) his or her charge. However, the bus driver shall have final authority and responsibility.

(5) Heavy, sharp, bulky, and/or other articles which may be hazardous in the event of an accident or an emergency stop shall not be transported in the passenger area of any school bus. Specific attention is directed to items such as skis, ski poles, vaulting poles, musical instruments, riser platforms, etc.

(6) Teachers and all other school district staff members shall (~~(refrain from requesting)~~) be notified that students shall not be requested to transport prohibited items between home and school on a school bus. Items which shall not be transported within the passenger area of a school bus also shall include all forms of animal life (except seeing eye dogs), firearms, weapons, breakable containers, flammables, and all other articles which could adversely affect the safety of the bus and passengers.

(7) A school bus driver shall not order or allow a student to depart the bus other than at his or her boarding or alighting place except as provided in WAC 392-145-020(7).

(8) Motor fuel shall not be put into the tank while the engine is running or while passengers are on the bus.

(9) All school buses shall operate with their headlights on when carrying passengers.

~~((10) Every school bus operated by or in behalf of a school district shall be presented to the Washington state patrol for safety inspections at such times and places as are hereafter designated by the Washington state patrol and/or the superintendent of public instruction.))~~

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-145-020 RULES FOR SCHOOL BUS DRIVERS. (1) Every school bus driver shall be provided a copy of and shall be thoroughly familiar with all state and local rules and regulations pertaining to the operation of the school bus in his/her charge.

(2) No school bus driver shall allow a passenger or other unauthorized person to operate the school bus at any time ~~((, nor shall any))~~ no person except the driver shall be allowed to sit in the driver's seat.

(3) No school bus driver shall leave the driver's seat without first setting the brakes, shutting off the motor, placing the bus in gear, and removing the ignition key from the lock. The keys shall be kept in the driver's or other authorized school official's possession.

(4) School bus drivers shall have the primary responsibility for the safety of passengers while they are boarding the bus, while they are on the bus, and while they are disembarking the bus and crossing the roadway. If passengers must cross the road, the driver shall take reasonable action to assure that they cross safely. The driver shall take reasonable action to assure that passengers boarding or disembarking from the bus are within his/her view at all times and that they pass in front of the bus and never behind the bus.

(5) No school bus driver except in accordance with emergency procedures adopted by the district shall leave the immediate vicinity of his/her bus while there are passengers aboard. In the event of a bus breakdown, assistance shall be sought in accordance with local district policy.

(6) School bus drivers shall pick up only the students and persons designated by an authorized school district administrator.

(7) A student may be permitted to leave the bus at other than his or her regular stop ~~((, provided that))~~ if permission is first obtained pursuant to district policy.

(8) School bus drivers, prior to commencement of any trip, shall assure that the windshield and rear window of the bus are clean.

(9) Tools and other miscellaneous articles shall be carried in appropriate compartments. They shall not be carried loose upon the floor of the bus.

(10) School bus drivers shall be certain that all brakes, lights, stop signs, warning signal lamps, and other safety devices are working properly before starting on any trip and shall assure that the bus is equipped with a first aid kit and a fire extinguisher.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-145-025 ADDITIONAL RULES FOR SCHOOL BUS DRIVERS. (1) School bus drivers shall check the latch, safety lock, and warning system for

emergency doors daily ~~((;))~~ and no bus ~~((may))~~ shall be operated with passengers aboard if the emergency exit is not functioning properly.

(2) No bus containing passengers shall be in motion with any of the exit doors open or partly open.

(3) School bus drivers shall immediately report any suspected malfunction or needed repair of the school bus in their charge.

(4) School bus drivers shall observe all driving regulations set forth in the laws of the state of Washington relating to the operation of motor vehicles at all times.

(5) The speed of a school bus shall not be allowed to exceed the legal truck speed or any other applicable posted speed limit.

(6) When it is necessary to overtake and pass a slow moving vehicle, school bus drivers shall take reasonable action to assure that no third vehicle is drawing near. There shall be a visual road clearance of at least 800 feet on the road surface.

(7) All buses shall slow down to ten miles an hour or less and give the proper signal before making a ninety degree right or left turn.

(8) ~~((The speed of a school bus shall not exceed 10 miles per hour when passing another school bus which has stopped to load or unload students when loading or unloading may be done without the use of the stop sign and warning signal lamps))~~ No school bus shall pass a stopped school bus which is loading or unloading students when the stopped school bus is displaying a stop sign and red flashing lights. In any case in which a school bus passes a stopped school bus which is loading and unloading students, but is not displaying a stop sign and red flashing lights, the passing school bus shall not exceed a speed of ten miles per hour.

(9) School bus drivers shall not change gears while proceeding downhill. Necessary gear changes shall be made before starting down a hill.

(10) No school bus driver shall disengage the clutch and allow the bus to coast.

(11) Backing a school bus is prohibited unless an adult flagman assists or an emergency exists. In the event of an emergency, backing of a bus shall be permitted only when there is no danger to pedestrians or passengers. Any deviation from this regulation shall ~~((first be approved))~~ require prior approval by an authorized school district administrator.

(12) School bus drivers shall yield the right of way to emergency vehicles.

AMENDATORY SECTION (Amending Order 80-28, filed 7/21/80)

WAC 392-145-030 ADDITIONAL RULES FOR SCHOOL BUS DRIVERS. (1) All school buses shall stop at all railroad crossings except:

(a) Where traffic is controlled by a police officer or duly authorized flagman;

(b) Where traffic is regulated by a traffic control signal;

(c) Where traffic is protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;

(d) Where an official traffic control device gives notice that the stopping requirements do not apply.

(2) The driver shall open the door to listen for approaching trains and shall not proceed until the door is closed, visibility is clear, and the bus can proceed with safety. Drivers shall not change gears while the bus is crossing a railroad track.

(3) No bus shall stop on a curve or a hill where visibility is not at least ~~((800))~~ 500 feet. If it is impossible to secure a distance of at least ~~((800))~~ 500 feet for a bus stop, the school authorities ~~((and))~~, the state patrol and the traffic engineering department of the jurisdiction responsible for the roadway shall be advised and the stop shall be changed or proper signs installed. ~~((Exception: Within areas of posted speed limits of 35 miles per hour or less, visibility of 300 feet is permissible.))~~

(4) All changes in the direction of a school bus shall be indicated by the use of electrical directional signals on the bus. ~~((A right directional signal shall be used to indicate that the bus is going to pull off the roadway.))~~

(5) Prior to stopping the school bus for the purpose of receiving or discharging passengers, school bus drivers shall activate the alternating amber flashing warning lamps by means of a master sequencing switch. The driver shall activate the amber warning lamps:

(a) No less than 100 feet ~~((nor))~~ and no more than 300 feet from the bus stop where the posted speed limit is 35 miles per hour or less; and

(b) No less than 300 feet ~~((nor))~~ and no more than 500 feet from the bus stop where the posted speed limit is more than 35 miles per hour.

(6) No school bus shall pull over to the left-hand side of the road to load or unload.

(7) The stop sign on the left side of a school bus shall not be used to indicate that the bus is going to stop. The stop sign and red flashing lamps shall be displayed at all times a school bus is receiving or discharging passengers except:

(a) When passengers do not have to cross a highway and the bus is stopped completely off the traveled portion of the roadway, or

(b) When a school bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic signal, or

(c) When a school bus is stopped upon school grounds for the purpose of receiving or discharging passengers, and passengers are not required to cross the roadway.

(8) School bus drivers shall proceed with caution when passing or meeting a school bus but are not required to come to a stop unless the school bus stop sign and red flashing lights of the other bus are displayed.

(9) In order to lessen the potential for collisions, school bus drivers may use 4-way hazard warning lights within 500 feet prior to stopping for a railroad crossing or where a special hazard exists such as dense traffic conditions~~((;))~~ or adverse weather conditions, or where the necessary school bus speed is substantially below the posted speed limit. This procedure ~~((may))~~ shall be used

only on buses equipped with amber 4-way hazard warning lights on the front and rear of the school bus.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-145-035 RULES FOR STUDENTS RIDING SCHOOL BUSES. All school district boards of directors shall adopt written policies or rules and provide instructions for passengers riding school buses not inconsistent with applicable state law and rules. A copy of these policies or rules shall be ~~((posted in each school bus))~~ provided each student who is scheduled to ride the school bus. The policies or rules shall include, but not necessarily be limited to, the following:

(1) Identification of the individual who has authority over the passengers.

(2) Student riding privileges.

(3) Procedures prior to loading, e.g., ~~((pupils))~~ students must cross highway only in front and never behind school bus.

(4) Loading and unloading procedures and seat assignments.

(5) ~~((Pupil))~~ Student conduct.

(6) Acceptable practices with respect to talking, moving around the bus, use of windows, and other behavior.

(7) Unacceptable hazards that may cause injury to others, e.g., firearms, breakable containers, etc.

(8) Bus cleanliness.

(9) Emergency exit procedures.

AMENDATORY SECTION (Amending Order 19-76, filed 12/31/76)

WAC 392-145-040 EMERGENCY EXIT PROCEDURES. (1) All school districts operating or contracting for school bus transportation services shall prepare written policies or rules which establish procedures for bus safety and emergency exit drills.

(2) One emergency evacuation drill shall be held within the first six weeks of school each semester. ~~((If it is not possible for a school district to do so within this period, a makeup drill shall be scheduled as soon as possible.))~~

(3) The first exit drill shall be followed by at least one verbal review of the emergency exit drill prior to the second exit drill.

(4) Only those passengers whose participation in an exit drill poses substantial difficulty to themselves or to other passengers shall be excused and/or excluded from exit drill participation. Passengers who are excluded from such participation shall receive oral instruction in bus safety and exit drills at least three times during the school year.

(5) Drills shall be held upon school premises. Drills on the highway are only warranted under conditions necessary for "life and emergency safety."

WSR 84-20-083

ADOPTED RULES

SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 84-41—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Special service program—Transitional bilingual, chapter 392-160 WAC.

This action is taken pursuant to Notice No. WSR 84-20-030 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.58.808 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

Chapter 392-160 WAC
SPECIAL SERVICE PROGRAM—TRANSITION-
AL BILINGUAL ((INSTRUCTION))

AMENDATORY SECTION (Amending Order 84-17,
filed 6/13/84)

WAC 392-160-005 DEFINITIONS. As used in this chapter:

(1) "Transitional bilingual instruction" means a system of instruction which:

(a) Uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable a ((pupil)) student to achieve competency in English;

(b) Introduces concepts and information in the primary language of a ((pupil)) student and reinforces them in the English language; and

(c) Tests ((pupils)) students in the subject matter in English.

(2) "Primary language" means the language most often used by a ((pupil)) student (not necessarily by parents, guardians, or others) for communication in the ((pupils)) student's place of residence.

(3) "Eligible ((pupil)) student" means any ((pupil)) student who meets the following two conditions:

(a) The primary language of the ((pupil)) student must be other than English; and

(b) The ((pupils)) student's English skills must be sufficiently deficient or absent to impair learning.

(4) "Alternative instructional program" means a program of instruction which may include English as a second language and is designed to enable the ((pupil)) student to achieve competency in English.

AMENDATORY SECTION (Amending Order 84-17,
filed 6/13/84)

WAC 392-160-010 SCHOOL DISTRICT BOARD OF DIRECTORS DUTIES. Consistent with the provisions of this chapter, every school district board of directors:

(1) Shall make available to each eligible ((pupil)) student a transitional bilingual instruction or, if the use of two languages is not practicable as provided in WAC 392-160-040, an alternative instructional program;

(2) Shall communicate, whenever feasible, with parents of students in the bilingual program in a language they can understand; and

(3) Shall provide in-service training for teachers, counselors, and other staff who are involved in the district's transitional bilingual program, including alternative instructional programs, on appropriate instructional strategies for ((children)) students of culturally different backgrounds(;) and use of curriculum materials and program models.

AMENDATORY SECTION (Amending Order 84-17,
filed 6/13/84)

WAC 392-160-015 IDENTIFICATION OF ELIGIBLE ((PUPILS)) STUDENTS. (1) District procedures—Identification of primary language required: Every school district board of directors shall adopt written procedures governing the identification of each ((pupils)) student's primary language and the determination of which ((pupils)) students with a primary language other than English are eligible ((pupils)) students. Such procedures shall include:

(a) Provisions for the identification of a ((pupil's)) student's primary language pursuant to an interview with or a written questionnaire directed to the ((pupil)) student and the ((pupils)) student's parent(s) or guardian(s), or a combination of interviews and written questionnaires; and

(b) Provisions for testing ((pupils)) students as provided for in this section, WAC 392-160-020, and 392-160-035.

(2) Deadline for determining eligibility of newly enrolled ((pupils)) students: The primary language and eligibility of each newly enrolled ((pupil)) student shall be established no later than the twentieth school day after the date upon which the ((pupil)) student commences attendance at a particular school district.

(3) Newly enrolled ((pupils)) students who speak little or no English—Determination of eligibility: The eligibility of a newly enrolled ((pupil)) student whose eligibility is reasonably apparent by reason of:

(a) The ((pupils)) student's ability to communicate reasonably well in his or her non-English primary language; and

(b) The ((pupils)) student's inability to communicate in English to any practical extent as determined by an interview with the ((pupil)) student by appropriate school district staff. No other approved test need be administered if the professional judgment of the school personnel is that the ((pupil)) student is eligible as defined in WAC 392-160-005(3).

(4) All other newly enrolled (~~(pupils)~~) students—Termination of eligibility: The eligibility of all newly enrolled (~~(pupils)~~) students:

(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)~~) students required: Each school year each (~~(pupil)~~) student 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.

AMENDATORY SECTION (Amending Order 84-17, filed 6/13/84)

WAC 392-160-020 APPROVED TESTS FOR DETERMINING INITIAL ELIGIBILITY—ENGLISH PROFICIENCY SCORES. (1) Approved English proficiency tests: The following tests are approved for the purpose of annually determining the English proficiency of newly enrolled (~~(pupils)~~) students (other than those who speak little or no English) whose primary language is other than English:

- (a) Language assessment scales (LAS);
- (b) Basic inventory of natural language (BINL); and
- (c) Bilingual syntax measure (BSM).

(2) Scores which establish an English skills deficiency: In the event a (~~(pupil)~~) student scores within (~~(one of)~~) the (~~(following ranges)~~) appropriate range provided by the test maker to establish such English skill deficiency, the (~~(pupil's)~~) student's English skills shall be deemed sufficiently deficient or absent to impair learning((:

- (a) Language assessment scales: Three or below;
- (b) Basic inventory of natural language;
 - (i) Grades K-2, 0-50;
 - (ii) Grades 3-8, 0-75;
 - (iii) Grades 9-12, 0-100;
- (c) Bilingual syntax measure:
 - (i) Level II, four or below; and
 - (ii) Level I, three or below;))

(3) The superintendent of public instruction may approve a school district request for use of a test other than those approved for use in this section when such request is supported by evidence that:

(a) The approved tests for use identified in this section are either unsuitable, inappropriate, or impractical for use by the school district;

(b) The scores that establish English skills deficiency for the requested test correspond with the scores that establish English skills deficiency for approved tests identified in this section; and

(c) The skills being measured by the requested test correspond to the skills measured by the approved tests identified in this section.

AMENDATORY SECTION (Amending Order 84-17, filed 6/13/84)

WAC 392-160-026 DISTRICT APPLICATION. Each school district that seeks an allocation of state funds for a transitional bilingual instruction program shall submit a program approval application to the superintendent of public instruction no later than August 1 of each year: PROVIDED, That in the case of extenuating circumstances or in the case of a change in circumstances such as the unexpected enrollment of eligible (~~(pupils)~~) students the superintendent of public instruction may allow the belated submission of an application or the submission of a modification to a previously approved application. The application shall apply to programs to be conducted during the ensuing school year and shall provide data and information in accordance with instructions and forms now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts.

AMENDATORY SECTION (Amending Order 84-17, filed 6/13/84)

WAC 392-160-028 CONTENT OF DISTRICT APPLICATION. The districts annual application shall contain the following:

(1) The number of eligible (~~(pupils)~~) students served during the current school year and the estimated number to be served in the next school year for each non-English primary language spoken;

(2) A description of the approved tests to be used in the next school year to determine (~~(pupil)~~) student eligibility;

(3) The estimated number of (~~(pupils)~~) students who will be enrolled during the next school year in a program funded pursuant to this chapter in excess of three school years (i.e., 540 school days or portions thereof). The numbers of such (~~(pupils)~~) students shall be identified by the non-English primary language spoken and the type of program to be provided (i.e., bilingual or alternative instructional program);

(4) The number of (~~(pupils)~~) students who have been enrolled in a program funded pursuant to this chapter in excess of three school years who are currently served identified by the non-English primary language spoken by each (~~(pupil)~~) student and the type of program provided each (~~(pupil)~~) student;

(5) A description of the bilingual instruction and alternative instructional programs planned for the next school year; and

(6) A description of the in-service training program that is planned for the next school year.

AMENDATORY SECTION (Amending Order 84-17, filed 6/13/84)

WAC 392-160-035 THREE YEAR LIMITATION—TESTING—PROGRAM EXIT REQUIREMENTS. (1) No (~~(pupil)~~) student shall continue to be entitled to a transitional bilingual or alternative instructional program after the (~~(pupil)~~) student has received instruction in a transitional bilingual 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 ((pupit)) student who is unable to demonstrate an improvement in English language skills that is sufficient to overcome the ((pupit's)) student's learning impairment (i.e., unable to score above the 35th percentile on an approved test) shall continue to be entitled to an approved bilingual instructional or alternative instructional program.

(2) The approved test for measurement of improvement in English language skills for purposes of exit from transitional bilingual or alternative instructional programs shall be any nationally normed standardized achievement test normally administered by a school district to its ((pupits)) students.

(3) No ((pupit)) student shall be entitled to continued enrollment in a transitional bilingual or alternative program once the ((pupit)) student has scored above the 35th percentile on the reading and language arts portions of a nationally normed standardized test appropriate for the ((pupit's)) student's age and grade level.

AMENDATORY SECTION (Amending Order 84-17, filed 6/13/84)

WAC 392-160-040 ALTERNATIVE INSTRUCTIONAL PROGRAM. School districts under one or more of the following conditions may elect to provide an alternative instructional program:

(1) Necessary instructional materials are unavailable and the district has made reasonable efforts to obtain necessary materials without success;

(2) The capacity of the district's bilingual instruction program is temporarily exceeded by an unexpected increase in the enrollment of eligible ((pupits)) students;

(3) Bilingual instruction cannot be provided affected ((pupits)) students without substantially impairing their basic education program because of their disbursement throughout many grade levels or schools, or both; or

(4) 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.

AMENDATORY SECTION (Amending Order 81-4, filed 7/22/81)

WAC 392-160-045 HANDICAPPED ((PUPHS)) STUDENTS—NO TRANSITIONAL BILINGUAL ENTITLEMENT. Notwithstanding any other provision of this chapter to the contrary, any eligible ((pupit)) student 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 the entitlement established pursuant to this chapter.

WSR 84-20-084
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Order 84-44—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to School personnel—In-service training program, chapter 392-195 WAC.

This action is taken pursuant to Notice No. WSR 84-20-036 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.71-.210 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
 Superintendent of Public Instruction

NEW SECTION

WAC 392-195-003 AUTHORITY. The authority for this chapter is RCW 28A.71.210 which authorizes the superintendent of public instruction to adopt rules and regulations for the allocation of funds to common school districts and educational service districts for in-service training programs for certificated and classified personnel.

AMENDATORY SECTION (Amending Order 78-7, filed 9/6/78)

WAC 392-195-005 PURPOSE. The purpose of this chapter is to ((provide)) set forth policies and procedures for the allocation of state funds to school districts and educational service districts for in-service training programs ((pursuant to the In-Service Training Act of 1977, chapter 28A.71 RCW)).

AMENDATORY SECTION (Amending Order 78-7, filed 9/6/78)

WAC 392-195-010 DEFINITIONS. As used in this chapter:

(1) "Applicants" shall mean common school districts and educational service districts.

(2) "In-service training" shall mean a cooperatively planned program of training for job-related activities designed to increase the competencies of common school certificated and classified employees in the performance of their assigned responsibilities.

(3) "Needs assessment" shall mean a systematic study of the educational needs of the community, staff, and students to be served.

(4) "Funds" shall mean those funds appropriated by the legislature and available for the conduct and evaluation of in-service training programs.

AMENDATORY SECTION (Amending Order 11-79, filed 11/9/79)

WAC 392-195-015 APPLICATION TO SPI FOR FUNDING. Applicants shall request funds from the superintendent of public instruction in accordance with the provisions set forth below:

- (1) Applicants shall conduct a needs assessment.
- (2) The board of an applicant shall appoint an advisory in-service training task force of members comprised of representatives from administrators, building principals, teachers, classified and support personnel employed by the applicant, an institution of higher education, and the general public in such numbers as shall be established by the applicant board of directors.
- (3) The applicant shall establish written goals and objectives, identify training activities relevant thereto and design evaluation procedures and criteria which assess the degree and level of attainment of the goals and objectives.
- (4) The task force shall review applications submitted pursuant to this chapter and suggest changes, if any, in direction, focus, or evaluation methods. No application will be accepted which is not approved by a majority vote of the task force.
- (5) Nonpublic school personnel may be invited to participate in continuing professional development activities by the applicant.
- (6) Funds shall supplement, not supplant, the existing staff development and in-service activities of an applicant.

AMENDATORY SECTION (Amending Order 78-7, filed 9/6/78)

WAC 392-195-020 ALLOCATION OF FUNDS BY SPI. The superintendent of public instruction (~~or his or her designee~~) shall evaluate each application approved by the applicant's task force and award funds to those programs which he or she deems to be in the best interest of the public school system. Consideration shall be given to:

- (1) The potential of the proposed training activities for accomplishing the stated objectives;
- (2) The extent to which the objectives are clearly defined and stated; and
- (3) The appropriateness of the evaluation design.

AMENDATORY SECTION (Amending Order 78-7, filed 9/6/78)

WAC 392-195-025 PROGRAM REPORTS TO SPI. Grantees shall report the results of their programs to the superintendent of public instruction. A financial report that sets forth the objects of expenditure, such as

released time, contractual services, materials and supplies, and travel shall also be submitted to the superintendent of public instruction.

WSR 84-20-085

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 84-45—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to School personnel—Evaluation of the professional performance capabilities, chapter 392-191 WAC.

This action is taken pursuant to Notice No. WSR 84-20-035 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.67.065 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-191-001 AUTHORITY. The authority for this chapter is RCW 28A.67.065 which authorizes the superintendent of public instruction to adopt minimum criteria for the evaluation by districts of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel.

AMENDATORY SECTION (Amending Order 20-76, filed 1/11/77)

WAC 392-191-005 PURPOSE. The purpose of this chapter is to (~~implement RCW 28A.67.065 as now or hereafter amended, which directs the superintendent of public instruction to~~) establish the minimum criteria to be adopted by districts for the evaluation of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel.

(~~This chapter establishes the minimum criteria which each school district shall adopt for the evaluation of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel.~~)

WSR 84-20-086
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Order 84-46—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Special education programs—DSHS students, chapter 392-173 WAC.

This action is taken pursuant to Notice No. WSR 84-20-034 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.02.100 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
 Superintendent of Public Instruction

Chapter 392-173 WAC **X**
SPECIAL EDUCATION PROGRAMS—((STATE SCHOOLS FOR THE DEAF AND THE BLIND, AND EARLY CHILDHOOD DEVELOPMENTAL CENTERS))DSHS STUDENTS

NEW SECTION

WAC 392-173-003 **AUTHORITY.** The authority for this chapter is RCW 72.05.140 which requires educational programs operated by the department of social and health services to conform to standards defined by the state board of education or the office of superintendent of public instruction. Such authority is buttressed by RCW 28A.02.100 which authorizes the superintendent of public instruction to accept federal conditions upon the receipt of federal funds for educational programs operated by the department of social and health services and by Article III, section 22 of the state Constitution which requires the superintendent of public instruction to have supervision over all matters pertaining to the public schools.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-005 **PURPOSE** ((~~AND AUTHORITY~~)). The purpose of this chapter is to accommodate the unique goals and student population of the state schools for the deaf and the blind and the early childhood developmental centers operated by the department of social and health services by establishing the standards governing the development and implementation of special education and related services for handicapped residents of such schools who are under the age

of twenty-one. This chapter applies to the maintenance and operation of such programs by the department of social and health services. ((The authority for the adoption of this chapter is based upon RCW 72.05.140(2) and Article 3, section 22, of the state Constitution.))

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-010 **DEFINITIONS.** As used in this chapter: (1) "Department" shall mean the department of social and health services.

(2) The meaning of terms as used in this chapter shall be as provided in WAC 392-171-310, 392-171-311, 392-171-315, and 392-171-320.

(3) The term "schools" ((as used in this chapter)) shall mean the state schools for the deaf((;)) and the blind((;)) and the early childhood developmental centers.

(4) Early childhood developmental centers shall mean state/department supported community based programs for preschool students aged zero to ((two)) three.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-015 **GENERAL DUTIES OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** In recognition of the fact((s)) that the department has the immediate statutory duty, authority, and responsibility to establish, maintain, operate, and administer a comprehensive program for the care, custody, control, and education of students at the state schools for the deaf((;)) and the blind and early childhood developmental centers; and that the superintendent of public instruction is charged with the responsibility of assisting the state schools so that the educational programs maintained therein shall be comparable to such programs provided for in chapter 392-171 WAC for children with similar aptitudes in local school districts; and that the superintendent of public instruction is appropriated federal funds for these programs from time to time and has the constitutional and statutory authority to supervise all matters pertaining to the public school system, the principal duties of the superintendent of public instruction and department shall be as follows:

(1) The superintendent of public instruction shall cooperate with the department in the exercise of powers granted by law with the objective of assuring each student an educational opportunity consistent with this chapter;

(2) The superintendent of public instruction defers to the authority and duty of the department regarding the operation and maintenance of educational programs for students in such schools;

(3) The superintendent of public instruction shall seek, allocate, and distribute federal funds made available for these programs on the condition that funds made available for the education of students be expended in compliance with the requirements of this chapter and other state or federal funding conditions; and

(4) The superintendent of public instruction shall provide the department with information and the advice and services of his or her staff necessary to achieve the purpose of this chapter to the extent the same are reasonably available.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-020 REFERRAL AND ADMISSION TO A RESIDENTIAL SCHOOL—ELIGIBILITY FOR IMMEDIATE PLACEMENT. Students admitted to the state school for the blind and the deaf shall be enrolled in an educational program within ten days of admittance. Students placed in an early childhood developmental center ~~((are))~~ shall be immediately eligible for an educational program.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-025 ASSESSMENT, INDIVIDUAL EDUCATION PLAN, LEAST RESTRICTIVE ENVIRONMENT, PLACEMENT OPTIONS, ANNUAL REVIEW OF PLACEMENT, AND NOTICE. The following provisions from chapter 392-171 WAC ~~((; education for all handicapped children;))~~ shall be applicable to students in such schools: WAC 392-171-346, 392-171-351, ~~((392-171-356;))~~ 392-171-366, 392-171-371, 392-171-456, 392-171-461, 392-171-471, 392-171-481, 392-171-511, 392-171-516, 392-171-521, and 392-171-526: PROVIDED, That in the case of students admitted to the state schools for the deaf ~~((;))~~ and the blind ~~((;))~~ and early childhood developmental centers, an assessment and an individual education plan ~~((must))~~ shall be completed within fifty days of enrollment.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-030 MEDICAL EVALUATION. Medical evaluation shall be the responsibility of the department whenever a handicapped student is suspected of having a health problem which may affect his or her educational program: PROVIDED, That medical evaluations at the expense of the department as otherwise in behalf of the department shall be obtained only:

(1) At the direction of or with prior approval of the department's designee, ~~((f))~~ except in the case of an independent assessment ordered pursuant to WAC 392-171-371 ~~((;))~~.

(2) In accordance with criteria established by the department, but not limited to, the location of the evaluation and report required.

(3) When the student's personal physician, if the student has a physician, has been involved in the planning.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-035 EDUCATION RECORDS. In addition to applicable laws on records and privacy for persons admitted to the state schools for the blind ~~((;))~~

and the deaf ~~((;))~~ and early childhood developmental centers ~~((;))~~ and the procedures, rules, and criteria of the department implementing such laws, the following provisions of chapter 392-171 WAC ~~((; education for all handicapped children;))~~ on education records shall be applicable to students admitted to these schools: WAC 392-171-591, 392-171-596, 392-171-601, 392-171-606, 392-171-611, 392-171-616, 392-171-621, 392-171-636, and 392-171-641. Hearings initiated to challenge information contained in the education record shall be conducted according to applicable state and federal laws and department procedures, rules, and criteria implementing such laws.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-040 ANNUAL APPLICATION. The following provision from chapter 392-171 WAC ~~((; education for all handicapped children;))~~ shall be applicable as they relate to ESEA Title I, P. L. 89-313 funds: WAC 392-171-691, and 392-171-696.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-045 STAFF QUALIFICATIONS. WAC 392-171-701 shall be applicable to all employees of the state schools for the blind ~~((;))~~ and the deaf and early childhood developmental disabilities centers.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-050 MONITORING. WAC 392-171-731 shall be applicable for programs in the state schools for the blind ~~((;))~~ and the deaf ~~((;))~~ and early childhood developmental centers.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-055 AUDITS. WAC 392-171-736, 392-171-741, 392-171-746, 392-171-751, and 392-171-756 ~~((; and 392-171-736))~~ shall be applicable for programs in the state schools for the blind ~~((;))~~ and the deaf and early childhood developmental centers: PROVIDED, That audits and recovery of funds distributed to such schools ~~((with))~~ shall be limited to federal ESEA Title I, P. L. 89-313 funds.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-065 PROGRAM LENGTH. WAC 392-171-721 shall be applicable ~~((for))~~ to all students provided for by this chapter.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-075 TRANSPORTATION AND FACILITIES. The department shall provide or make arrangements for the provision of transportation and facilities necessary or appropriate to the conduct of its educational program. All such service or physical elements

in support of an educational program shall be provided in a manner and condition which reasonably assures the safety, health, and attainment of educational goals and objectives ((on the part of)) for each student.

AMENDATORY SECTION (Amending Order 80-30, filed 8/15/80)

WAC 392-173-080 DECISIONS, APPEALS AND CITIZEN COMPLAINTS REGARDING EDUCATIONAL PROGRAMMING AND EXCLUSION FROM AN EDUCATIONAL PROGRAM. (1) Decisions made by the state school for the deaf(;) and the blind and early childhood developmental centers regarding the educational program of a student or the student's total or partial exclusion therefrom shall be the responsibility of the department, as shall be complaints registered by any person, entity, or organization alleging one or more violations of this chapter.

(2) Appeals and complaints by a parent, guardian, or a surrogate parent shall be pursuant to procedures as now or hereafter established by the department: PROVIDED, That such procedures shall at least guarantee parents, guardians, surrogate parents, and others such notice and hearing rights as may now or hereafter be provided for in and pursuant to 20 USC § 1415 as amended by Public Law 94-142 including, but not limited to, prior notice of and a right to an impartial due process hearing in connection with decisions to initiate or change, or to refuse to initiate or change, the identification, evaluation, or educational placement of a student or the provision of an educational opportunity to a student.

WSR 84-20-087

ADOPTED RULES

**SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 84-42—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

This action is taken pursuant to Notice No. WSR 84-20-026 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41.170 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-140-025 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—LEAP DOCUMENT 3.

WAC 392-140-026 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—CERTIFICATED DERIVED BASE SALARY.

WAC 392-140-027 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—CLASSIFIED AVERAGE SALARY.

WAC 392-140-028 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—CERTIFICATED DERIVED BASE SALARY.

WAC 392-140-029 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—CLASSIFIED AVERAGE SALARY.

WAC 392-140-030 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—SUPPLIES AND MATERIAL.

WAC 392-140-031 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—ELIGIBLE HANDICAPPED STUDENTS.

WAC 392-140-032 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—HOME AND HOSPITAL.

WAC 392-140-033 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—FOSTER CARE.

WAC 392-140-034 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—MAXIMUM CONTROL FACTOR—PRORATION.

WAC 392-140-035 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—REPORTING.

WAC 392-140-040 1981-83 STATE CATEGORICAL RESIDENTIAL EDUCATIONAL PROGRAM—FUNDING.

WAC 392-140-041 1981-83 STATE CATEGORICAL RESIDENTIAL EDUCATIONAL PROGRAM—REPORTING.

WSR 84-20-088

ADOPTED RULES

**SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 84-47—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Special service program—Remediation assistance, chapter 392-162 WAC.

This action is taken pursuant to Notice No. WSR 84-20-031 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they

are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41.408 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-045 DEFINITION—LIKE SERVICES. As used in this chapter, the term "like services" shall mean the same as "like needs" specified in RCW 28A.41.406 — namely, programs conducted pursuant to chapter 28A.13 RCW which provide ~~((supplementary))~~ services designed to meet the special educational needs of participating students. However, the term "like services" does not include communication disorder or physical or occupational therapy services if the student is receiving no other special education instruction.

WSR 84-20-089

ADOPTED RULES

**SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 84-49—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Special service program—Chapter 1 regular of the Education Consolidation and Improvement Act of 1981, financial assistance to local school districts, chapter 392-163 WAC.

This action is taken pursuant to Notice No. WSR 84-20-032 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.02.100 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

Chapter 392-163 WAC ~~X~~
SPECIAL SERVICE PROGRAM~~((S))~~—CHAPTER 1
REGULAR OF THE EDUCATION CONSOLIDA-
TION AND IMPROVEMENT ACT OF 1981, FI-
NANCIAL ASSISTANCE TO LOCAL SCHOOL
DISTRICTS

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-105 PURPOSE. The ~~((provisions))~~ purpose of this chapter ~~((are designed))~~ is to ensure compliance by the state of Washington with the financial assistance to local school districts' provisions, including those which apply to private schools and local institutions for neglected and delinquent children, of Chapter 1 Regular of the Education Consolidation and Improvement Act of 1981 and accompanying federal rules and regulations, particularly 34 CFR Part 200.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-110 ACCOUNTABILITY. Nothing in this chapter shall be construed to relieve a school district of its responsibility to comply also with all applicable federal statutes, rules, and regulations.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-115 DEFINITION—CHAPTER 1 REGULAR. As used in this chapter, the term "Chapter 1 Regular" shall mean that ~~((portion))~~ part of Public Law 97-35 which is commonly referred to as Chapter 1 of the Education Consolidation and Improvement Act of 1981 ~~((Public Law 97-35))~~ which provides financial assistance to school districts to meet special educational needs of disadvantaged children.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-120 DEFINITION—AC-COUNTING MANUAL. As used in this chapter, the term "accounting manual" shall mean the most recently published accounting manual for public school districts in the state of Washington issued ~~((September 1982))~~ by the superintendent of public instruction and the state auditor.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-125 DEFINITION—OBJECT OF EXPENDITURE. As used in this chapter, the term "object of expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "the article purchased or the service obtained~~((---))~~"). For financial accounting purposes "object of expenditure" shall be defined further as the third field of uniform expenditure classification established in the accounting manual.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-130 DEFINITION—ACTIVITY. As used in this chapter, the term "activity(ies)" shall be as defined in the accounting manual glossary of terms (i.e., a "specific line of work carried on by a school district in order to perform its mission"). For financial accounting purposes "activity" shall be defined further as the second field of uniform expenditure classification established in the accounting manual and for Chapter 1 Regular shall include all activities listed on ((~~Budget~~)) Form SPI F-1000B CH-1.

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

WAC 392-163-140 DEFINITION—DIRECT ((~~EXPENSE~~)) EXPENDITURE. As used in this chapter, the term "direct ((~~expense~~)) expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "those elements of cost which can be easily, obviously and conveniently identified with specific programs((~~;-~~))").

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

WAC 392-163-142 DEFINITION—INDIRECT ((~~EXPENSE~~)) EXPENDITURE. As used in this chapter, the term "indirect ((~~expense~~)) expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "those expenditure elements ((~~of cost~~)) that cannot be easily, obviously, and conveniently identified with specific programs ((~~;-~~))"). For Chapter 1 Regular, each district shall be entitled to the restricted indirect ((~~expense~~)) expenditure rate established and disseminated annually to school districts by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-145 DEFINITION—REVENUE ACCOUNT. As used in this chapter, the term "revenue account" shall be as defined in the accounting manual glossary of terms (i.e., "account" being "a descriptive heading under which are recorded financial transactions. . ." and "revenue" being "additions to assets of a fund of a school district during a ((~~given~~)) fiscal period ((~~to a fund of a school district in the form of cash which does not accompany the incurrence of liabilities or represent refund of previous disbursements~~)) that is available to finance the fund's expenditures during the fiscal period").

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

WAC 392-163-180 DEFINITION—CHILDREN. As used in this chapter, the term "children" shall mean persons up to age twenty-one as defined in WAC 392-121-170 ((~~who are entitled to a free public education not above grade twelve~~)) and persons who are of pre-school age.

NEW SECTION

WAC 392-163-186 DEFINITION—ELIGIBLE STUDENT. As used in this chapter, the term "eligible student" shall mean an educationally deprived child who resides in an attendance area or a school determined to be eligible under the provisions of P.L. 97-35 as amended by P.L. 98-211, Sections 556(b)(1)(A), (B), and (d)(i), (2), (3), (4), (5), and (9) and WAC 392-163-300: PROVIDED, That an educationally deprived child who begins participation in a program or project in an eligible attendance area and in the same year is transferred by the school district to an unserved attendance area or school building shall remain eligible to receive Chapter 1 regular services for the remainder of such year.

NEW SECTION

WAC 392-163-236 DEFINITION—PARTICIPATING CHILDREN. As used in this chapter, the term "participating children" shall mean those educationally deprived children in greatest need of special assistance, as determined on the basis of school district established selection criteria, residing in eligible served attendance areas or attending served schools, who are selected to receive services in the Chapter 1 Regular program: PROVIDED, That the exception in WAC 392-163-186 for children transferred during the same school year shall apply to this section.

NEW SECTION

WAC 392-163-237 DEFINITION—CONTINUING NEED OF SPECIAL ASSISTANCE. As used in this chapter, the term "continuing need of special assistance" refers to those educationally deprived children who in any previous year were identified as being in greatest need of assistance and who continue to achieve below the level that is appropriate for children of their age although they do not qualify as in greatest need.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-260 DEFINITION—CONSULTATION WITH PARENTS AND TEACHERS AND OTHER INTERESTED PARTIES. As used in this chapter, the term "consultation with parents and teachers and other interested parties" shall mean planned, systematic contact with parents((~~and~~)), teachers, and administrators of children being served by Chapter 1 Regular((~~;~~))—including parents ((~~and~~)), teachers, and administrators of served private school children((~~;~~))—and other interested parents, teachers, administrators, groups, and parties in the design and implementation of the Chapter 1 Regular program, including discussion of program revenue and expenditures.

NEW SECTION

WAC 392-163-265 DEFINITION—PRUDENT AND JUSTIFIABLE RESERVE. As used in this chapter, the term "prudent and justifiable reserve" shall mean no more than fifteen percent of a school district's

available Chapter 1 Regular money for a given fiscal year, i.e., carryover from the previous year plus the current year's allocation.

NEW SECTION

WAC 392-163-270 DEFINITION—POPULATION SHIFTS. As used in this chapter, the term "population shifts" shall mean an increase of fifteen percent or more in the FTE enrollment of a school district reported to the superintendent of public instruction over a period of not more than the five immediately preceding years.

NEW SECTION

WAC 392-163-275 DEFINITION—CHANGING ECONOMIC CIRCUMSTANCES. As used in this chapter, the term "changing economic circumstances" shall mean an increase of fifteen percent or more in the number of children from low income families as defined in WAC 392-163-190, reported to the superintendent of public instruction over a period of not more than the five immediately preceding years.

NEW SECTION

WAC 392-163-280 DEFINITION—SERVICES OF THE SAME NATURE AND SCOPE. As used in this chapter, the term "services of the same nature and scope" shall mean the provision with nonfederal moneys of supplemental education services which are consistent with the requirements of section 131(c) of ESEA Title I, Public Law 95-561.

NEW SECTION

WAC 392-163-299 SELECTION OF ATTENDANCE AREAS FOR DISTRICTS WITH UNDER ONE THOUSAND STUDENTS—PROGRAM EXEMPTION. Any school district with fewer than one thousand full time equivalent students enrolled shall be exempt from the requirements of WAC 392-163-300. Such districts shall not be required to select attendance areas and all schools within the district shall be eligible to receive Chapter 1 Regular services. For purposes of documenting enrollment, the school district may select any enrollment from among the attendance reports submitted to the superintendent of public instruction for the current year. Such enrollment figure, and the date which it represents, shall be recorded on the target selection page of the Chapter 1 Regular application for the succeeding year.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-300 SELECTION OF ATTENDANCE AREAS—PROJECT REQUIREMENT. Each school district receiving Chapter 1 Regular moneys, except as otherwise exempted under WAC 392-163-299, shall select attendance areas to receive Chapter 1 Regular services on one or a combination of the following bases:

(1) Highest concentration of low income children. The district may select those attendance areas district-wide or by grade span grouping having the highest number or percentage of low income children.

(2) Uniformly high concentration of low income children. The district may select all attendance areas district-wide or within a designated grade span grouping if the variation between the attendance areas with the highest and lowest percentage of low income children is not more than ten percent, or one-third of the district-wide low income average.

(3) Twenty-five percent rule. The district may select attendance areas in which the percent of low income students equals or exceeds twenty-five percent of the attendance area enrollment.

(4) Transition. The district may select an attendance area which was eligible in the preceding school year in order to provide service for one additional year to phase out the program. If, however, the school attendance area is substantially different than it was in the preceding fiscal year because of attendance area boundary adjustments, the attendance area may not be served on this basis.

(5) ((Service to all educationally deprived, low income children. A part of Chapter 1 Regular moneys may be used to provide significant help for all low income educationally deprived children served by the district. The district shall use all other Chapter 1 Regular moneys in attendance area(s) selected on one or more of the bases listed above.)) Substantially higher educational deprivation. A district may designate as eligible and serve school attendance areas with substantially higher numbers or percentages of educationally deprived children before school attendance areas with higher concentrations of children from low income families: PROVIDED, That Chapter 1 Regular services shall be extended to no more attendance areas than could otherwise be served: PROVIDED FURTHER, That the school district shall include in its application to the superintendent of public instruction information requested to demonstrate (a) the substantially higher number or percentage of educationally deprived children in school attendance areas so selected; and (b) that Chapter 1 services to educationally deprived children from low income families in project areas will not be substantially impaired.

(6) Proportions of average daily attendance. A district may designate as eligible and serve a school which is not located in an eligible attendance area but has among its average daily attendance a proportion of children from low income families which is substantially equal to the proportion of such children in an eligible school attendance area of the district. The application submitted by the school district to the superintendent of public instruction shall demonstrate comparable proportions of children from low income families.

(7) Nonfederally funded services. A district may elect to skip an eligible school attendance area if such area is receiving from nonfederal moneys, services of the same nature and scope as would be provided with Chapter 1 Regular moneys: PROVIDED, That children attending participating private schools who reside in such attendance areas shall be considered to be eligible students

under WAC 392-163-186 and shall be identified and served, when appropriate, in accordance with WAC 392-163-180, 392-163-185, 392-163-235, 392-163-305 and 392-163-306.

(8) School-wide project. A school district may designate a school serving an attendance area with at least seventy-five percent of the children from low income families as a school-wide project, in which instance the district may upgrade the entire educational program in that school in the same manner and only to the same extent as permitted under subsection 133(b) of the Elementary and Secondary Education Act of 1965: PROVIDED, That paragraph (4) of such section shall not apply.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-305 ANNUAL NEEDS ASSESSMENT—PROGRAM REQUIREMENT. Each school district receiving Chapter 1 Regular moneys shall base its Chapter 1 Regular program on an annual assessment of educational needs which shall include, at a minimum, a review of fourth grade test data in basic skills ((and)), assessment of Chapter 1 Regular funded support services, and consideration of evaluation data related to whether improved student achievement is sustained over a period of more than one year. The needs assessment further shall:

- (1) Identify educationally deprived children in all eligible attendance areas, including educationally deprived children in participating private schools;
- (2) Permit the selection of those educationally deprived children in greatest need of special assistance; and
- (3) Assess and determine the educational needs of each child selected to participate so that there exists reasonable promise of substantial progress toward meeting the identified educational needs of children being served.

NEW SECTION

WAC 392-163-306 SERVING STUDENTS IN GREATEST NEED—PROGRAM REQUIREMENT. The school district shall include among the educationally deprived children selected to be served those children who have the greatest need for special assistance: PROVIDED, That children who were in greatest need the previous year and are still in need may continue to be served: PROVIDED FURTHER, That the school district shall not be required to serve children in greatest need with Chapter 1 Regular moneys if such children are receiving from nonfederal sources services of the same nature and scope as would otherwise be provided by Chapter 1 Regular moneys.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-310 PARENT/TEACHER AND COMMUNITY INVOLVEMENT IN PROGRAM PLANNING—PROGRAM REQUIREMENT. Each school district that seeks an allocation of funds under

Chapter 1 Regular shall consult with parents and teachers of Chapter 1 Regular served children and other interested parties in preparing the proposed program design and planned expenditures submitted by the designated local administrator to the school district board of directors for adoption. Such ((parent/teacher)) consultation shall include an annual public meeting to which parents of all eligible students shall be invited to explain to parents the programs and activities provided with Chapter 1 Regular moneys, and shall be documented to demonstrate compliance with this section.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-320 SUBSTANCE OF ANNUAL SCHOOL DISTRICT APPLICATION. The school district's annual application required by WAC 392-163-315 shall contain the following:

- (1) Planned expenditures by program object and activity as required by WAC 392-163-325.
- (2) Identification of eligible attendance areas selected to receive Chapter 1 Regular services: PROVIDED, That the exemption prescribed in WAC 392-163-299 shall apply.
- (3) Program and project descriptions on forms provided by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-335 BOARD CERTIFICATION. The board of directors shall, as a part of application approval, certify to the superintendent of public instruction that in their opinion:

- (1) The school district has included among the educationally deprived children to be served, those children in greatest need of special assistance;
- (2) The approved program is of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the special educational needs of children being served;
- ((2)) (3) The school district has complied with the provisions of this chapter, and shall further certify that;
- ((3)) (4) In order to meet federal comparability requirements, the board of directors has:
 - (a) Established a district-wide salary schedule;
 - (b) Adopted a policy to ensure equivalence among all schools in teachers, administrators, and auxiliary personnel; and
 - (c) Adopted a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-360 SUPERVISORY ((COSTS)) EXPENDITURES. A school district that charges any portion of supervisory ((costs)) expenditures to the Chapter 1 Regular program shall document such costs, including the proportion of supervisory FTE so designated.

NEW SECTION

WAC 392-163-362 REALLOCATION OF CHAPTER 1 REGULAR MONEYS IN EXCESS OF A PRUDENT AND JUSTIFIABLE RESERVE. In accordance with federal regulation 34 CFR 200.45, a school district is hereby limited to carry over no more than a prudent and justifiable reserve of available Chapter 1 money to the succeeding year. Available moneys for any year equals the sum of the current year's allocation plus carryover money from the immediately preceding fiscal year. Carryover in excess of a prudent and justifiable reserve will be reallocated by the superintendent of public instruction to school districts which can demonstrate need based on "inequities inherent in or hardships caused by the application of the allocation provisions in Section 111(a) of Title I as a result of factors like population shifts and changing economic circumstances" (34 CFR 200.45(b)(1)).

To implement reallocation of Chapter 1 Regular moneys the following requirements and procedures for school districts and the superintendent of public instruction are hereby established:

(1) No school district's annual application shall be approved by the superintendent of public instruction unless such application includes budgeted expenditures equal to at least eighty-five percent of the district's announced or estimated Chapter 1 Regular allocation.

(2) Upon receipt of the school district's Chapter 1 Regular final expenditure report for any fiscal year the superintendent of public instruction shall determine if the expenditures budgeted in its current application are at least eighty-five percent of the total amount of Chapter 1 Regular moneys available for the current year, i.e. current year Chapter 1 allocation plus carryover from the immediately preceding fiscal year.

(3) If the total amount budgeted is less than eighty-five percent of the total money available, the superintendent of public instruction shall notify the district of the additional amount it must budget to achieve the eighty-five percent requirement.

(4) Upon receipt of such notification, a school district shall submit a revised Chapter 1 budget to the superintendent of public instruction within twenty calendar days or shall submit on forms provided by the superintendent of public instruction for that purpose, a rationale explaining why the district is planning to retain more than a prudent and justifiable reserve of Chapter 1 Regular moneys.

(5) The superintendent of public instruction shall by April 1 of each year notify any district which is substantially underspending its Chapter 1 Regular budget that moneys in excess of fifteen percent of the total amount available for the current year which are not budgeted and/or appear, on the basis of expenditure reports, unlikely to be spent, will be made available for reallocation. The district shall have fifteen days following such notification to submit a request for revision or a request for a waiver of the carryover limit for sufficient cause.

NEW SECTION

WAC 392-163-363 REALLOCATION OF CHAPTER 1 REGULAR MONEYS—WAIVER OF LIMIT. Notwithstanding the requirements of WAC 392-163-362 a school district may request a waiver to allow the carryover of more than a prudent and justifiable reserve for a succeeding year:

(1) The request shall be made in writing to the superintendent of public instruction no later than April 30 of the current year.

(2) The request shall specify the total amount the district proposes to carry over, the purpose/activities for which the money will be expended in the succeeding year, and the rationale for the planned expenditure pattern.

(3) The request shall be approved by the school district board of directors.

(4) The district shall not submit waiver requests for more than two consecutive years.

The superintendent of public instruction shall notify the school district within thirty days of the receipt of the request of the acceptance or rejection of the request for waiver of the carryover limit for the succeeding year.

Notwithstanding the granting of a waiver request, if the school district does not expend its excess carryover in the succeeding year for the activities and purposes outlined in its waiver request, such excess shall be withheld and made available for reallocation the succeeding May.

NEW SECTION

WAC 392-163-364 REALLOCATION OF CHAPTER 1 REGULAR MONEYS—APPLICATION FOR AVAILABLE EXCESS CARRYOVER. The superintendent of public instruction shall invite school districts meeting the conditions of 34 CFR 200.45(b)(1) to submit applications for reallocation money no later than June 1 of each year. Applications shall include the following:

(1) Statement of need supported by evidence of hardship and/or inequity caused by changing economic circumstances or population shifts.

(2) Proposed budget of expenditures on Form 1000B CH. 1 and instructional component design.

(3) Assurance that the school district does not have sufficient funds in its regular Chapter 1 Regular allocation to cover the additional costs.

(4) Approval by the school district board of directors.

No later than December 30 of the succeeding year, the superintendent of public instruction shall notify districts of the approval of their application for reallocation moneys, and shall indicate the amount of reallocation money which shall be made available to the district for the school year.

The annual Chapter 1 Regular application for the school year in which the money is reallocated shall be considered to be amended in accordance with the application for reallocation money received and approved by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-365 **END-OF-YEAR REPORT—ANNUAL REQUIREMENT.** Each school district that receives an allocation of funds under Chapter 1 Regular shall submit to the superintendent of public instruction each year an end-of-year report on forms provided by the superintendent of public instruction. The end-of-year report shall be received by the superintendent of public instruction no later than July 20 and shall contain all information requested, including data on the race, age, and gender of children served by the Chapter 1 Regular program and on the number of children served by grade level.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-375 **PROGRAM EVALUATION.** Each school district that receives an allocation of moneys under Chapter 1 Regular shall use the Title I Evaluation and Reporting System (TIERS) for reporting student impact data to the superintendent of public instruction on forms provided by that office when requested by the superintendent of public instruction. In addition, each district shall determine whether improved student achievement is sustained over a period of more than one program year, and shall consider that data in the improvement of programs and projects assisted with Chapter 1 Regular moneys.

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

WAC 392-163-385 **COMPARABILITY OF SERVICES—COMPUTATION BASIS.** (1) In order to demonstrate comparability, a school district shall compare the FTE student/instructional staff ratio in each Chapter 1 Regular served school with an average of FTE student/instructional staff ratios in all nonserved schools: **PROVIDED,** That if all schools within the district are served with Chapter 1 Regular moneys, a school district shall compare the FTE student/instructional staff ratio in each Chapter 1 Regular served school with an average of the FTE student/instructional staff ratio in Chapter 1 Regular served schools having the lowest percent or number of low income students, this base being not more than half the total number of schools being served, using for the computation FTE student enrollment divided by nonfederally funded FTE certificated and classified staff in Activity 27: **PROVIDED FURTHER,** That at its discretion, a district also may include in its calculation other instructional staff in Activities 22, 23, 24, and 25.

(2) A district shall be deemed to have demonstrated comparability if it meets the definition of equivalence established in WAC 392-163-215.

(3) In assembling the data for the computation the school district may:

(a) Disregard schools with a total student enrollment of fewer than one hundred FTE students;

(b) Divide schools into no more than four grade span groupings;

(c) Divide schools into two groups, larger and smaller, for each grade span grouping if policies or agreements established by the school district board of directors require different teacher/pupil ratios based on individual school population characteristics. If a district chooses to use this option, it shall use only instructional staff in Activity code 27 in the comparability calculation;

(d) Exclude from its calculation FTE instructional staff who are supported with state and/or local moneys for special programs designed to meet the needs of educationally deprived children, if such programs are consistent with the ~~((purposes of Chapter 1 Regular))~~ requirements of section 131(c) of the Elementary and Secondary Education Act of 1965; and/or

(e) Exclude from its calculation the portion of nonfederally supported FTE instructional staff time used to provide services exclusively to handicapped and/or bilingual programs.

(4) Student enrollment and instructional staff data used in the comparability report shall have been collected within the same calendar month. The computation based on that data shall be completed prior to December 1 of each school year.

NEW SECTION

WAC 392-163-435 **PROGRAM COMPLIANCE REVIEW.** The superintendent of public instruction shall conduct program compliance reviews of all school districts receiving Chapter 1 Regular moneys. Reviews of each school district shall occur at least once every three years. Upon receipt of the compliance review report from the superintendent of public instruction the school district shall have three weeks to respond to the superintendent of public instruction if there are exceptions noted in the report. Substantial noncompliance or failure by the school district to respond and/or initiate corrective action in a timely manner shall be subject to actions prescribed in WAC 392-163-450 and 392-163-455.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-460 **APPROVAL OF CHAPTER 1 REGULAR PROGRAM APPLICATION BY THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** (1) Final approval of a Chapter 1 Regular program shall be given to a school district when the superintendent of public instruction has received a completed application in accordance with WAC 392-163-320 and 392-163-335 and 34 CFR 200.13 (a)(b) and is assured that the school district has satisfied all yearly reporting requirements and compliance agreements from the previous year, unless the agreement extends into the current year.

(2) Programs shall not be implemented without prior approval from the superintendent of public instruction ~~((such)).~~ The effective approval date ((to)) shall be July 1 of each year for applications received and approved prior to July 1, or the subsequent date on which the application is received and approved by the superintendent of public instruction.

(3) Fiscal expenditures made prior to the effective approval date indicated on an application or a request for budget revision shall not be allowed.

(4) Consistent with PL 93-380 any school district shall have an opportunity to appeal a decision of the superintendent of public instruction, first to the superintendent of public instruction and then to the United States secretary of education.

each public school district to establish and implement affirmative action employment policies and programs to eliminate discrimination on the basis of sex, race, creed, color, national origin, marital status, age, or the presence of any sensory, mental, or physical handicap. ((The authority for the rules contained herein is founded upon chapter 28A.85 RCW and Article 3, section 22 of the Washington State Constitution.))

WSR 84-20-090

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 84-43—Filed October 2, 1984]

WSR 84-20-091

PROPOSED RULES

COMMITTEE FOR DEFERRED COMPENSATION

[Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to employment discrimination, chapter 392-200 WAC.

This action is taken pursuant to Notice No. WSR 84-20-037 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.85.020 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public Instruction

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Committee for Deferred Compensation intends to adopt, amend, or repeal rules concerning the amending of WAC 154-01-010, 154-04-010, 154-04-090, 154-12-015, 154-12-020 and 154-12-030;

that the agency will at 9:00 a.m., Friday, November 9, 1984, in the Board Room, Department of Personnel, 600 South Franklin, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 41.04 RCW.

The specific statute these rules are intended to implement is RCW 41.04.260.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 5, 1984.

Dated: October 2, 1984

By: C. H. Shay
Analyst

Chapter 392-200 WAC
SCHOOL PERSONNEL—((PUBLIC
SCHOOL))EMPLOYMENT DISCRIMINATION
((PROHIBITED))

STATEMENT OF PURPOSE

Amending WAC 154-01-010, 154-04-010, 154-04-090, 154-12-015, 154-12-020 and 154-12-030.

Statutory Authority: RCW 41.04.250 and 41.04.260.

WAC 154-01-010, 154-04-010 and 154-12-030 are being revised to provide for participation by approved political subdivisions. WAC 154-04-090 is being revised to provide for SSB 4477, chapter 227, Laws of 1984. WAC 154-12-015 corrects a grammatical error. The deletion in WAC 154-12-020 is for clarification.

The Committee for Deferred Compensation has contracted for staff services to be provided by the Insurance Benefits Division, Department of Personnel. The employees assigned to work with the committee are E. W. Lahn, Benefits Supervisor and C. H. Shay, Analyst. Their address is 497 Tye Drive, Tumwater, WA 98504, Mailstop: QS-11, Phone: scan 234-3096 or (206) 753-3096.

These rules are proposed by the Committee for Deferred Compensation.

Agency Comments: None.

NEW SECTION

WAC 392-200-003 **AUTHORITY.** Partial authority for this chapter is RCW 28A.85.020 which authorizes the superintendent of public instruction to adopt rules and regulations for the elimination of sex discrimination in the common schools. Such authority is supplemented by RCW 28A.02.100 which authorizes the superintendent of public instruction to receive federal funds and distribute such funds in accordance with federal law and accompanying federal rules and regulations and by Article III, section 22 of the Washington state Constitution which authorizes the superintendent of public instruction to have supervision over the common schools.

AMENDATORY SECTION (Amending Order 6-76, filed 5/17/76)

WAC 392-200-005 **PURPOSE**((=AUTHORITY)). ((It is)) The purpose of this chapter is to require

Not necessary due to federal law or federal/state court action.

AMENDATORY SECTION (Amending Order 82-3, filed 6/11/82)

WAC 154-01-010 PLAN ESTABLISHED. In accordance with the provisions of RCW 41.04.250 et seq., and as provided in Section 457 of the Internal Revenue Code, the state of Washington hereby establishes the deferred compensation plan for employees of the state of Washington and approved political subdivisions of the state of Washington, hereinafter referred to as the "plan." Nothing contained in this plan shall be deemed to constitute an employment agreement between the participant and the ((state of Washington)) employer and nothing contained herein shall be deemed to give a participant any right to be retained in the employ of the ((state of Washington)) employer.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-04-010 EMPLOYER. "Employer" means:

- (1) The state of Washington, one of the fifty states of the United States, as described in Section 1.457-2 (c)(1) of the final regulations promulgated under Section 457 of the Internal Revenue Code; and
- (2) Approved political subdivisions of the state of Washington.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-04-090 INCLUDIBLE COMPENSATION. "Includible compensation" means for the purposes of the limitation set forth in WAC 154-12-020, compensation for services performed for the employer which (after applying exclusions pursuant to RCW 41.04.440, 41.04.445, and 41.04.450, and Sections 403(b) and 457 of the Internal Revenue Code) is includible in the participant's gross income for Internal Revenue Service tax purposes for the taxable year. The amount of includible compensation shall be determined without regard to any community property laws.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-12-015 ACCEPTANCE OF INTERPLAN TRANSFERS. Pursuant to Section 1.457-(2)(k) of the final regulations promulgated under section 457 of the code, this plan will allow for the acceptance of amounts deferred by participants under plans having met the transfer requirements of section 457 ((m)) and said regulations.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-12-020 DEFERRAL LIMITATIONS. Except as provided in WAC 154-12-030, the maximum that may be deferred under the plan for any taxable year of a participant shall not exceed the lesser of (1) \$7,500 or (2) 33 1/3% of the participant's includible compensation for the taxable year, ((reduced by any amount from the participant's gross income for the taxable year under Section 403(b) on account of contributions made by the state;)) or as may be otherwise provided in Section 457 of the Internal Revenue Code or any successor statute of similar import.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-12-030 CATCH-UP PROVISION. For one or more of the participant's last three taxable years ending before attaining normal retirement age under the plan, the maximum deferral shall be the lesser of (1) \$15,000 for the taxable year, reduced by any amount excludible from the participant's gross income for the taxable year under Section 403(b) on account of contributions made by ((the state)) your employer, or (2) the sum of (a) the limitations established for purposes of WAC 154-12-020 of the plan for the taxable year (determined without regard to this section), plus (b) so much of the limitation established under WAC 154-12-020 for taxable years before the taxable year as has not theretofore been used under WAC 154-12-020 or 154-12-030; or as may be otherwise provided in Section 457 of the Internal Revenue Code or any successor statute of similar import. A prior taxable year shall be taken into account only if: (i) It begins after December 31, 1978; (ii) the participant was eligible to participate in the plan during all or any portion of the taxable year, and; (iii) compensation deferred (if any) under the plan during the taxable year was

subject to a maximum limitation (as established under WAC 154-12-020).

A prior taxable year includes a taxable year in which the participant was eligible to participate in an eligible plan sponsored by another entity, providing that the other entity sponsoring the plan is located within the state of Washington. In no event can the participant elect to have the catch-up provision apply more than once whether or not the full catch-up had been utilized.

WSR 84-20-092
EMERGENCY RULES
COMMITTEE FOR
DEFERRED COMPENSATION
[Order 84-3—Filed October 2, 1984]

Be it resolved by the Committee for Deferred Compensation, acting at the Board Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to the amending of WAC 154-01-010, 154-04-010, 154-04-090, 154-12-015, 154-12-020 and 154-12-030.

We, the Committee for Deferred Compensation, find that an emergency exists and that this 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 the emergency is early effective date is needed to implement the changes on a timely basis.

These 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 Committee for Deferred Compensation as authorized in RCW 41.04.260.

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

APPROVED AND ADOPTED October 2, 1984.

By C. H. Shay
Group Insurance Analyst

AMENDATORY SECTION (Amending Order 82-3, filed 6/11/82)

WAC 154-01-010 PLAN ESTABLISHED. In accordance with the provisions of RCW 41.04.250 et seq., and as provided in Section 457 of the Internal Revenue Code, the state of Washington hereby establishes the deferred compensation plan for employees of the state of Washington and approved political subdivisions of the state of Washington, hereinafter referred to as the "plan." Nothing contained in this plan shall be deemed to constitute an employment agreement between the participant and the ((state of Washington)) employer and nothing contained herein shall be deemed to give a participant any right to be retained in the employ of the ((state of Washington)) employer.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-04-010 EMPLOYER. "Employer" means:

(1) The state of Washington, one of the fifty states of the United States, as described in Section 1.457-2 (c)(1) of the final regulations promulgated under Section 457 of the Internal Revenue Code; and

(2) Approved political subdivisions of the state of Washington.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-04-090 INCLUDIBLE COMPENSATION. "Includible compensation" means for the purposes of the limitation set forth in WAC 154-12-020, compensation for services performed for the employer which (after applying exclusions pursuant to RCW 41.04.440, 41.04.445, and 41.04.450, and Sections 403(b) and 457 of the Internal Revenue Code) is includible in the participant's gross income for Internal Revenue Service tax purposes for the taxable year. The amount of includible compensation shall be determined without regard to any community property laws.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-12-015 ACCEPTANCE OF INTERPLAN TRANSFERS. Pursuant to Section 1.457-(2)(k) of the final regulations promulgated under section 457 of the code, this plan will allow for the acceptance of amounts deferred by participants under plans having met the transfer requirements of section 457 ((m)) and said regulations.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-12-020 DEFERRAL LIMITATIONS. Except as provided in WAC 154-12-030, the maximum that may be deferred under the plan for any taxable year of a participant shall not exceed the lesser of (1) \$7,500 or (2) 33 1/3% of the participant's includible compensation for the taxable year, (~~reduced by any amount from the participant's gross income for the taxable year under Section 403(b) on account of contributions made by the state;~~) or as may be otherwise provided in Section 457 of the Internal Revenue Code or any successor statute of similar import.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-12-030 CATCH-UP PROVISION. For one or more of the participant's last three taxable years ending before attaining normal retirement age under the plan, the maximum deferral shall be the lesser of (1) \$15,000 for the taxable year, reduced by any amount excludible from the participant's gross income for the taxable year under Section 403(b) on account of contributions made by ~~(the state)~~ your employer, or (2) the sum of (a) the limitations established for purposes of

WAC 154-12-020 of the plan for the taxable year (determined without regard to this section), plus (b) so much of the limitation established under WAC 154-12-020 for taxable years before the taxable year as has not theretofore been used under WAC 154-12-020 or 154-12-030, or as may be otherwise provided in Section 457 of the Internal Revenue Code or any successor statute of similar import. A prior taxable year shall be taken into account only if: (i) It begins after December 31, 1978; (ii) the participant was eligible to participate in the plan during all or any portion of the taxable year, and; (iii) compensation deferred (if any) under the plan during the taxable year was subject to a maximum limitation (as established under WAC 154-12-020).

A prior taxable year includes a taxable year in which the participant was eligible to participate in an eligible plan sponsored by another entity, providing that the other entity sponsoring the plan is located within the state of Washington. In no event can the participant elect to have the catch-up provision apply more than once whether or not the full catch-up had been utilized.

WSR 84-20-093

ADOPTED RULES

SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 84-48—Filed October 2, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Special education programs—Education for all handicapped children, chapter 392-171 WAC.

This action is taken pursuant to Notice No. WSR 84-20-033 filed with the code reviser on September 26, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.13.070(7) and 28A.02.100 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 2, 1984.

By Frank B. Brouillet
Superintendent of Public InstructionAMENDATORY SECTION (Amending Order 80-31, filed 8/19/80)

WAC 392-171-596 ACCESS RIGHTS. (1) Each school district shall permit parents of handicapped students (or adult students) to inspect and review during school business hours any education records relating to their children or ward (or the adult student) which are collected, maintained, or used by the district under this chapter. The district shall comply with a request

promptly and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or placement of the student.

(2) The right to inspect and review education records under this section includes:

(a) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;

(b) The right to request that the school district provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

(c) The right to have a representative of the parent (or adult student) inspect and review records.

(3) A school district may presume that a parent has authority to inspect and review records relating to his or her child or ward unless the district has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

AMENDATORY SECTION (Amending Order 80-31, filed 8/19/80)

WAC 392-171-601 RECORD ((OR)) OF ACCESS. Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used under this chapter (except access by parents, adult students, and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

WSR 84-20-094
PROPOSED RULES
1989 CENTENNIAL COMMISSION
 [Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the 1989 Washington Centennial Commission intends to adopt, amend, or repeal rules concerning administrative procedures of the commission, including scheduling of meetings, minutes, personnel actions, contracting, etc.;

that the agency will at 11:00 a.m., Monday, November 12, 1984, in the Secretary of State's Office, Legislative Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 27.60 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 6, 1984.

Dated: September 28, 1984
 By: Ralph Munro
 Chairman

STATEMENT OF PURPOSE

Title: Washington Centennial Commission.

Description of Purpose: General rules of commission.

Statutory Authority: Chapter 27.60 RCW.

Summary of Rules: General description of the commission, with its general operating rules, including meeting dates, agenda preparation, public records access, etc.

Reasons Supporting Proposed Action: Inform public and other agencies of procedures.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Put Barber, Mailstop KF-12, Phone 753-0177.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Washington Centennial Commission.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: N/A.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: N/A.

Small Business Economic Impact Statement: N/A.

Chapter 100-100 WAC
CENTENNIAL COMMISSION

NEW SECTION

WAC 100-100-010 THE 1989 WASHINGTON CENTENNIAL COMMISSION—DESCRIPTION. On November 11, 1989, Washington state will celebrate one hundred years of statehood.

The 1989 Washington centennial commission is the agency charged with the development of a comprehensive program for commemorating and celebrating the one hundredth anniversary of Washington's admission to the United States of America in 1889.

The commission consists of fifteen members. Eleven of the members serve as citizen members, appointed by and serving at the pleasure of the governor. The chairperson is appointed by the governor from among the citizen members. Two members are appointed by the speaker of the house of representatives and two members are appointed by the president of the senate.

The commission establishes plans, sets overall centennial program policies and appoints the commission's director.

The commission's major purpose and goal is to develop a program to celebrate the centennial of Washington's admission to the union. The program will encourage the active participation of all interested communities and citizens, and be representative of the contributions of all peoples and cultures to Washington's history as a state. The program will include special events, cultural and historical programs and displays, publications, and scholarly projects, and a variety of similar programs. The commission is particularly desirous of ensuring program elements of long-term value, and, to that end, proposes major centennial funding for the restoration, preservation, development and maintenance of programs and projects with enduring value.

NEW SECTION

WAC 100-100-020 COMMISSION DUTIES. The commission's mandate is to:

(1) Develop a comprehensive plan and program for celebrating the centennial of Washington's admission to the union:

(a) Representing the contributions of all people and cultures to Washington state history; and

(b) Designed to encourage and support participation by every community in the state;

(2) Prepare a report to the governor and the legislature incorporating recommendations of programs and activities for the centennial celebration, no later than December 1 of each year, and including but not limited to:

(a) Restoration of historic properties with emphasis on those properties appropriate for use in the observance of the centennial;

(b) State and local historic preservation programs and activities;

- (c) Publications, films and other educational materials, emblems, decals, and/or other symbols;
- (d) Bibliographical and documentary projects;
- (e) Conferences, lectures, seminars, and other educational programs;
- (f) Concerts, dramas, readings, athletic contests, and other participatory activities;
- (g) Museum, library, cultural center, and park exhibits, including mobile exhibits; and
- (h) Ceremonies and celebrations;
- (3) Develop biennial funding proposals for presentation to the legislature, including but not limited to:
 - (a) A specific proposal for issuance of general obligation bonds;
 - (b) Development of fund-raising plans requiring legislative authority for this commission to conduct:
 - (i) Sale of books, documents, and other materials to be published by this commission and/or by contract with private publishers;
 - (ii) Franchise of uses of emblems, decals, or other symbols;
 - (iii) Development of subscriptions at various levels; and/or
 - (iv) Other fund-raising activities or enterprises;
- (4) Cooperate with, and coordinate the activities of, state agencies, local governments, historical societies, regional/community/neighborhood groups, nonprofit associations, corporations, labor unions, and other organizations in development of state, regional and local plans for the centennial celebrations, for capital projects both new and especially restorative, and other projects and activities, and assist the foregoing organizations with plans for raising the revenue necessary for their implementation;
- (5) Develop a plan of matching grants for historic preservation projects, museums, libraries, parks, and/or other state, regional and local projects intended to be legacies to succeeding generations;
- (6) Develop recommendations for matching grants to historic societies, museums, libraries, parks, maritime organizations, and other state, regional and/or local agencies and/or other nonprofit private organizations for exceptional or innovative activities marking the centennial; determine the level of and/or award such grants as may be authorized by statute or executive order;
- (7) Sponsor and cooperate with other organizations sponsoring composition of centennial music, creation of works in the plastic arts, drama, fiction, poetry, and other audio-visual media;
- (8) Sponsor and cooperate with other organizations sponsoring fun and games, athletic contests, and other participatory activities designed to elicit the widest possible interest in the celebration of the centennial;
- (9) Appoint and employ a director and such other personnel as may be required to accomplish the objectives and purposes enumerated herein;
- (10) Adopt a preliminary budget for approval of the governor and the legislature and a final budget which complies with legislative appropriations and governor's directives;
- (11) Compile and use regularly the widest possible mailing list, including news media, historic societies, government agencies, relevant community groups, and other organizations not only for the purpose of generating interest in the centennial celebration but also as a means of conducting commission business in a public manner;
- (12) Establish and maintain close working rapport with the other states whose centennials will occur in 1989;
- (13) Establish standing and ad hoc committees as necessary;
- (14) Prepare and publish a final report to the legislature and the governor no later than December 31, 1990; and
- (15) Conclude commission business on December 31, 1990, in an orderly manner and turn over all documents, records, furniture, equipment, and other assets in accordance with directives from the legislature and governor.

NEW SECTION

WAC 100-100-030 ORGANIZATION. (1) Officers. The officers of the commission shall be chairman, vice chairman, and director who shall function as the secretary of the commission. The chairman is appointed by the governor. The vice chairman shall be a citizen member of the commission, and shall be elected for one year terms by the commission.

(2) Duties of officers.

(a) The chairman shall preside at all meetings of the council, shall act as an ex officio member of all standing committees, and shall perform such other duties as pertain to the office.

The chairman shall also act as principal spokesman for the commission, appoint standing and ad hoc committees, remove members of

committees on the concurrence of two-thirds majority of the commission, and provide a regular report to the commission on the status of the commission's work.

The chairman shall be responsible for the appointment, supervision, and termination of the director, with the concurrence of a two-third majority of the commission prior to action.

(b) The vice chairman shall perform the duties of the chairman in his absence, shall act as an ex officio member of all standing committees and perform any other duties delegated by the chairman or commission.

(c) The director, in addition to duties assigned elsewhere in these rules or by the commission, shall keep a record of the proceedings of the commission, notify all commission members of meetings, and perform such other duties as may be delegated by the chairman or the commission.

(3) Term of office. Term of office for the vice chairman shall be one year beginning July 1 and ending June 30.

(4) Election of officers and committee appointments.

(a) The nominating committee shall present nominations for vice chairman.

(b) The chairman shall appoint a nominating committee no later than April. The nominating committee shall consist of three citizen members and two members from the legislative membership of the commission.

(c) The nominations shall be presented and elections held at the commission's May meeting. The vice chairman shall be elected by majority vote.

(d) Committee appointments to the various standing and ad hoc committees will be made by the chairman in June of each year, by and with the advice and consent of the commission.

(5) As used in this chapter, the terms chairman and vice chairman shall refer to persons of either sex.

NEW SECTION

WAC 100-100-040 MEETINGS. (1) Regular meetings. The commission shall meet at least four times each year and at such other times as determined by the chairman, vice chairman or by a majority of the members.

(2) Place of meetings. The meetings of the commission may be held at any place as determined by the chairman.

(3) Notice. Twenty days notice of all meetings shall be given by mailing a copy of the notice and agenda to each member and to any person who has made written request to the commission.

(4) Special meetings. The twenty-day notice may be waived for special or emergency meetings upon consent of a majority of the commission members. In such cases, the provisions of RCW 42.30.080 will govern due notification of the time, place and business to be transacted. A quorum for such special meetings shall consist of seven members or two-thirds of the current membership of the commission, whichever is smaller.

(5) Executive sessions. An executive session may be called by the chairman or a majority of the commission. No official actions shall be taken at executive sessions which shall be binding without formal action at a regular or special meeting of the commission. Executive sessions shall deal only with matters authorized by RCW 42.30.110.

(6) Agenda. The agenda shall be prepared by the director in consultation with the chairman. Items submitted by commission members to the director at least twenty-five days prior to the commission meetings shall be included on the agenda. Each agenda shall also include provision for public participation.

(7) Attendance of commission members. Each member of the commission is expected to attend all commission and assigned committee meetings. In the event that a member is unable to attend a scheduled meeting, he or she is requested to provide the chairman or the director with the reasons for the absence. If attendance by a legislative member is not possible, a representative may be sent who will be afforded full speaking privileges but shall not be able to move or second motions or vote. In the event of three consecutive absences of a member from regular meetings as described in WAC 100-100-040(1), the chairman shall notify the governor of such absences, in writing, with copies to all members.

(8) Voting procedures. Voting procedures for the commission shall be as follows:

(a) All fifteen members shall have the right to vote.

(b) The chairman shall have the right to vote on all matters coming before the commission. In the case of a tie, the matter shall be referred to committee for further consideration.

(c) A roll call vote shall be taken on any matter at the request of a member.

(d) There shall be no proxy voting.

(9) Minutes. The minutes of the previous meeting shall be distributed to all commission members at least twenty days prior to each regular commission meeting.

(10) Public attendance. All regular and special meetings shall be open to the public. All executive sessions shall be closed to the public.

(11) Press releases. All press releases and information concerning commission activities shall be released by the chairman or director except as otherwise authorized.

(12) Public participation. Any person(s) or organization wishing to make a formal presentation at a meeting of the commission shall notify the director in writing at least forty-eight hours prior to the time of the meeting. Such notification shall contain the person's or organization's name, address, and the topic to be presented to the commission.

(13) The chairman may, at his discretion, recognize anyone in the audience who indicates at the time of the meeting a desire to speak, provided that reasonable time limits for such remarks may be established.

(14) Except as otherwise provided herein, Roberts Rules of Order Newly Revised shall serve as parliamentary authority for meetings of the commission or committees thereof insofar as not inconsistent with law.

(15) The Open Public Meetings Act, chapter 42.30 RCW, shall govern the proceedings of the commission.

NEW SECTION

WAC 100-100-050 COMMITTEES. (1) Executive committee.

(a) There shall be an executive committee which shall consist of the chairman, vice chairman, and a third member to be elected by the commission, and shall transact such business as may be necessary between meetings, provided that the executive committee shall not obligate the commission for expenditures exceeding ten thousand dollars.

(b) Minutes of executive committee meetings will be signed by each member of the executive committee present and circulated to the commission at or before the next regular meeting.

(2) Budget and finance committee. This committee shall be composed of not less than three citizen members and one legislative member. The committee shall assist the commission in the management of its financial affairs, including policy guidance for and approval of biennial budgets, project budgets, review and approval of revenue, contract and grant programs, and general accounting and fiscal overview of the agency.

(3) Administration and personnel committee. This committee shall be composed of not less than three citizen members and one legislative member. The committee shall assist the commission in the management administration of its work, including serving as a screening committee for the selection of the director, establishment of personnel policies, and review of any performance evaluation or disciplinary action with respect to the director.

(4) In addition, the commission may establish such other committees, including internal audit, as may be necessary and appropriate from time to time.

(5) Each committee member shall serve for a term of one year and may be reappointed. Vacancies in any committee shall be filled in the same manner as provided in the original appointment.

NEW SECTION

WAC 100-100-060 PERSONNEL. (1) Director. The chairman shall appoint a director as provided in WAC 100-100-030 (2)(a). The director shall be the executive officer of the commission, and, under the administrative direction of the commission, will plan, organize, coordinate, and direct all staff support activities for the commission and its committees; act as liaison between the commission and other agencies and persons; will serve as secretary to the commission; will be responsible for administering any program or directive of the commission; will control, manage, and supervise the staff personnel of the commission; will manage necessary administrative functions such as facilities, services, procurement, accounting and payroll functions, and travel expense reimbursement; will prepare the budget and allotments, which will be reviewed and approved by the commission; and will perform such other duties as may be assigned. The director shall be an exempt position.

(2) Staff. In addition to the director, the commission may employ such other assistants and employees as may be required.

(3) Legal advisor. The attorney general serves as legal advisor to the commission.

NEW SECTION

WAC 100-100-070 OUTSIDE RESOURCES. (1) The commission encourages the use of other state agencies, employees, and outside groups to implement and support the 1989 centennial.

(2) The commission may contract with other agencies, persons, and groups in appropriate manner, to accomplish commission activities, in accordance with state law.

NEW SECTION

WAC 100-100-080 PUBLIC RECORDS. The commission's public records shall be in the charge of the director, who shall act as public records officer pursuant to RCW 42.17.310. The commission hereby adopts by reference the records request procedures outlined in chapter 1-06 WAC except that all references to the code reviser shall be deemed to refer to the commission or its chairman.

No fee shall be charged for the inspection of public records. The commission shall charge a fee of twenty-five cents per page, plus necessary postage, for providing copies of public documents, and five dollars for certification if requested.

NEW SECTION

WAC 100-100-090 TRAVEL EXPENSES. (1) Commissioners' travel expenses shall be reimbursed, upon submission of proper voucher, pursuant to RCW 27.60.030.

(2) The director's travel, and other expense reimbursement permitted by state law, shall be approved by the chairman, and other staff travel and expense reimbursement request shall be approved by the director.

NEW SECTION

WAC 100-100-100 INVITATION TO THE PUBLIC. The commission enthusiastically believes the 1989 centennial of Washington's statehood should be an event celebrated by, enjoyed by, participated in, and positively affecting the greatest number and variety of Washingtonians as possible — young, old, of varied ethnic and cultural backgrounds and interests. The commission encourages and actively seeks citizen input, thoughts, and suggestions, to the end that, in 1989, all Washingtonians can join in and say "CELEBRATE! '89" — our state's past and its future.

WSR 84-20-095

EMERGENCY RULES

1989 CENTENNIAL COMMISSION

[Order 84-1, Resolution No. 84-1—Filed October 3, 1984]

Be it resolved by the 1989 Washington Centennial Commission, acting at Wenatchee, Washington, that it does adopt the annexed rules relating to agency practice and procedure.

We, the 1989 Washington Centennial Commission, find that an emergency exists and that this 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 the emergency is the need to provide current guidance to the public and to other agencies concerning Centennial Commission procedures.

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

This rule is promulgated pursuant to RCW 27.60.010 and 27.60.040 which directs that the 1989 Washington

Centennial Commission has authority to implement the provisions of chapter 27.60 RCW.

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

APPROVED AND ADOPTED September 20, 1984.

By Ralph Munro

Chairman

Chapter 100-100 WAC
CENTENNIAL COMMISSION

NEW SECTION

WAC 100-100-010 THE 1989 WASHINGTON CENTENNIAL COMMISSION—DESCRIPTION.

On November 11, 1989, Washington state will celebrate one hundred years of statehood.

The 1989 Washington centennial commission is the agency charged with the development of a comprehensive program for commemorating and celebrating the one hundredth anniversary of Washington's admission to the United States of America in 1889.

The commission consists of fifteen members. Eleven of the members serve as citizen members, appointed by and serving at the pleasure of the governor. The chairperson is appointed by the governor from among the citizen members. Two members are appointed by the speaker of the house of representatives and two members are appointed by the president of the senate.

The commission establishes plans, sets overall centennial program policies and appoints the commission's director.

The commission's major purpose and goal is to develop a program to celebrate the centennial of Washington's admission to the union. The program will encourage the active participation of all interested communities and citizens, and be representative of the contributions of all peoples and cultures to Washington's history as a state. The program will include special events, cultural and historical programs and displays, publications, and scholarly projects, and a variety of similar programs. The commission is particularly desirous of ensuring program elements of long-term value, and, to that end, proposes major centennial funding for the restoration, preservation, development and maintenance of programs and projects with enduring value.

NEW SECTION

WAC 100-100-020 COMMISSION DUTIES. The commission's mandate is to:

(1) Develop a comprehensive plan and program for celebrating the centennial of Washington's admission to the union:

(a) Representing the contributions of all people and cultures to Washington state history; and

(b) Designed to encourage and support participation by every community in the state;

(2) Prepare a report to the governor and the legislature incorporating recommendations of programs and activities for the centennial celebration, no later than December 1 of each year, and including but not limited to:

(a) Restoration of historic properties with emphasis on those properties appropriate for use in the observance of the centennial;

(b) State and local historic preservation programs and activities;

(c) Publications, films and other educational materials, emblems, decals, and/or other symbols;

(d) Bibliographical and documentary projects;

(e) Conferences, lectures, seminars, and other educational programs;

(f) Concerts, dramas, readings, athletic contests, and other participatory activities;

(g) Museum, library, cultural center, and park exhibits, including mobile exhibits; and

(h) Ceremonies and celebrations;

(3) Develop biennial funding proposals for presentation to the legislature, including but not limited to:

(a) A specific proposal for issuance of general obligation bonds;

(b) Development of fund-raising plans requiring legislative authority for this commission to conduct:

(i) Sale of books, documents, and other materials to be published by this commission and/or by contract with private publishers;

(ii) Franchise of uses of emblems, decals, or other symbols;

(iii) Development of subscriptions at various levels; and/or

(iv) Other fund-raising activities or enterprises;

(4) Cooperate with, and coordinate the activities of, state agencies, local governments, historical societies, regional/community/neighborhood groups, nonprofit associations, corporations, labor unions, and other organizations in development of state, regional and local plans for the centennial celebrations, for capital projects both new and especially restorative, and other projects and activities, and assist the foregoing organizations with plans for raising the revenue necessary for their implementation;

(5) Develop a plan of matching grants for historic preservation projects, museums, libraries, parks, and/or other state, regional and local projects intended to be legacies to succeeding generations;

(6) Develop recommendations for matching grants to historic societies, museums, libraries, parks, maritime organizations, and other state, regional and/or local agencies and/or other nonprofit private organizations for exceptional or innovative activities marking the centennial; determine the level of and/or award such grants as may be authorized by statute or executive order;

(7) Sponsor and cooperate with other organizations sponsoring composition of centennial music, creation of works in the plastic arts, drama, fiction, poetry, and other audio-visual media;

(8) Sponsor and cooperate with other organizations sponsoring fun and games, athletic contests, and other

participatory activities designed to elicit the widest possible interest in the celebration of the centennial;

(9) Appoint and employ a director and such other personnel as may be required to accomplish the objectives and purposes enumerated herein;

(10) Adopt a preliminary budget for approval of the governor and the legislature and a final budget which complies with legislative appropriations and governor's directives;

(11) Compile and use regularly the widest possible mailing list, including news media, historic societies, government agencies, relevant community groups, and other organizations not only for the purpose of generating interest in the centennial celebration but also as a means of conducting commission business in a public manner;

(12) Establish and maintain close working rapport with the other states whose centennials will occur in 1989;

(13) Establish standing and ad hoc committees as necessary;

(14) Prepare and publish a final report to the legislature and the governor no later than December 31, 1990, and

(15) Conclude commission business on December 31, 1990, in an orderly manner and turn over all documents, records, furniture, equipment, and other assets in accordance with directives from the legislature and governor.

NEW SECTION

WAC 100-100-030 ORGANIZATION. (1) Officers. The officers of the commission shall be chairman, vice chairman, and director who shall function as the secretary of the commission. The chairman is appointed by the governor. The vice chairman shall be a citizen member of the commission, and shall be elected for one year terms by the commission.

(2) Duties of officers.

(a) The chairman shall preside at all meetings of the council, shall act as an ex officio member of all standing committees, and shall perform such other duties as pertain to the office.

The chairman shall also act as principal spokesman for the commission, appoint standing and ad hoc committees, remove members of committees on the concurrence of two-thirds majority of the commission, and provide a regular report to the commission on the status of the commission's work.

The chairman shall be responsible for the appointment, supervision, and termination of the director, with the concurrence of a two-third majority of the commission prior to action.

(b) The vice chairman shall perform the duties of the chairman in his absence, shall act as an ex officio member of all standing committees and perform any other duties delegated by the chairman or commission.

(c) The director, in addition to duties assigned elsewhere in these rules or by the commission, shall keep a record of the proceedings of the commission, notify all commission members of meetings, and perform such

other duties as may be delegated by the chairman or the commission.

(3) Term of office. Term of office for the vice chairman shall be one year beginning July 1 and ending June 30.

(4) Election of officers and committee appointments.

(a) The nominating committee shall present nominations for vice chairman.

(b) The chairman shall appoint a nominating committee no later than April. The nominating committee shall consist of three citizen members and two members from the legislative membership of the commission.

(c) The nominations shall be presented and elections held at the commission's May meeting. The vice chairman shall be elected by majority vote.

(d) Committee appointments to the various standing and ad hoc committees will be made by the chairman in June of each year, by and with the advice and consent of the commission.

(5) As used in this chapter, the terms chairman and vice chairman shall refer to persons of either sex.

NEW SECTION

WAC 100-100-040 MEETINGS. (1) Regular meetings. The commission shall meet at least four times each year and at such other times as determined by the chairman, vice chairman or by a majority of the members.

(2) Place of meetings. The meetings of the commission may be held at any place as determined by the chairman.

(3) Notice. Twenty days notice of all meetings shall be given by mailing a copy of the notice and agenda to each member and to any person who has made written request to the commission.

(4) Special meetings. The twenty-day notice may be waived for special or emergency meetings upon consent of a majority of the commission members. In such cases, the provisions of RCW 42.30.080 will govern due notification of the time, place and business to be transacted. A quorum for such special meetings shall consist of seven members or two-thirds of the current membership of the commission, whichever is smaller.

(5) Executive sessions. An executive session may be called by the chairman or a majority of the commission. No official actions shall be taken at executive sessions which shall be binding without formal action at a regular or special meeting of the commission. Executive sessions shall deal only with matters authorized by RCW 42.30.110.

(6) Agenda. The agenda shall be prepared by the director in consultation with the chairman. Items submitted by commission members to the director at least twenty-five days prior to the commission meetings shall be included on the agenda. Each agenda shall also include provision for public participation.

(7) Attendance of commission members. Each member of the commission is expected to attend all commission and assigned committee meetings. In the event that a member is unable to attend a scheduled meeting, he or she is requested to provide the chairman or the director

with the reasons for the absence. If attendance by a legislative member is not possible, a representative may be sent who will be afforded full speaking privileges but shall not be able to move or second motions or vote. In the event of three consecutive absences of a member from regular meetings as described in WAC 100-100-040(1), the chairman shall notify the governor of such absences, in writing, with copies to all members.

(8) Voting procedures. Voting procedures for the commission shall be as follows:

(a) All fifteen members shall have the right to vote.

(b) The chairman shall have the right to vote on all matters coming before the commission. In the case of a tie, the matter shall be referred to committee for further consideration.

(c) A roll call vote shall be taken on any matter at the request of a member.

(d) There shall be no proxy voting.

(9) Minutes. The minutes of the previous meeting shall be distributed to all commission members at least twenty days prior to each regular commission meeting.

(10) Public attendance. All regular and special meetings shall be open to the public. All executive sessions shall be closed to the public.

(11) Press releases. All press releases and information concerning commission activities shall be released by the chairman or director except as otherwise authorized.

(12) Public participation. Any person(s) or organization wishing to make a formal presentation at a meeting of the commission shall notify the director in writing at least forty-eight hours prior to the time of the meeting. Such notification shall contain the person's or organization's name, address, and the topic to be presented to the commission.

(13) The chairman may, at his discretion, recognize anyone in the audience who indicates at the time of the meeting a desire to speak, provided that reasonable time limits for such remarks may be established.

(14) Except as otherwise provided herein, Roberts Rules of Order Newly Revised shall serve as parliamentary authority for meetings of the commission or committees thereof insofar as not inconsistent with law.

(15) The Open Public Meetings Act, chapter 42.30 RCW, shall govern the proceedings of the commission.

NEW SECTION

WAC 100-100-050 COMMITTEES. (1) Executive committee.

(a) There shall be an executive committee which shall consist of the chairman, vice chairman, and a third member to be elected by the commission, and shall transact such business as may be necessary between meetings, provided that the executive committee shall not obligate the commission for expenditures exceeding ten thousand dollars.

(b) Minutes of executive committee meetings will be signed by each member of the executive committee present and circulated to the commission at or before the next regular meeting.

(2) Budget and finance committee. This committee shall be composed of not less than three citizen members and one legislative member. The committee shall assist

the commission in the management of its financial affairs, including policy guidance for and approval of biennial budgets, project budgets, review and approval of revenue, contract and grant programs, and general accounting and fiscal overview of the agency.

(3) Administration and personnel committee. This committee shall be composed of not less than three citizen members and one legislative member. The committee shall assist the commission in the management administration of its work, including serving as a screening committee for the selection of the director, establishment of personnel policies, and review of any performance evaluation or disciplinary action with respect to the director.

(4) In addition, the commission may establish such other committees, including internal audit, as may be necessary and appropriate from time to time.

(5) Each committee member shall serve for a term of one year and may be reappointed. Vacancies in any committee shall be filled in the same manner as provided in the original appointment.

NEW SECTION

WAC 100-100-060 PERSONNEL. (1) Director. The chairman shall appoint a director as provided in WAC 100-100-030 (2)(a). The director shall be the executive officer of the commission, and, under the administrative direction of the commission, will plan, organize, coordinate, and direct all staff support activities for the commission and its committees; act as liaison between the commission and other agencies and persons; will serve as secretary to the commission; will be responsible for administering any program or directive of the commission; will control, manage, and supervise the staff personnel of the commission; will manage necessary administrative functions such as facilities, services, procurement, accounting and payroll functions, and travel expense reimbursement; will prepare the budget and allotments, which will be reviewed and approved by the commission; and will perform such other duties as may be assigned. The director shall be an exempt position.

(2) Staff. In addition to the director, the commission may employ such other assistants and employees as may be required.

(3) Legal advisor. The attorney general serves as legal advisor to the commission.

NEW SECTION

WAC 100-100-070 OUTSIDE RESOURCES. (1) The commission encourages the use of other state agencies, employees, and outside groups to implement and support the 1989 centennial.

(2) The commission may contract with other agencies, persons, and groups in appropriate manner, to accomplish commission activities, in accordance with state law.

NEW SECTION

WAC 100-100-080 PUBLIC RECORDS. The commission's public records shall be in the charge of the director, who shall act as public records officer pursuant to RCW 42.17.310. The commission hereby adopts by

reference the records request procedures outlined in chapter 1-06 WAC except that all references to the code reviser shall be deemed to refer to the commission or its chairman.

No fee shall be charged for the inspection of public records. The commission shall charge a fee of twenty-five cents per page, plus necessary postage, for providing copies of public documents, and five dollars for certification if requested.

NEW SECTION

WAC 100-100-090 TRAVEL EXPENSES. (1) Commissioners' travel expenses shall be reimbursed, upon submission of proper voucher, pursuant to RCW 27.60.030.

(2) The director's travel, and other expense reimbursement permitted by state law, shall be approved by the chairman, and other staff travel and expense reimbursement request shall be approved by the director.

NEW SECTION

WAC 100-100-100 INVITATION TO THE PUBLIC. The commission enthusiastically believes the 1989 centennial of Washington's statehood should be an event celebrated by, enjoyed by, participated in, and positively affecting the greatest number and variety of Washingtonians as possible — young, old, of varied ethnic and cultural backgrounds and interests. The commission encourages and actively seeks citizen input, thoughts, and suggestions, to the end that, in 1989, all Washingtonians can join in and say "CELEBRATE! '89" — our state's past and its future.

WSR 84-20-096
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning horticultural inspection fees, chapter 16-400 WAC;

that the agency will at 10:00 a.m., Thursday, November 8, 1984, in the Holiday Inn, Ellensburg, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 26, 1984.

The authority under which these rules are proposed is chapter 15.17 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

Dated: October 3, 1984
By: Norval G. Johanson
Assistant Director

STATEMENT OF PURPOSE

Title: Horticulture inspection fees.

Description of Purpose: To increase horticulture inspection fees.

Statutory Authority: Chapter 15.17 RCW.

Summary of Rules: The rule increases fees on inspection of fruits and vegetables. The increase is necessary to maintain the current level of service. The rule also simplifies and brings the existing fee schedule into conformity with the current industry practices.

Agency Personnel to Contact: James Archer, Commodities Inspection Division, Department of Agriculture, 406 General Administration Building, AX-41, Olympia, Washington 98504, Phone: (206) 753-5052.

These Rules are Proposed by: Department of Agriculture.

Agency Comment: None.

These rules are not necessary as a result of federal law, or federal or state court action.

Small Business Impact Statement: None.

AMENDATORY SECTION (Amending Order 1589, filed 12/20/78)

WAC 16-400-010 GRADE AND CONDITION CERTIFICATES. ALL DISTRICTS—FRUITS.

((1) The minimum charge for a certificate shall be \$6.00 on all fruits and vegetables.

(2) All fresh fruits. (Apples, pears and soft fruits). Fruit in containers. (Wrapped, place pack, face and fill, or loose in bulk, bins, boxes, cartons, crates, or bags). For bulk or bins, divide the net weight by 40 pounds to determine the number of standard containers for charges.

Table with 2 columns: Weight range and Price per container. Includes: Under 19 lbs net (1 3/4¢), 20 to 29 lbs net (3¢), 30 to 65 lbs net (3 1/2¢). Note: (Incl. 1/2 bu. container for prunes))

Charges for grade and condition certificates for all fruits shall be:

(1) The minimum charge for all fruits shall be eight dollars.

(2) For all fresh fruits of apples, pears, and soft fruit in containers—wrapped, place pack, face and fill, in bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins, or in bags:

Table with 2 columns: Fruit type and Price per cwt. or fraction thereof. Includes: Apples (11¢), Apricots (19¢), Cherries (19¢), Nectarines (19¢), Peaches (19¢), Pears (10¢), Plums (14¢), Prunes (14¢), Other soft fruits, grapes, and berries (19¢).

AMENDATORY SECTION (Amending Order 1589, filed 12/20/78)

WAC 16-400-020 LOOSE ((APPLES AND/OR PEARS)) FRUIT. ((In bulk for processing))

(1) \$1.50 per ton net weight or fraction thereof.

(2) The charge for a mixture of packed and loose apples and pears, shall be based on the total of packed and loose apples and pears under WAC 16-400-010 and 16-400-020.)) (In bulk for processing or for quality or size determination) Charges shall be:

Table with 2 columns: Description and Price. Includes: (1) Apples and/or pears per ton net weight or fraction thereof (\$ 2.00), (2) Stone fruit, grapes, berries, and melons per ton net weight or fraction thereof (\$ 2.00)

AMENDATORY SECTION (Amending Order 1589, filed 12/20/78)

WAC 16-400-040 GRADE AND CONDITION CERTIFICATES—VEGETABLES.

((Asparagus in 12 lb containers..... 2¢ each

Asparagus in 26—35 lb containers	3 1/2¢ each
Corn—crates	6¢ each
Cantaloupe (60 lb container unit)	6¢ each
Tomatoes—L.A. lugs or loose in containers	3¢ each
Tomatoes—In flats	2 1/4¢ each
Onions	5¢ cwt.
Potatoes and seed potatoes	4¢ cwt.
Potatoes where percentage grade needed or major fraction thereof (diversion program or similar program)	50¢ per ton
Processing potatoes	4¢ cwt.
Complete inspection (rate reduced for service required)	

Inspection fees for cabbage, celery, lettuce, cauliflower, grapes, rhubarb, rutabagas, watermelons, squash, carrots, etc., shall be at the regular hourly rate of \$12.00 per hour, or \$24.00 for a carload, with a maximum of 2 hours time, for domestic use only.) ALL DISTRICTS—VEGETABLES. Charges for grade and condition certificates for all fruits shall be:

- (1) The minimum charge for all vegetables shall be eight dollars.
- (2) Charges for grade and condition certificates for all fresh market vegetables in containers—wrapped, place pack, face and fill, in bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins or in bags shall be:

Asparagus	15¢ cwt. or fraction thereof
Cabbage	12¢ cwt. or fraction thereof
Cauliflower	12¢ cwt. or fraction thereof
Celery	12¢ cwt. or fraction thereof
Corn	12¢ cwt. or fraction thereof
Cucumber	12¢ cwt. or fraction thereof
Lettuce	12¢ cwt. or fraction thereof
Onions	6¢ cwt. or fraction thereof
Potatoes and Seed Potatoes	5¢ cwt. or fraction thereof
Processing Potatoes	5¢ cwt. or fraction thereof
Complete inspection (rate shall be reduced for level of service required)	
Cantaloupes	12¢ cwt. or fraction thereof
Carrots	12¢ cwt. or fraction thereof
Rhubarb	12¢ cwt. or fraction thereof
Rutabagas	6¢ cwt. or fraction thereof
Squash	12¢ cwt. or fraction thereof
Tomatoes	15¢ cwt. or fraction thereof
Turnips	6¢ cwt. or fraction thereof
Other Melons	12¢ cwt. or fraction thereof
Other Vegetables	12¢ cwt. or fraction thereof

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-050 DEFENSE SUBSISTENCE SUPPLY CENTER OR OTHER FEDERAL AGENCIES. ((Fees as established by USDA.

- (1) For Canadian export inspections only where specific charges are not established by this regulation:

— 1 — 25 packages	\$ 6.00
— 26 — 50 packages	10.00
— 51 — 150 packages	15.00
— 151 — 400 packages	20.00
— 401 — customary car lot	30.00

except where specific commodity charges are established.

- (2) Terminal wholesale market inspections (domestic) in Tacoma, Seattle and Spokane. Minimum chg., 1 hour \$12.00:

(3) State institution inspections	\$12.00 per hour
Minimum fee shall be \$ 6.00:))	

Inspection fees are as follows:

- (1) For Canadian export inspections only where specific charges are not established by WAC 16-400-010 and 16-400-040.

1 — 50 packages	\$ 8.00
51 — 150 packages	\$12.00
151 — 400 packages	\$24.00
401 — customary car lot	\$45.00

- (2) Terminal wholesale market inspections (domestic) in Tacoma, Seattle, Spokane, or other major locations.

Minimum charge	per hour	\$16.00
(3) State institution inspections	per hour	\$16.00
Minimum fee		\$ 8.00

AMENDATORY SECTION (Amending Order 1482, filed 8/16/76)

WAC 16-400-060 ((BEANS, PEAS, LENTILS)) OTHER AGRICULTURAL COMMODITIES.

((1)) Lot inspection	7 cents per cwt.
Minimum charge for a certificate shall be \$10.00:	
(2) Sample inspection	\$10.00 per sample))

- (1) Charges for inspection of beans, peas, and lentils shall be:
 - (a) Lot inspection
 WAC 16-212-070 (2)(a) Adopted by reference. |
 - (b) Sample inspection
 WAC 16-212-070 (2)(d) Adopted by reference. |
- (2) Charges for inspection of hay and straw shall be:
 - (a) Complete inspection
 WAC 16-212-070 (1)(a) Adopted by reference. |
 - (b) Factor (partial) inspection
 WAC 16-212-070 (1)(b) Adopted by reference. |

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-100 ((CONSOLIDATION)) CERTIFICATES. ((Shall have an additional charge of \$2.00 for each additional local lot:)) Certificate charges shall be in accordance with the following provisions:

- (1) Consolidation certificates shall have an additional charge of three dollars for each additional local lot.
- (2) Condition certificate charges shall be two-thirds of the grade and condition certificates with the following exceptions:
 - (a) Previously inspected lots shall have a minimum charge of eight dollars.
 - (b) When the lot has had no prior inspection for quality or grade and it is requested that the certificate carry out-bound car, truck, or state lot number, the grade and condition certificate schedule shall apply.
 - (c) Out-of-state products reported on state certificates shall be charged on the applicable grade and condition certificate schedule, except there shall be an hourly charge of sixteen dollars per hour with a minimum charge of eight dollars.

- (3) Car hook-up, loading or unloading certificate: The minimum fee shall be eight dollars.

- (4) Sanitary certificate charges for fruits and vegetables shall be:

- (a) Four dollars for the issuance of a certificate, plus sixteen dollars per hour when the shipment is not covered by federal-state certificates.
- (b) Four dollars per set when the shipment is covered by federal-state certificates.

- (5) Quarantine certificate charges shall be the same as for sanitary certificates.

- (6) Container weight, or checkloading certificates
 per hour | \$16.00 |

AMENDATORY SECTION (Amending Order 1786, filed 3/1/83)

WAC 16-400-150 SHIPPING PERMITS AND CERTIFICATES OF COMPLIANCES—FRUITS AND VEGETABLES. By law, each shipment of apples, apricots, Italian prunes, peaches, pears, certified seed potatoes, and asparagus ((must)) shall be covered by a shipping permit for grade; ((and)) cherries ((for)) shall have a shipping permit indicating freedom from cherry fruit fly larvae, whether certified or not. Shipments to processors of apricots, cherries, peaches, prunes, and asparagus do not require a shipping permit. If the lot has been certified ((for each shipment by car or truck)), a permit ((with)) or certificate of compliance shall be issued without additional charge. If the lot has not been certified, the basis of charges shall be ((as follows)):

- (1) ((Apples, pears, and soft fruits (carlots and trucklots):
 - (a) Shipping permit fees:
 - (i) Containers of twenty-eight pounds to sixty-five pounds, eighty or less
 per container | \$ 0.05 |

(ii) Containers of twenty-eight pounds to sixty-five pounds, eighty-one and over	two-thirds the fee for grade and condition certificate. (Minimum fee	\$ 4.00)
(iii) Seventeen to twenty-seven pounds—two containers up to minimum		\$ 0.05
(Minimum fee		\$ 4.00)
(iv) Sixteen pounds and under—three containers up to minimum		\$ 0.05
(Minimum fee		\$ 4.00)
(b) Permit to ship apples and/or pears to a by-product plant outside the district		\$ 2.00
(Permits to by-product plants are for transportation only in accordance with state law.)		
(2) Vegetables:		
(a) Potatoes—per permit, two-thirds of certificate charge. (Minimum fee		\$ 4.00)
(b) Processing plant or livestock feed shipments— for transportation only, in accordance with state law per load		\$ 2.00
or where point of origin or out-of-district inspection required per ton		\$ 0.50
(c) Certified seed potatoes per cwt		\$ 0.04
No charge shall be made for shipping permits when seed potatoes are grown, graded and shipped in full compliance with the provisions of the rules for the certification of seed potatoes, and the grades and standards for certified seed potatoes:		
(d) Asparagus		
(i) Containers of twenty-six to thirty-five pounds, eighty or less	per container	\$ 0.05
(ii) Containers of twenty-six to thirty-five pounds, eighty-one and over	two-thirds the fee for grade and condition certificate. (Minimum fee	\$ 4.00)
(iii) Twelve to twenty-five pounds—two containers up to minimum		\$ 0.05
(Minimum fee		\$ 4.00)
(3) Container weight, or checkloading certificates	per container	\$0.01 (Minimum fee
		\$ 12.00))

The minimum charge shall be two dollars.

(2) Two-thirds the rate for grade and condition certificates shall apply.

(3) Permit to ship apples and/or pears to a by-product plant outside the district..... \$3.00

(4) On certified seed potatoes no charge shall be made for shipping permits when seed potatoes are grown, graded, and shipped in full compliance with the provisions of the rules for the certification of seed potatoes, and the grades and standards for certified seed potatoes \$0.05 per cwt.

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-210 ((~~PLATFORM INSPECTION~~)) **OTHER CHARGES.** ((~~Platform inspections, time taking samples, extra time, FV-294 inspections, and all other services, will be charged at the rate of \$12.00/hr.~~

(2) Time allowance— where platform inspector working full time at one house also does certification inspection, he will allow credit for the time according to limits outlined in the schedule for such certification at the rate of \$12.00 per hour and should the certificate charges divided by \$12.00 equal or exceed the number of hours worked, no platform charge will be made, or if it is less than the number of hours worked, the platform charge will be made to bring the total for the day to the proper charge:)) Other miscellaneous charges are listed below:

(1) Charges for platform inspection shall be:
 (a) Platform inspections, time taking samples, extra time, FV-294 inspections, and all other services, shall be charged at the rate of sixteen dollars per hour.

(b) Time allowance - Where a platform inspector in working full time at one house and also does certification inspection, the inspector shall allow credit for the time according to limits outlined in the schedule for such certification at the rate of sixteen dollars per hour and should the certificate charges divided by sixteen dollars equal or exceed the number of hours worked, no platform charge will be assessed, or if it is less than the number of hours worked, the platform charge will be made to bring the total to proper charge.

(2) Fumigation charges - The minimum charge for supervision of fumigation shall be eighteen dollars for the first one and one-half hours. Time over the first one and one-half hours or unnecessary stand-by time shall be charged for at the rate of sixteen dollars per hour. No fumigations shall be started after 3:00 p.m. from October 1 to May 31, nor after 10:00 p.m. from June 1 to September 30.

(3) Field or orchard inspections made at the applicant's request for determination of presence or absence of disease or insect infestation, or for other reason, shall be at the rate of two dollars per acre or fraction thereof.

(4) Seed sampling fees shall be arranged with the chemical and plant services division for services performed.

(5) Extra charges on services provided shall be assessed according to provisions listed below.

(a) The minimum inspection charge for each commodity and requested form shall be at the rate of sixteen dollars per hour.

(b) If, through no fault of the inspection service, time over the maximum allowance as supported by unit rates for each commodity and requested form is required, such excess time shall be at the rate of sixteen dollars per hour.

(c) For all inspection services performed after 5:00 p.m. or on Saturdays, or Sundays, or state legal holidays, an hourly charge equivalent of twenty-two dollars per hour for actual hours spent in performance of duties shall be made. This shall include unit charges, plus, if necessary, overtime charges to equal twenty-two dollars per hour.

The following state legal holidays will be observed: New Year's Day, Veteran's Day, Memorial Day (the last Monday of May), Independence Day, Labor Day (the first Monday in September), Thanksgiving Day (the fourth Thursday in November) and the day following Thanksgiving Day, Christmas Day, Lincoln's Birthday, and Washington's Birthday (third Monday in February). NO SERVICE will be performed on Thanksgiving Day, Christmas Day or New Year's Day, beginning at 5:00 p.m. on previous day.

(d) When the per unit charge for inspection in any one day equals or exceeds the basic hourly and/or overtime charge, no additional hourly or overtime charges shall be assessed.

(6) Mileage—Whenever necessary, mileage shall be charged at the rate established by the state office of financial management.

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-270 ((~~EXTRA~~)) COPIES. ((~~After original typing of a certificate a charge of \$2.00 per set will be made for extra copies when requested by the original applicant of the certificate or other financially interested party. Copy machine copy of inspectors notes when requested by applicant will be \$1.00 per copy.~~)) Charges for copies made shall be:

(1) Extra copies—After original typing of a certificate a charge of two dollars per set shall be made for extra copies when requested by the original applicant of the certificate or other financially interested party. Copy machine copies of inspectors notes, certificates or related documents when requested by applicant may be charged twenty-five cents per copy.

(2) Retyping—When, through no fault of the inspection service, retyping is necessary, such service shall be rendered for two dollars per set.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-400-025 LOOSE STONE FRUIT AND GRAPES.
- WAC 16-400-070 HAY AND STRAW.
- WAC 16-400-090 SHORT FORM OR LOT INSPECTION CERTIFICATES.
- WAC 16-400-110 CONDITION CERTIFICATES.
- WAC 16-400-120 CAR HOOK-UP, LOADING OR UNLOADING CERTIFICATE.
- WAC 16-400-140 SANITARY CERTIFICATES—FRUITS AND VEGETABLES.
- WAC 16-400-200 QUARANTINE CERTIFICATES.
- WAC 16-400-230 FUMIGATION CHARGES.
- WAC 16-400-235 FIELD OR ORCHARD INSPECTIONS.
- WAC 16-400-240 SEED SAMPLING.
- WAC 16-400-250 EXTRA CHARGES (ON ALL ABOVE SERVICES).

WAC 16-400-280 RETYPING.
 WAC 16-400-285 CERTIFICATE ON FRUIT OR VEGETABLES UNRESTRICTED AS TO GRADE OR CONDITION.
 WAC 16-400-2901 EFFECTIVE DATE.

WSR 84-20-097
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed October 3, 1984]

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 Limited casualty program—Medically indigent—Certification, amending WAC 388-100-025.

A public hearing regarding these proposed rules was held on September 27, 1984. The purpose of this notice is to postpone the formal decision on adoption until October 17, 1984.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 17, 1984.

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

The specific statute these rules are intended to implement is RCW 74.09.700(2)(d).

This notice is connected to and continues the matter in Notice No. WSR 84-17-008 filed with the code reviser's office on August 3, 1984.

Dated: October 3, 1984
 By: David A. Hogan, Director
 Division of Administration and Personnel

WSR 84-20-098
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2155—Filed October 3, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to patient transportation, amending WAC 388-86-085.

This action is taken pursuant to Notice No. WSR 84-17-004 filed with the code reviser on August 3, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED October 3, 1984.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1743, filed 12/30/81)

WAC 388-86-085 PATIENT TRANSPORTATION. (1) The department will assure the availability of necessary transportation for recipients to and from medical care services covered under the medical assistance program in accordance with the following guidelines:

(a) "Patient transportation" shall be provided only when other sources of transportation are not available.

(b) Transportation shall be provided for the least expensive available means suitable to the recipient's medical need.

(c) Transportation shall be provided only to medical care within the local community unless necessary medical care is not available locally.

(2) Ambulance transportation may be provided when medical necessity is clearly demonstrated and the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

(3) The following policies apply to the provision of air ambulance transportation:

(a) Air ambulance transportation may be provided when:

(i) Necessary medical treatment is not available locally; and

(ii) The emergent need for medical treatment and the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

(b) Intrastate air ambulance transportation must be approved by the local medical consultant.

(c) Out-of-state air ambulance transportation must be approved by the medical director, office of medical policy and procedure.

(4) Cabulance transportation may be provided when medical necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable. Approval by the local medical consultant is required.

(5) Transportation by taxi may be provided only when approved by the local medical consultant. "Taxi shared ride service" must be utilized when transportation can be scheduled at least four hours in advance and the "shared ride service" is available in the community.

(6) Transportation by private automobile other than owned by recipient is payable at rates established by the department when approved through the community service office.

(7) Transportation to medically necessary and covered services by private automobile owned by recipient is payable at rates established by the department under the following conditions:

(a) Prior approval must be obtained from the local community services office unless an emergency situation exists;

(b) Recipient's own automobile must be the least expensive available means suitable to the recipient's medical need. Other transportation will be presumed available if the location of medical services is not more

than twenty miles from the recipient's home or if public transportation is available;

(c) Transportation shall not be provided outside of the local community unless necessary medical care is not available locally, and transportation outside of the local medical community shall be to a reasonable and least costly location where providers are able and willing to provide the necessary and covered medical services.

(8) Transportation by intercity bus may be provided when approved through the local community service office.

((8)) (9) The following policies apply to the provision of commercial air transportation:

(a) Commercial air transportation may be provided when:

- (i) Transportation is medically necessary; and
- (ii) Necessary medical treatment is not available locally; and

(iii) The physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

(b) Intrastate commercial air transportation requires prior approval by the local medical consultant.

(c) Out-of-state commercial air transportation requires prior approval through the local medical consultant and the medical director, office of medical policy and procedure.

((9)) (10) All patient transportation services provided to recipients of the limited casualty program—medically indigent require approval of the local medical consultant.

WSR 84-20-099
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2156—Filed October 3, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Administrative disqualification hearing waiver—Food stamps, repealing WAC 388-54-829.

This action is taken pursuant to Notice No. WSR 84-17-059 filed with the code reviser on August 14, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 3, 1984.

By David A. Hogan, Director
Division of Administration and Personnel

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-54-829 ADMINISTRATIVE DISQUALIFICATION HEARING WAIVER.

WSR 84-20-100
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2157—Filed October 3, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to inpatient hospitalization, amending WAC 388-86-050.

This action is taken pursuant to Notice No. WSR 84-17-101 filed with the code reviser on August 21, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED October 3, 1984.

By David A. Hogan, Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2011, filed 8/19/83)

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 the recipient will have free choice of hospitalization.

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

(a) Prior approval for nonemergent hospital admissions;

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

(3) The division of medical assistance will certify hospital admission, length of stay and/or services for all recipients.

(4) Department authorization for inpatient hospital care for eligible individuals shall be limited to the number of days established at the 50th percentile in the 1981 edition 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)).~~ 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 exceeds the number of days as limited by this subsection, the hospital shall submit to the local medical consultant a request with adequate justification and signed by the attending physician within sixty days of final service for approval of the extension.

(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))~~ categoryically needy and medically needy individuals under age twenty-one and ((for all categoryically needy recipients)) age sixty-five and older. ((Other age groups are covered under the Involuntary Treatment Act and/or other state funded programs.))

(d) Medicaid payments will be made for care in an approved psychiatric facility for categoryically needy and medically needy individuals under age twenty-one.

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

(6) ~~((Except for an emergency no))~~ Nonemergent hospital admissions shall not be made on Friday or Saturday for scheduled surgery on Monday. The attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.

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

(8) The department covers medically necessary services provided in a hospital in connection with the care or treatment of teeth, jaws, or structures directly supporting the teeth if the procedure requires hospitalization in connection with the provision of such services. Services covered under this subsection must be furnished under the direction of a physician or dentist.

WSR 84-20-101
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2158—Filed October 3, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Drugs—Limitations to payment, amending WAC 388-91-016.

This action is taken pursuant to Notice No. WSR 84-17-103 filed with the code reviser on August 21, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED October 3, 1984.

By David A. Hogan, Director
Division of Administration and Personnel

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

WAC 388-91-016 DRUGS—LIMITATIONS TO PAYMENT. (1) The department does not provide:

(a) Nonformulary drugs which can be purchased without a prescription such as: Nose drops, cotton, alcohol, vitamins, simple laxatives, advertised antacids such as but not limited to Tums, Roloids, etc.;

(b) Any drug regularly supplied as an integral part of program activity by other public agencies such as the U.S. Veterans' Administration, U.S. Department of Health and Human Services - Division of Indian Health, local health department, etc.;

(c) Drugs, biologicals, supplies, appliances, and equipment furnished by an extended care facility under Title XVIII of the Social Security Act;

(d) Drugs ordered for a hospitalized patient. These are to be furnished by the hospital;

(e) Drugs to individuals who have elected to be enrolled in a special group medical coverage contract which includes the provision of drugs as a part of the contract.

(f) Drugs listed in the federal register as "ineffective" or "possibly effective." Payment will not be made for such prescriptions under any circumstances.

(2) ~~((The department furnishes psychotherapeutic drugs and agents used for treating drug-induced Parkinsonism which are prescribed for eligible former patients of Washington state institutions for the mentally ill and retarded. The attending physician shall mail the prescription, Form 6-02, directly to the institution from which the patient has been discharged. The medication is then mailed by the facility pharmacy to the patient.~~

~~Payment is not made to pharmacist providers in this situation. Coupon confirming eligibility should be attached.~~

~~(3))~~ Prescribed nonformulary drugs will be allowed for unusual conditions only when approved by the local medical consultant.

~~((4))~~ (3) The physician who provides a drug (oral or by injection) incidental to an office call may include a fee established by the division on the basis of the acquisition cost of the drug in addition to his office call fee. In the event the cost of the drug given the patient exceeds this fee, the physician may include on his invoice for his professional services to the patient the actual cost of the drug indicating name of manufacturer and strength of dosage.

~~((5))~~ (4) Payment shall not be made for a prescription ordered for an individual recipient and used to replace drugs drawn from the doctor's stock for the treatment of such recipient. Payment shall not be allowed for experimental or controversial medications and those unrelated to the above.

WSR 84-20-102
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2159—Filed October 3, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-86-090 Physical therapy.
 Amd WAC 388-87-090 Payment—Physical therapy and related services.

This action is taken pursuant to Notice No. WSR 84-17-104 filed with the code reviser on August 21, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED October 3, 1984.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1685, filed 7/29/81)

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

(1) Will avoid the need for hospitalization or nursing home care, 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))~~ (3) Is medically indicated in unusual circumstances and is requested by the attending physician and concurred with by the medical consultant, and

~~((5))~~ (4) Is performed by a registered physical therapist or physiatrist and has approval by the local medical consultant.

~~((6))~~ (5) Physical therapy is not provided under the limited casualty program.

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

WAC 388-87-090 PAYMENT—PHYSICAL THERAPY AND RELATED SERVICES. (1) The department will pay for the services of a registered physical therapist or a qualified speech pathologist or audiologist when all conditions outlined in WAC 388-86-012, 388-86-090 and 388-86-098 have been met.

(2) The department will not pay for physical therapy or speech therapy as a separate billing when provided as part of inpatient hospital services.

(3) The department will not pay ~~((a nursing home))~~ for physical therapy or speech therapy as ~~((part of its bill))~~ a separate billing when provided as part of the nursing home treatment program.

WSR 84-20-103
PROPOSED RULES
INSURANCE COMMISSIONER

[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to adopt, amend, or repeal rules concerning the amending of WAC 284-19-200 to delay the termination of the Washington essential property insurance inspection and placement program, commonly called the FAIR plan;

that the agency will at 10:00 a.m., Thursday, November 8, 1984, in the Conference Room, 2nd Floor, Insurance Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 48.02.060.

The specific statute these rules are intended to implement is RCW 48.01.030 and 48.58.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

Dated: October 3, 1984

By: Robert E. Johnson
 Deputy Commissioner

STATEMENT OF PURPOSE

Amending WAC 284-19-200 to extend the Washington essential property insurance inspection and placement program, commonly called the FAIR plan, for an additional period of time.

The statutory authority for the proposed amendment is RCW 48.02.060 to effectuate the provisions of RCW 48.01.030 and 48.58.010.

The proposed change will extend the life of the FAIR plan for three years beyond the time of its scheduled termination. Insurance policies will be permitted to be issued and renewed for two years beyond November 30, 1984, and in the final year, from November 30, 1986, until November 30, 1987, the program will service existing policies but no policies will be issued or renewed, allowing the program to expire in an orderly manner. The purpose of the extension is to continue a means whereby insurers may provide essential property insurance in designated urban areas as dictated by good faith and equity in the fulfillment of the public interest as to which insurance is affected.

David Rodgers, Chief Deputy Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504, whose telephone number is (206) 753-7302, is primarily responsible for the implementation and enforcement of the rule and its amendment, and Robert E. Johnson, Deputy Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504, (206) 753-2406, is primarily responsible for the drafting of the amendment.

The amendment is proposed by the insurance commissioner, a state public official.

The proposed amendment is not necessary as the result of federal law or federal or state court action.

Small Business Economic Impact Statement: The proposed amendment makes no substantive changes in the FAIR plan program, which will continue as it has in the past. Such economic impact as occurs because of the extension of the program for an additional time will not be dependent upon the size of the insurer, as measured by number of employees as the law requires, but upon the amount of property insurance premiums written by each insurer in relation to the total of all such premiums written by all insurers participating in the program.

AMENDATORY SECTION (Amending Order R 77-1, filed 3/24/77)

WAC 284-19-200 TERMINATION OF PROGRAM. This program shall terminate upon repeal of this regulation (chapter 284-19 WAC). In the event of the expiration of the act or the failure of the program to continue to qualify for riot or civil disorder reinsurance under the act, the program shall continue for an additional four years from the earlier of such expiration or failure to qualify for reinsurance, and, during such additional years, the facility, association and governing committee shall continue to function in conformity with chapter 284-19 WAC except with respect to references to the act or the secretary as the same become inapplicable and except that no insurance policy under the program shall be issued or renewed during the final year. No obligations incurred by the association shall be impaired by the termination of the program and such association shall be continued for the purpose of performing such obligations. (~~Policies in force shall continue to their normal expiration dates, except as provided in WAC 284-19-110.~~)

WSR 84-20-104
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning revising the rules pertaining to the reporting of hours for salaried personnel and sole proprietors, partners, and executive officers who have elected coverage pursuant to the industrial insurance laws, experience-rating rules and parameters for workers' compensation insurance underwritten by the Department of Labor and Industries, and adding rates for risk classification 73-9 (work activity centers) that were inadvertently not filed with a prior administrative filing;

that the agency will at 9:00 a.m., Tuesday, November 20, 1984, in Senate Hearing Room #1, Public Lands Building, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 28, 1984.

The authority under which these rules are proposed is RCW 51.04.020(1).

The specific statute these rules are intended to implement is RCW 51.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 20, 1984.

Dated: October 3, 1984

By: Sam Kinville
 Director

STATEMENT OF PURPOSE

Title and Number of Rule(s) or Chapter: WAC 296-17-330 Officers or members of a corporate employer; 296-17-340 Sole proprietors and partners; 296-17-350(5) Minimum premiums—Assumed worker hours (salaried personnel); 296-17-855 Experience modification; 296-17-875 Primary losses for selected claim values; 296-17-880 Table II—"B" and "W" values; 296-17-885 Table III—Expected loss rates and D-ratios; 296-17-890 Table IV—Maximum experience modifications for firms with no compensable accidents; and 296-17-895 Industrial insurance accident fund base rates and medical aid rates by class of industry (change of effective date and addition of accident fund and medical aid rate for risk classification 73-9 (work activity centers) only).

Statutory Authority: RCW 51.04.020(1).

Implementation of Specific Statute: RCW 51.16.035.

Description of the Proposed Rule(s): Revise the requirements of reporting hours for salaried personnel and sole proprietors, partners, and executive officers electing coverage pursuant to the industrial insurance laws; revise experience rating parameters to reflect the new experience period, loss valuations and relativities of classification rates as proposed for 1985; and add accident fund

and medical aid rates for risk classification 73-9 (work activity centers).

Reasons Supporting the Proposed Rule(s): Purpose of the amendment is to eliminate what has been perceived as inequities and confusion in interpretation of the rules in their present form. The amendments should eliminate any ambiguities existing in the rules as presently enacted; experience rating parameters are revised to reflect current experience in the determination of industrial insurance rates for individual employers; and the rates for risk classification 73-9 (work activity centers) were inadvertently not filed with a prior administrative filing which adopted the new risk classification language for 73-9. This would correct that oversight.

The Agency Personnel Responsible for Drafting: Richard A. Slunaker, Marjorie J. Shavlik and Bill White, General Administration Building, Olympia, Washington, Phone: (206) 753-6308; Implementation: Richard A. Slunaker and other industrial insurance personnel; and Enforcement: Richard A. Slunaker, Marjorie J. Shavlik and other industrial insurance personnel.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing the Rule(s): These rules are proposed by the Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule(s): For additional comments regarding fiscal implications of these proposed rules, see the small business economic impact statement shown below. The proposing agency has no comments regarding statutory language, implementation, or enforcement beyond those appearing in this statement.

These rules are not proposed to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: The Department of Labor and Industries, Division of Industrial Insurance, is proposing to revise certain sections in chapter 296-17 WAC, Manual of rules, classifications, rates and rating system for Washington workers' compensation insurance. The first part of the rule filing provides for a revision in the requirements of hours to be reported for salaried personnel and sole proprietors, partners, and executive officers who have elected coverage pursuant to the industrial insurance laws of Washington. The revision would allow salaried personnel to be reported on the basis of actual hours worked if books and records are maintained by the employer for each salaried employee. Sole proprietors, partners, and executive officers who have elected coverage would be required to report 160 hours a month until such time as notification has been received in the department requesting cancellation of such coverage. Previously the rules required reporting of 40 hours a week for any week in which any duties were performed, or 520 hours per quarter. This revision will simplify the method of reporting hours for the categories of "workers" listed above and the effect, if any, will be independent of the

employer's size. The second part of the filing deals with the "experience rating plan" which provides adjustment of the base industrial insurance rate by class up or down to a "merit rate" based upon past reporting experience of each individual employer. Base rates are identical for all employers within each class. Experience rating increases or decreases individual employer's industrial insurance rates, providing rate reductions for favorable past experience and rate increases for unfavorable past experience. Within the experience-rating plan, small employers with loss-free records in the rating experience period are allowed rate credits in excess of those initially computed by the rating plan based on risk size, by imposing a maximum modification for loss-free firms of various sizes in WAC 296-17-890. Experience-rating parameter revisions are proposed to be compatible with the most recent available employer experience to be used as a basis for 1985 rating. The special treatment of loss-free small employers under WAC 296-17-890 is expanded to allow tabular credits of up to 35 percent of the base rate. The economic impact of proposed changes may vary for an employer according to the individual loss experience in past years. For employers in the same risk class with experience records producing equal experience rating adjustments, the effect on rates will be independent of the employer's size. Administrative costs of recordkeeping and reporting will not generally be directly affected by the proposed revisions as the required records and forms are unchanged. The third part of the filing adds the accident fund and medical aid rates for risk classification 73-9. The new classification was adopted in a prior administrative filing but the respective rates were inadvertently not included. This filing is to correct that oversight and will have no economic impact on employers.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-330 OFFICERS OR MEMBERS OF A CORPORATE EMPLOYER. As used in this manual, the terms "member" and "officer" are synonymous and mean any executive officer elected and empowered in accordance with the articles of incorporation or by-laws of a corporation and who is also a director and shareholder of the corporation.

All such regularly constituted executive officers who have not voluntarily elected to withdraw from coverage or who have been included for coverage in accordance with RCW 51.12.020 and 51.12.110 shall be included in the corporation's statement of payroll (on a form prescribed by the department) and premium shall be charged thereon. Any such regularly constituted executive officer who is compensated by means of a wage or a salary for work performed for the corporation shall be regarded as an employee. For the purpose of this rule, wages or salary shall be construed as meaning earnings of any kind, actual or anticipated. Each executive officer electing coverage pursuant to RCW 51.12.110 shall report and pay premiums based on one hundred sixty hours per month until such time as elective adoption coverage is cancelled. This will apply to all executive officers electing coverage regardless of the method of compensation.

The statement of payroll so developed of each executive officer shall be assigned to classification 71-1, WAC 296-17-754: PROVIDED, HOWEVER, That the statement of payroll of each executive officer who performs such duties as are ordinarily undertaken by a superintendent, foreman, or worker, shall be assigned as provided in this manual of an individual employee who is not an executive officer: PROVIDED FURTHER, That no executive officer will be assigned the "clerical office" classification: PROVIDED FURTHER, In case the employer's business is subject to a classification which specifically includes clerical office or salesmen, and the corporate officer's duties

are primarily in connection with such business, the classification assigned to the business shall apply with respect to any such executive officer.

AMENDATORY SECTION (Amending Order 75-28, filed 8/29/75, effective 10/1/75)

WAC 296-17-340 SOLE PROPRIETORS AND PARTNERS. Any individual employer (sole proprietor or partner) desiring to obtain coverage (under the authority of RCW 51.32.030, as now or hereafter amended) shall give notice in writing on a form prescribed by the department. Any such employer so covered shall be assigned without division to the governing classification; provided, in case of the employer conducting a separate enterprise, the "multiple enterprise" rule as set forth in this manual shall apply.

In case of the employer conducting any aircraft operations, the hours of the sole proprietor or partner who is a pilot or member of the crew on any aircraft used in the employer's business, shall be assigned to the appropriate aviation class and where an "aircraft operation" classification applies, the entire number of hours of the employer shall be assigned to this classification unless the records of the employer indicate the hours in which flying is performed by such employer; in such event, only the hours such employer is engaged in flying shall be assigned to the aircraft operation classification. The hours in which no flying was done shall be assigned to the governing classification. If "aircraft operations, N.O.C.," as defined in this manual, is the governing classification, the hours in which no flying was done shall be assigned to the aircraft operations, N.O.C., ground crew classification.

Each sole proprietor or partner who has elected coverage pursuant to RCW 51.32.030 shall report ~~((to the department quarterly not less than 40 hours of employment per week for the purposes of premium computation. Any exception granted to the foregoing number of hours to be reported per week on the quarterly report form shall be dependent upon submission to the department of sufficient and satisfactory evidence in support of such exception. Any such evidence to support an exception to be considered sufficient and satisfactory must be capable of verification on any audit that may be conducted by the department))~~ and pay premiums based on one hundred sixty hours per month until such time as elective coverage is cancelled. This will apply to all sole proprietors and partners who have elected coverage regardless of the method of compensation.

AMENDATORY SECTION (Amending Order 84-11, filed 5/15/84)

WAC 296-17-350 MINIMUM PREMIUMS—ASSUMED WORKER HOURS. A minimum premium is the lowest amount of premium to be paid by an employer and is also the basis for determining premium computation for workers for whom an assumed number of worker hours must be, and hereby, is established:

(1) Minimum premium. Except as otherwise provided in this chapter, every employer shall be liable for a premium not less than ten dollars for any calendar quarter regardless of number of worker hours reported.

(2) Minimum premium for elective adoption. Any employer having in their employ any person exempt from mandatory coverage under the provisions of RCW 51.12.020 and whose application for coverage under the elective adoption provisions of RCW 51.12.110 is accepted by the director, shall have a minimum premium rate for such employer's applicable class based upon not less than 40 worker hours for each month, until such time as elective adoption coverage is cancelled: PROVIDED, That the minimum premium rate as specified above shall not apply to executive officers obtaining coverage under this rule and the elective adoption provisions of RCW 51.12.110.

(3) Apartment house, apartment hotel, motor court and similar operations. Resident managers, caretakers or other similar occupations who are employed for irregular periods and whose compensation is for a stipulated sum in money or a substitute for money shall be reported for the purpose of calculation of premiums, each four dollars of compensation in money or a substitute for money shall represent one worker hour: PROVIDED, That the employer shall not be required to report in excess of 40 hours per week for each person so employed.

(4) Commission personnel. Commission personnel are persons whose compensation is based upon a percentage of the amount charged for the commodity or service rendered. Commission personnel are to be reported for premium purposes at a minimum of assumed worker hours of not less than eight worker hours a day for part-time employment, or not less than 40 worker hours per week for full-time employment: PROVIDED, That the assumed eight worker hours daily for

part-time employment will apply only if the employer's books and records are maintained so as to show separately such person's actual record of employment.

(5) Salaried personnel. Salaried personnel for the purposes of this chapter means persons whose compensation is not governed by the number of hours devoted to employment for their employer. Employers having salaried personnel in their employ shall for the purpose of premium calculation report assumed worker hours based upon ~~((40))~~ one hundred sixty worker hours for each ((week)) month in which ((any duties of salaried personnel are performed)) the employee is on salary: PROVIDED, That ~~((salaried personnel, as defined by the foregoing, who are not regularly and continuously employed by the employer may for the purpose of premium calculation compute premiums in accordance with the piece worker rule, subsection (6) of this section: PROVIDED FURTHER, The 40 hours per week may be substituted on behalf of all salaried employees by assuming 160 hours per month for each month in which employees are on salary))~~ if the employer maintains complete and accurate records, supported by original time cards or timebook entries, the employer may report and pay premium on the actual hours worked by salaried personnel. All salaried personnel must be reported in the same manner: PROVIDED FURTHER, That the department may, at its discretion, authorize some other method in assuming workers hours for premium calculating purposes in the case of contract ((teachers)) personnel employed by schools and/or school districts.

(6) Piece workers. Employees whose compensation is based upon the accomplishment of a number of individual tasks whether computed on the number of pounds, items, pieces, or otherwise, the employer shall for the purpose of premium calculation assume each two dollars of earnings of each employee as representing one worker hour: PROVIDED, That if the average rate of compensation for the applicable classification is at least \$3.00 but less than \$3.50 per worker hour the assumed amount shall be \$3.00 of earnings as representing one worker hour, and on a progressive basis, if the average compensation is at least \$3.50 but less than \$4.00 the assumed amount shall be \$3.50 of earnings as representing one worker hour, and so forth. The records of the department as compiled for the preceding fiscal year ending June 30, shall be the basis for determining the average rate of compensation for each classification: PROVIDED FURTHER, That if the employer maintains books and records to show separately the hours employed for each worker in their employ engaged in piece work then such actual worker hours shall be reported for the purpose of premium calculation. Notwithstanding any other provisions of this section, workers employed in a work activity center pursuant to WAC 296-17-779 shall be reported on the basis of the piece worker rule.

(7) Noncontact sports teams. All employers having personnel in their employ as defined under WAC 296-17-745 shall for the purpose of premium calculations, report assumed worker hours based upon 40 worker hours for each week in which any duties are performed.

(8) All employers having personnel in their employ as defined under WAC 296-17-739 shall, for the purpose of premium calculations, report assumed worker hours based upon ten hours for each mount in each horse race; professional drivers shall report worker hours based upon ten hours for each heat or race of any racing event: PROVIDED, That any day such personnel do not ride or drive in a race, the premium calculation shall be made by assuming ten worker hours for any day in which duties are performed.

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-855 EXPERIENCE MODIFICATION. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{\text{Ap} + \text{WAe} + (1-\text{W}) \text{Ee} + \text{B}}{\text{E} + \text{B}}$$

The components Ap, WAe, and (1-W) Ee are values which shall be charged against an employer's experience record. The component, E,

shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

"Ap" signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of $\$(\overline{3,602})4,046$ the primary actual loss shall be determined from the formula:

$$\text{Primary loss} = \frac{((\overline{9,004})) \overline{10,114}}{\text{Total loss} + ((\overline{5,402})) \overline{6,068}} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than $\$(\overline{3,602})4,046$ the full value of the claim shall be considered a primary loss.

"Ae" signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

"W" signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol "WAc" in the experience modification formula. W values are set forth in Table II.

"E" signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

"Ec" signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by "(1-W) Ec" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-875 TABLE I.

Primary Losses for Selected Claim Values	
CLAIM VALUE	PRIMARY LOSS
$\overline{((\overline{3,602}))}$	$\overline{((\overline{3,602}))}$
4,046	4,046
$\overline{((\overline{4,318}))}$	$\overline{((\overline{4,000}))}$
$\overline{((\overline{5,397}))}$	4,500
4,864	
$\overline{((\overline{6,746}))}$	5,000
5,933	
$\overline{((\overline{10,790}))}$	6,000
8,850	
$\overline{((\overline{18,869}))}$	7,000
13,640	
$\overline{((\overline{43,044}))}$	8,000
22,963	
31,957	8,500
49,023	9,000
$\overline{((\overline{72,056*}))}$	$\overline{((\overline{8,376}))}$
77,608*	9,381
$\overline{((\overline{90,040**}))}$	$\overline{((\overline{8,494}))}$
101,140**	9,542

* Average death value
** Maximum claim value

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-880 TABLE II.

"B" and "W" Values

Maximum Claim Value = $\$(\overline{90,040})101,140$
Average Death Value = $\$(\overline{72,056})77,608$

EXPECTED LOSSES	B	W
$\overline{((\overline{1,950} \& \text{ Under}))}$	16,988	.0
1,951 - 3,930	16,818	.01
3,931 - 5,940	16,648	.02
5,941 - 7,980	16,478	.03
7,981 - 10,050	16,308	.04
10,051 - 12,153	16,139	.05
12,154 - 14,289	15,969	.06
14,290 - 16,459	15,799	.07
16,460 - 18,663	15,629	.08
18,664 - 20,903	15,459	.09
20,904 - 23,178	15,289	.10
23,179 - 25,491	15,119	.11
25,492 - 27,842	14,949	.12
27,843 - 30,232	14,780	.13
30,233 - 32,663	14,610	.14
32,664 - 35,136	14,440	.15
35,137 - 37,651	14,270	.16
37,652 - 40,210	14,100	.17
40,211 - 42,814	13,930	.18
42,815 - 45,464	13,760	.19
45,465 - 48,161	13,590	.20
48,162 - 50,908	13,421	.21
50,909 - 53,706	13,251	.22
53,707 - 56,556	13,081	.23
56,557 - 59,459	12,911	.24
59,460 - 62,418	12,741	.25
62,419 - 65,433	12,571	.26
65,434 - 68,507	12,401	.27
68,508 - 71,642	12,231	.28
71,643 - 74,838	12,061	.29
74,839 - 78,100	11,892	.30
78,101 - 81,427	11,722	.31
81,428 - 84,824	11,552	.32
84,825 - 88,292	11,382	.33
88,293 - 91,832	11,212	.34
91,833 - 95,449	11,042	.35
95,450 - 99,144	10,872	.36
99,145 - 102,919	10,702	.37
102,920 - 106,778	10,533	.38
106,779 - 110,725	10,363	.39
110,726 - 114,761	10,193	.40
114,762 - 118,891	10,023	.41
118,892 - 123,117	9,853	.42
123,118 - 127,444	9,683	.43
127,445 - 131,874	9,513	.44
131,875 - 136,411	9,343	.45
136,412 - 141,061	9,174	.46
141,062 - 145,828	9,004	.47
145,829 - 150,715	8,834	.48
150,716 - 155,728	8,664	.49
155,729 - 160,873	8,494	.50
160,874 - 166,153	8,324	.51
166,154 - 171,575	8,154	.52
171,576 - 177,146	7,984	.53
177,147 - 182,869	7,814	.54
182,870 - 188,755	7,645	.55
188,756 - 194,809	7,475	.56
194,810 - 201,038	7,305	.57
201,039 - 207,451	7,135	.58
207,452 - 214,056	6,965	.59
214,057 - 220,863	6,795	.60
220,864 - 227,879	6,625	.61
227,880 - 235,116	6,455	.62
235,117 - 242,586	6,286	.63
242,587 - 250,298	6,116	.64
250,299 - 258,267	5,946	.65
258,268 - 266,504	5,776	.66

EXPECTED LOSSES		B	W
266,505	275,025	5,606	.67
275,026	283,843	5,436	.68
283,844	292,977	5,266	.69
292,978	302,441	5,096	.70
302,442	312,257	4,927	.71
312,258	322,444	4,757	.72
322,445	333,023	4,587	.73
333,024	344,020	4,417	.74
344,021	355,458	4,247	.75
355,459	367,365	4,077	.76
367,366	379,772	3,907	.77
379,773	392,711	3,737	.78
392,712	406,217	3,567	.79
406,218	420,329	3,398	.80
420,330	435,091	3,228	.81
435,092	450,547	3,058	.82
450,548	466,748	2,888	.83
466,749	483,752	2,718	.84
483,753	501,618	2,548	.85
501,619	520,416	2,378	.86
520,417	540,220	2,208	.87
540,221	561,116	2,039	.88
561,117	583,196	1,869	.89
583,197	606,565	1,699	.90
606,566	631,339	1,529	.91
631,340	657,652	1,359	.92
657,653	685,651	1,189	.93
685,652	715,506	1,019	.94
715,507	747,407	849	.95
747,408	781,575	680	.96
781,576	818,262	510	.97
818,263	857,757	340	.98
857,758	900,399	170	.99
900,400	& over	0	1.00))
2,191	& Under	19,084	0
2,192	4,415	18,893	.01
4,416	6,672	18,702	.02
6,673	8,963	18,511	.03
8,964	11,290	18,321	.04
11,291	13,652	18,130	.05
13,653	16,052	17,939	.06
16,053	18,489	17,748	.07
18,490	20,965	17,557	.08
20,966	23,479	17,366	.09
23,480	26,035	17,176	.10
26,036	28,634	16,985	.11
28,635	31,275	16,794	.12
31,276	33,960	16,603	.13
33,961	36,691	16,412	.14
36,692	39,467	16,221	.15
39,468	42,292	16,031	.16
42,293	45,167	15,840	.17
45,168	48,092	15,649	.18
48,093	51,069	15,458	.19
51,070	54,100	15,267	.20
54,101	57,185	15,076	.21
57,186	60,327	14,886	.22
60,328	63,528	14,695	.23
63,529	66,790	14,504	.24
66,791	70,113	14,313	.25
70,114	73,500	14,122	.26
73,501	76,953	13,931	.27
76,954	80,474	13,740	.28
80,475	84,065	13,550	.29
84,066	87,728	13,359	.30
87,729	91,467	13,168	.31
91,468	95,282	12,977	.32
95,283	99,177	12,786	.33
99,178	103,153	12,595	.34
103,154	107,216	12,405	.35
107,217	111,366	12,214	.36
111,367	115,607	12,023	.37
115,608	119,943	11,832	.38
119,944	124,376	11,641	.39
124,377	128,909	11,450	.40

EXPECTED LOSSES		B	W
128,910	133,548	11,260	.41
133,549	138,295	11,069	.42
138,296	143,155	10,878	.43
143,156	148,131	10,687	.44
148,132	153,229	10,496	.45
153,230	158,452	10,305	.46
158,453	163,806	10,115	.47
163,807	169,296	9,924	.48
169,297	174,927	9,733	.49
174,928	180,705	9,542	.50
180,706	186,637	9,351	.51
186,638	192,728	9,160	.52
192,729	198,984	8,969	.53
198,985	205,414	8,779	.54
205,415	212,025	8,588	.55
212,026	218,826	8,397	.56
218,827	225,823	8,206	.57
225,824	233,027	8,015	.58
233,028	240,445	7,824	.59
240,446	248,090	7,634	.60
248,091	255,972	7,443	.61
255,973	264,102	7,252	.62
264,103	272,493	7,061	.63
272,494	281,156	6,870	.64
281,157	290,106	6,679	.65
290,107	299,359	6,489	.66
299,360	308,930	6,298	.67
308,931	318,836	6,107	.68
318,837	329,095	5,916	.69
329,096	339,727	5,725	.70
339,728	350,752	5,534	.71
350,753	362,195	5,344	.72
362,196	374,079	5,153	.73
374,080	386,431	4,962	.74
386,432	399,279	4,771	.75
399,280	412,654	4,580	.76
412,655	426,591	4,389	.77
426,592	441,124	4,198	.78
441,125	456,295	4,008	.79
456,296	472,148	3,817	.80
472,149	488,729	3,626	.81
488,730	506,090	3,435	.82
506,091	524,289	3,244	.83
524,290	543,388	3,053	.84
543,389	563,457	2,863	.85
563,458	584,572	2,672	.86
584,573	606,819	2,481	.87
606,820	630,290	2,290	.88
630,291	655,092	2,099	.89
655,093	681,341	1,908	.90
681,342	709,170	1,718	.91
709,171	738,727	1,527	.92
738,728	770,178	1,336	.93
770,179	803,713	1,145	.94
803,714	839,547	954	.95
839,548	877,927	764	.96
877,928	919,136	573	.97
919,137	963,501	382	.98
963,502	1,011,399	191	.99
1,011,400	& over	0	1.00

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-885 TABLE III.

((Expected Loss Rates and D-Ratios
Expected Loss Rates in Dollars Per Workman-Hour
for Indicated Fiscal Year

CLASS	1980	1981	1982	D-RATIO
1-1	.3928	.3891	.3935	.363
1-2	.2621	.2597	.2610	.402
1-3	.3261	.3232	.3256	.387
1-4	.2692	.2666	.2697	.364
1-5	.3274	.3245	.3860	.404

CLASS	1980	1981	1982	D-RATIO	CLASS	1980	1981	1982	D-RATIO
1-6	.6387	.6323	.6436	.324	31-1	.2503	.2477	.2534	.293
1-7	.2842	.2815	.2840	.379	31-2	.1778	.1762	.1781	.363
1-8	.3132	.3103	.3131	.377	31-3	.1778	.1762	.1781	.363
1-9	.5142	.5092	.5155	.357	31-4	.1949	.1931	.1952	.364
2-1	.7174	.7106	.7166	.381	31-5	.2645	.2623	.2621	.436
2-2	.8307	.8224	.8381	.317	33-1	.2549	.2527	.2531	.421
2-6	.3577	.3538	.3636	.266	33-2	.1808	.1794	.1772	.500
3-1	.1688	.1674	.1666	.458	33-3	.0985	.0977	.0975	.442
3-2	.5167	.5117	.5177	.362	33-9	.1279	.1269	.1270	.428
3-6	.1685	.1670	.1677	.404	34-1	.1245	.1234	.1242	.393
3-7	.1602	.1587	.1589	.425	34-2	.1295	.1284	.1279	.453
4-1	.6779	.6717	.6764	.388	34-3	.0413	.0409	.0412	.385
4-2	.4273	.4232	.4294	.344	34-4	.1547	.1534	.1532	.437
4-3	.4961	.4911	.5000	.323	34-5	.0670	.0664	.0661	.453
5-2	.3218	.3190	.3201	.407	34-6	.0578	.0573	.0574	.424
5-3	.2029	.2009	.2039	.344	34-7	.0998	.0989	.0997	.379
5-4	.3753	.3718	.3748	.384	34-8	.0388	.0384	.0389	.352
5-5	.4168	.4130	.4155	.394	34-9	.0569	.0563	.0563	.432
5-6	.5317	.5271	.5275	.426	35-1	.1482	.1470	.1462	.464
5-7	.5469	.5419	.5457	.388	35-3	.1027	.1018	.1010	.481
5-8	.5753	.5697	.5788	.336	35-5	.1482	.1470	.1462	.464
5-9	.4886	.4838	.4906	.346	35-6	.2021	.2001	.2027	.352
6-1	.1404	.1391	.1398	.404	35-8	.1135	.1125	.1122	.445
6-2	.1478	.1465	.1477	.381	36-1	.0288	.0286	.0285	.451
6-3	.2541	.2516	.2546	.361	36-2	.0288	.0286	.0285	.451
6-4	.3848	.3815	.3831	.405	36-3	.1528	.1516	.1510	.452
6-6	.0709	.0702	.0703	.417	36-4	.2805	.2779	.2800	.388
6-7	.0931	.0922	.0930	.385	36-5	.1010	.1001	.1006	.403
7-1	.3889	.3852	.3893	.366	36-6	.2010	.1993	.1999	.410
8-3	.1328	.1316	.1325	.390	37-1	.0644	.0639	.0641	.412
8-4	.2150	.2130	.2149	.378	37-2	.1665	.1650	.1660	.394
9-1	.7290	.7217	.7347	.324	37-3	.0644	.0639	.0641	.412
9-2	.2010	.1993	.1999	.410	37-6	.0665	.0660	.0655	.470
10-2	.3504	.3474	.3484	.413	37-7	.1195	.1185	.1182	.440
10-3	.2041	.2023	.2025	.425	37-8	.0665	.0660	.0655	.470
10-4	.2041	.2023	.2025	.425	38-1	.0891	.0883	.0894	.352
10-5	.8752	.8668	.8781	.353	38-2	.0531	.0527	.0524	.451
10-7	.0271	.0268	.0265	.518	38-3	.0531	.0527	.0524	.451
11-1	.1553	.1539	.1551	.385	38-4	.0531	.0527	.0524	.451
11-2	.3606	.3572	.3597	.389	38-5	.0531	.0527	.0524	.451
11-3	.1186	.1175	.1178	.422	38-6	.0531	.0527	.0524	.451
11-4	.1548	.1535	.1534	.435	38-8	.0589	.0585	.0581	.471
11-6	.0333	.0330	.0326	.499	38-9	.0665	.0660	.0655	.470
11-8	.1627	.1611	.1632	.356	39-1	.1055	.1045	.1054	.379
13-1	.1224	.1212	.1220	.397	39-2	.1998	.1980	.1979	.433
13-3	.0654	.0648	.0648	.427	39-3	.2829	.2804	.2817	.404
13-4	.0040	.0040	.0040	.393	39-4	.1998	.1980	.1979	.433
13-5	.0757	.0751	.0751	.433	39-5	.0422	.0419	.0416	.471
14-1	.2685	.2659	.2690	.361	39-6	.1502	.1490	.1480	.469
14-3	.1570	.1557	.1551	.454	39-9	.0534	.0530	.0524	.501
14-4	.1570	.1557	.1551	.454	40-2	.2269	.2246	.2286	.324
15-1	.1188	.1178	.1186	.386	41-1	.0415	.0412	.0410	.455
15-7	.0983	.0974	.0976	.414	41-2	.0288	.0286	.0285	.451
17-1	.6882	.6811	.6970	.292	41-3	.0776	.0768	.0767	.443
17-2	.6882	.6811	.6970	.292	41-4	.0415	.0412	.0410	.455
17-3	.1774	.1756	.1772	.380	41-5	.0415	.0412	.0410	.455
17-4	.1928	.1911	.1912	.429	41-6	.0415	.0412	.0410	.455
18-1	.2479	.2457	.2457	.430	41-7	.0221	.0219	.0219	.435
20-2	.2030	.2012	.2008	.444	41-8	.0415	.0412	.0410	.455
20-3	.1323	.1311	.1314	.414	41-9	.0415	.0412	.0410	.455
20-4	.2267	.2246	.2254	.411	42-1	.1632	.1616	.1628	.386
20-5	.1079	.1070	.1073	.414	43-1	.2496	.2475	.2471	.438
20-7	.1319	.1306	.1325	.342	43-2	.2459	.2438	.2441	.423
20-8	.0899	.0892	.0897	.395	43-3	.2655	.2632	.2630	.435
21-1	.1503	.1490	.1495	.409	43-4	.2110	.2090	.2100	.405
21-2	.1323	.1311	.1314	.414	43-5	.3909	.3876	.3875	.433
21-4	.0577	.0572	.0568	.482	44-1	.1393	.1381	.1386	.414
21-5	.2293	.2272	.2287	.390	44-2	.1841	.1823	.1841	.373
22-1	.0806	.0799	.0798	.438	44-4	.1323	.1311	.1314	.414
22-2	.1159	.1150	.1149	.437	45-1	.0399	.0395	.0402	.330
24-1	.1920	.1903	.1904	.427	45-2	.0164	.0162	.0164	.358
29-3	.2302	.2283	.2284	.428	45-3	.0199	.0198	.0198	.431
29-4	.2909	.2882	.2899	.397	45-4	.0199	.0198	.0198	.431
29-6	.1458	.1447	.1439	.462	46-1	.1593	.1577	.1609	.306
29-8	.2357	.2335	.2349	.396	48-2	.0749	.0741	.0749	.377

CLASS	1980	1981	1982	D-RATIO
48-3	.0872	.0866	.0862	.452
48-4	.1766	.1750	.1754	.417
48-5	.0917	.0909	.0905	.456
48-6	.0226	.0225	.0223	.478
48-7	.4168	.4130	.4155	.394
48-8	.1010	.1001	.0999	.446
48-9	.0623	.0618	.0619	.424
49-1	.0204	.0202	.0204	.378
49-2	.0506	.0239	.0240	.406
49-3	.0204	.0202	.0204	.378
49-4	.0050	.0050	.0050	.424
49-5	.0820	.0813	.0814	.428
49-6	.0166	.0164	.0164	.423
49-7	.0331	.0327	.0329	.394
49-8	.0336	.0334	.0335	.403
49-9	.0336	.0334	.0335	.403
50-1	1.0669	1.1216	1.2409	.347
50-2	.1261	.1250	.1250	.433
50-3	.4058	.4020	.4066	.361
50-4	.2145	.2126	.2132	.414
51-1	.2666	.2642	.2650	.413
51-2	.4187	.4153	.4116	.483
51-3	.3671	.3637	.3666	.384
51-4	.1842	.1826	.1833	.405
51-5	.1842	.1826	.1833	.405
51-6	.1842	.1826	.1833	.405
51-7	.1280	.1269	.1271	.420
51-8	.2394	.2373	.2395	.373
51-9	.1794	.1777	.1795	.368
52-1	.1280	.1269	.1271	.420
52-2	.1295	.1284	.1279	.453
52-3	.1295	.1284	.1279	.453
52-4	.4881	.4841	.4813	.465
52-5	.2394	.2373	.2395	.373
52-6	.1387	.1375	.1384	.391
52-7	.0422	.0418	.0421	.393
52-8	.2254	.2235	.2235	.430
52-9	.1735	.1719	.1715	.446
53-1	.0053	.0053	.0053	.413
53-5	.0090	.0089	.0090	.425
53-6	.0106	.0106	.0107	.368
53-7	.0653	.0648	.0648	.436
61-3	.0101	.0101	.0100	.460
61-4	.1165	.1154	.1153	.436
61-5	.0681	.0675	.0674	.441
61-6	.0681	.0675	.0674	.441
61-7	.0516	.0510	.0519	.331
61-8	.1255	.1244	.1233	.484
61-9	.0119	.0118	.0119	.416
62-1	.0516	.0511	.0514	.407
62-2	.2145	.2125	.2150	.360
62-3	.0391	.0388	.0390	.407
62-4	.0427	.0424	.0420	.462
62-5	.0427	.0424	.0420	.462
62-6	.0427	.0424	.0420	.462
62-7	.2423	.2402	.2401	.433
62-8	.0847	.0839	.0848	.362
62-9	.0623	.0618	.0618	.427
63-1	.0385	.0382	.0387	.341
63-2	.0540	.0534	.0537	.400
63-3	.0145	.0143	.0144	.401
63-4	.0408	.0404	.0408	.377
63-5	.0182	.0181	.0181	.412
63-6	.0568	.0563	.0559	.472
63-7	.0244	.0242	.0241	.454
63-8	.0128	.0127	.0128	.352
63-9	.0304	.0300	.0299	.455
64-1	.0244	.0242	.0241	.454
64-2	.0751	.0744	.0750	.388
64-3	.0450	.0446	.0447	.413
64-4	.0158	.0156	.0157	.392
64-5	.1323	.1311	.1310	.439
64-6	.0244	.0242	.0241	.454
64-7	.0581	.0575	.0577	.410
64-8	.0993	.0984	.0993	.374

CLASS	1980	1981	1982	D-RATIO
64-9	.1457	.1444	.1444	.431
65-1	.0132	.0131	.0130	.437
65-2	.0047	.0047	.0047	.415
65-3	.0412	.0408	.0410	.250
65-4	.0529	.0524	.0519	.493
65-5	.0572	.0567	.0568	.427
65-6	.0141	.0140	.0140	.402
65-7	.0959	.0950	.0946	.460
65-8	.0959	.0950	.0946	.460
65-9	.0534	.0530	.0525	.472
66-1	.0753	.0745	.0749	.409
66-2	.1397	.1385	.1384	.431
66-3	.0728	.0721	.0718	.459
66-4	.0232	.0230	.0231	.400
66-5	.0610	.0604	.0603	.434
66-7	.0422	.0418	.0421	.393
66-8	.0957	.0948	.0954	.394
66-9	.5147	.5110	.5016	.541
67-1	.0204	.0202	.0204	.378
67-4	.0547	.0542	.0545	.395
67-5	.1520	.1507	.1500	.462
67-6	.0859	.0850	.0855	.405
67-7	1.93*	1.92*	1.88*	.541
67-8	3.0472	3.0206	3.0237	.416
67-9	.0379	.0376	.0374	.465
68-1	.2115	.2096	.2093	.440
68-2	.1195	.1184	.1190	.404
68-3	1.1166	1.1040	1.1444	.214
68-4	.0699	.0692	.0698	.377
68-9	.5505	.5464	.5375	.528
69-2	.3527	.3490	.3576	.283
69-3	1.3873	1.3734	1.3988	.321
69-4	.1076	.1065	.1082	.334
69-5	.1076	.1065	.1082	.334
69-7	.3657	.3624	.3634	.415
69-8	.1473	.1461	.1457	.442
69-9	.0254	.0252	.0253	.411
71-1	.0136	.0135	.0136	.405
71-2	4.01*	3.97*	3.94*	.474
71-3	.0609	.0605	.0607	.410
71-4	.0121	.0120	.0120	.424
71-5	.0880	.0873	.0867	.469
71-6	.1552	.1540	.1538	.439
71-7	.2171	.2152	.2155	.421
71-8	.5290	.5244	.5259	.413
71-9	1.4284	1.4158	1.4209	.408
72-1	.0643	.0637	.0633	.470
72-2	.0168	.0166	.0168	.376
73-1	.1209	.1199	.1189	.484
73-2	.1203	.1194	.1183	.486
73-7	.1187	.1177	.1163	.498
73-8	.0592	.0587	.0593	.367))

Expected Loss Rates and D-Ratios
Expected Loss Rates in Dollars Per Workman Hour
for Indicated Fiscal Year

CLASS	1981	1982	1983	D-RATIO
1-1	.4384	.4682	.4696	.347
1-2	.2942	.3135	.3143	.376
1-3	.3644	.3879	.3887	.391
1-4	.3006	.3212	.3222	.343
1-5	.3684	.3932	.3944	.357
1-6	.7071	.7558	.7582	.338
1-7	.3177	.3385	.3394	.371
1-8	.3492	.3717	.3724	.391
1-9	.5741	.6144	.6166	.324
2-1	.8037	.8587	.8613	.344
2-2	.9185	.9820	.9853	.335
2-6	.3930	.4222	.4243	.274
3-1	.1905	.2016	.2017	.461
3-2	.5762	.6154	.6172	.350
3-6	.1885	.2002	.2005	.419
3-7	.1804	.1920	.1923	.392
4-1	.7583	.8077	.8094	.383

CLASS	1981	1982	1983	D-RATIO	CLASS	1981	1982	1983	D-RATIO
4-2	.4740	.5056	.5068	.368	34-5	.0759	.0806	.0808	.408
4-3	.5501	.5890	.5912	.317	34-6	.0650	.0690	.0691	.422
5-2	.3601	.3820	.3824	.429	34-7	.1116	.1191	.1194	.361
5-3	.2250	.2400	.2405	.368	34-8	.0433	.0463	.0465	.329
5-4	.4195	.4467	.4476	.383	34-9	.0639	.0678	.0679	.438
5-5	.4672	.4979	.4990	.374	35-1	.1676	.1776	.1776	.452
5-6	.5970	.6332	.6336	.436	35-3	.1164	.1232	.1232	.461
5-7	.6119	.6517	.6530	.383	35-5	.1812	.1937	.1942	.347
5-8	.6383	.6820	.6841	.343	35-6	.2245	.2394	.2399	.370
5-9	.5448	.5837	.5861	.309	35-8	.1277	.1351	.1351	.460
6-1	.1579	.1686	.1691	.356	36-1	.0325	.0345	.0345	.433
6-2	.1647	.1749	.1752	.414	36-2	.0325	.0345	.0345	.433
6-3	.2817	.2993	.2997	.414	36-3	.1724	.1827	.1828	.444
6-4	.4328	.4616	.4628	.365	36-4	.3132	.3332	.3337	.401
6-6	.0795	.0845	.0847	.414	36-5	.1133	.1205	.1207	.396
6-7	.1038	.1104	.1105	.412	36-6	.2265	.2418	.2425	.354
7-1	.4347	.4648	.4663	.334	37-1	.0722	.0766	.0767	.430
8-3	.1482	.1574	.1576	.420	37-2	.1871	.1997	.2002	.351
8-4	.2406	.2570	.2577	.349	37-6	.0722	.0766	.0767	.430
9-1	.8081	.8650	.8682	.321	37-7	.1346	.1430	.1431	.424
9-2	.2265	.2418	.2425	.354	37-8	.0752	.0795	.0795	.467
10-2	.3941	.4198	.4206	.383	38-1	.0990	.1056	.1058	.366
10-3	.2300	.2448	.2452	.394	38-2	.0599	.0634	.0635	.449
10-4	.2300	.2448	.2452	.394	38-3	.0599	.0634	.0635	.449
10-5	.9742	1.0402	1.0433	.350	38-5	.0599	.0634	.0635	.449
10-7	.0308	.0326	.0325	.489	38-6	.0599	.0634	.0635	.449
11-1	.1730	.1838	.1840	.419	38-8	.0670	.0711	.0711	.428
11-2	.4039	.4305	.4315	.372	38-9	.0752	.0795	.0795	.467
11-3	.1331	.1413	.1414	.437	39-1	.1177	.1254	.1257	.381
11-4	.1743	.1850	.1853	.423	39-2	.2252	.2394	.2398	.405
11-6	.0379	.0400	.0400	.479	39-3	.3171	.3374	.3380	.398
11-8	.1812	.1937	.1942	.347	39-4	.2252	.2394	.2398	.405
13-1	.1370	.1458	.1461	.394	39-5	.0477	.0503	.0503	.491
13-3	.0735	.0781	.0782	.427	39-6	.1701	.1803	.1804	.444
13-4	.0045	.0049	.0049	.368	39-9	.0607	.0639	.0639	.505
13-5	.0852	.0904	.0905	.428	40-2	.2504	.2670	.2678	.364
14-1	.2991	.3190	.3199	.363	41-1	.0469	.0498	.0499	.429
14-4	.1778	.1888	.1892	.411	41-3	.0874	.0925	.0926	.449
15-1	.1323	.1403	.1404	.433	41-4	.0469	.0498	.0499	.429
15-7	.1104	.1173	.1175	.403	41-7	.0249	.0265	.0265	.417
17-1	.7602	.8167	.8205	.278	41-8	.0469	.0498	.0499	.429
17-2	.7602	.8167	.8205	.278	41-9	.0469	.0498	.0499	.429
17-3	.1976	.2101	.2104	.409	42-1	.1826	.1949	.1954	.364
17-4	.2170	.2306	.2309	.413	43-1	.2808	.2975	.2977	.446
18-1	.2794	.2971	.2975	.402	43-2	.2762	.2932	.2935	.424
20-2	.2295	.2440	.2443	.404	43-3	.2987	.3166	.3168	.441
20-3	.1483	.1576	.1578	.415	43-4	.2363	.2511	.2515	.409
20-4	.2548	.2713	.2720	.384	43-5	.4404	.4677	.4682	.419
20-5	.1212	.1288	.1289	.414	44-1	.1562	.1657	.1660	.429
20-7	.1465	.1566	.1571	.340	44-2	.2058	.2198	.2204	.351
20-8	.1008	.1073	.1075	.385	44-4	.1483	.1576	.1578	.415
21-1	.1687	.1796	.1799	.392	45-1	.0443	.0474	.0476	.323
21-2	.1483	.1576	.1578	.415	45-2	.0181	.0194	.0194	.369
21-4	.0652	.0688	.0688	.496	45-3	.0224	.0237	.0237	.436
21-5	.2565	.2730	.2737	.388	45-4	.0224	.0237	.0237	.436
22-1	.0906	.0959	.0960	.452	46-1	.1761	.1887	.1895	.309
22-2	.1305	.1383	.1384	.439	48-2	.0836	.0890	.0893	.379
24-1	.2157	.2289	.2291	.430	48-3	.0985	.1046	.1047	.433
29-3	.2589	.2747	.2749	.429	48-4	.1983	.2108	.2111	.409
29-4	.3262	.3477	.3486	.373	48-5	.1035	.1096	.1097	.447
29-6	.1649	.1747	.1748	.443	48-6	.0257	.0272	.0272	.475
29-8	.2649	.2830	.2839	.345	48-7	.4672	.4979	.4990	.374
31-1	.2759	.2957	.2970	.302	48-8	.1137	.1203	.1203	.465
31-2	.1980	.2112	.2117	.367	48-9	.0699	.0742	.0743	.436
31-3	.1980	.2112	.2117	.367	49-1	.0228	.0244	.0244	.341
31-4	.2179	.2330	.2339	.331	49-2	.0507	.0539	.0540	.423
31-5	.2985	.3173	.3178	.404	49-3	.0228	.0244	.0244	.341
33-1	.2863	.3043	.3046	.415	49-4	.0056	.0059	.0059	.434
33-2	.2058	.2179	.2180	.458	49-5	.0921	.0976	.0976	.444
33-3	.1111	.1178	.1181	.429	49-6	.0186	.0196	.0197	.430
33-9	.1439	.1529	.1530	.422	49-7	.0369	.0394	.0395	.390
34-1	.1393	.1480	.1482	.404	49-8	.0377	.0401	.0402	.401
34-2	.1466	.1559	.1561	.402	49-9	.0377	.0401	.0402	.401
34-3	.0462	.0493	.0494	.365	50-1	1.2577	1.4634	1.4672	.364
34-4	.1738	.1838	.1838	.467	50-2	.1420	.1508	.1510	.422

CLASS	1981	1982	1983	D-RATIO
50-3	.4513	.4808	.4818	.382
50-4	.2410	.2563	.2567	.400
51-1	.2992	.3181	.3186	.407
51-2	.4764	.5059	.5064	.422
51-3	.4109	.4382	.4394	.366
51-4	.2066	.2198	.2201	.398
51-6	.2066	.2198	.2201	.398
51-7	.1438	.1528	.1530	.415
51-8	.2673	.2851	.2857	.369
51-9	.2005	.2141	.2147	.348
52-1	.1438	.1528	.1530	.415
52-4	.5519	.5843	.5845	.456
52-5	.2673	.2851	.2857	.369
52-6	.1558	.1665	.1670	.339
52-7	.0472	.0501	.0502	.410
52-8	.2544	.2707	.2712	.391
52-9	.1960	.2084	.2087	.410
53-1	.0060	.0063	.0063	.412
53-5	.0101	.0108	.0108	.407
53-6	.0119	.0127	.0128	.369
53-7	.0739	.0785	.0786	.405
61-3	.0114	.0121	.0121	.468
61-4	.1310	.1390	.1392	.430
61-5	.0766	.0810	.0810	.462
61-6	.0766	.0810	.0810	.462
61-7	.0572	.0612	.0614	.328
61-8	.1417	.1493	.1531	.513
61-9	.0135	.0143	.0143	.418
62-1	.0579	.0616	.0618	.383
62-2	.2383	.2536	.2541	.393
62-3	.0439	.0466	.0467	.395
62-4	.0482	.0510	.0510	.468
62-5	.0482	.0510	.0510	.468
62-6	.0482	.0510	.0510	.468
62-7	.2724	.2889	.2891	.438
62-8	.0943	.1006	.1009	.362
62-9	.0699	.0742	.0743	.434
63-1	.0426	.0454	.0455	.379
63-2	.0603	.0642	.0644	.400
63-3	.0161	.0172	.0172	.422
63-4	.0457	.0486	.0488	.363
63-5	.0205	.0216	.0216	.440
63-6	.0644	.0682	.0682	.454
63-7	.0275	.0291	.0291	.459
63-8	.0141	.0151	.0152	.350
63-9	.0342	.0362	.0362	.456
64-1	.0275	.0291	.0291	.459
64-2	.0840	.0895	.0897	.382
64-3	.0502	.0531	.0531	.467
64-4	.0177	.0188	.0189	.387
64-5	.1489	.1578	.1579	.440
64-6	.0275	.0291	.0291	.459
64-7	.0653	.0695	.0697	.385
64-8	.1108	.1182	.1185	.370
64-9	.1641	.1743	.1745	.416
65-1	.0148	.0157	.0157	.442
65-2	.0053	.0056	.0056	.420
65-3	.0453	.0487	.0491	.242
65-4	.0599	.0633	.0633	.493
65-5	.0645	.0685	.0686	.410
65-6	.0157	.0168	.0168	.393
65-7	.1083	.1150	.1151	.433
65-8	.1083	.1150	.1151	.433
65-9	.0602	.0637	.0637	.475
66-1	.0844	.0897	.0898	.413
66-2	.1570	.1663	.1664	.444
66-3	.0822	.0870	.0870	.458
66-4	.0260	.0275	.0276	.397
66-5	.0686	.0728	.0729	.424
66-7	.0473	.0502	.0503	.394
66-8	.1071	.1139	.1143	.389
66-9	.5876	.6182	.6173	.533
67-4	.0612	.0651	.0652	.398
67-5	.1714	.1812	.1812	.474
67-6	.0963	.1023	.1025	.405

CLASS	1981	1982	1983	D-RATIO
67-7	2.76*	2.90*	2.89*	.551
67-8	6.8475	5.1356	3.4238	.426
67-9	.0428	.0453	.0453	.477
68-1	.2380	.2521	.2523	.447
68-2	.1337	.1419	.1420	.428
68-3	1.2183	1.3152	1.3233	.217
68-4	.0780	.0831	.0832	.376
68-9	.6278	.6617	.6610	.512
69-2	.3880	.4160	.4177	.302
69-3	1.5373	1.6459	1.6520	.319
69-4	.1189	.1268	.1270	.376
69-5	.1189	.1268	.1270	.376
69-7	.4108	.4369	.4376	.402
69-8	.1660	.1759	.1760	.440
69-9	.0285	.0303	.0304	.405
71-1	.0153	.0164	.0164	.409
71-2	4.29*	4.54*	4.53*	.477
71-3	.0685	.0728	.0730	.391
71-4	.0136	.0145	.0145	.420
71-5	.0994	.1050	.1049	.483
71-6	.1750	.1859	.1861	.423
71-7	.2442	.2596	.2601	.403
71-8	.5928	.6290	.6296	.429
71-9	1.6028	1.7046	1.7075	.401
72-1	.0725	.0764	.0764	.503
72-2	.0186	.0197	.0198	.402
73-1	.1376	.1459	.1460	.432
73-2	.1363	.1438	.1438	.493
73-7	.1347	.1421	.1421	.494
73-8	.0660	.0703	.0705	.385

*Daily expected loss rate

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-890 TABLE IV.

Maximum experience modifications for firms with no compensable accidents:

Expected Loss Range	Maximum Experience Modification
((1-853))	.90
1-958	
((854-912))	.89
959-1,024	
((913-975))	.88
1,025-1,095	
((976-1,045))	.87
1,096-1,174	
((1,046-1,122))	.86
1,175-1,260	
((1,123-1,204))	.85
1,261-1,352	
((1,205-1,292))	.84
1,353-1,451	
((1,293-1,389))	.83
1,452-1,560	
((1,390-1,496))	.82
1,561-1,680	
((1,497-1,612))	.81
1,681-1,811	
((1,613-1,737))	.80
1,812-1,951	
((1,738-1,875))	.79
1,952-2,106	
((1,876-2,025))	.78
2,107-2,275	
((2,026-2,188))	.77
2,276-2,458	
((2,189-2,368))	.76
2,459-2,660	
((2,369-2,566))	.75

Expected Loss Range	Maximum Experience Modification	Rates Effective January 1, ((+1984)) 1985	
		Accident Fund Base Rate	Medical Aid Fund Rate
2,661-2,882 ((2,567-2,784))	.74		
2,883-3,127 ((2,785-3,023))	.73	10-7	.0491
3,128-3,396 ((3,024-3,287))	.72	11-1	.2739
3,397-3,692 ((3,288-3,577))	.71	11-2	.6368
3,693-4,018 ((3,578 and over))	.70	11-3	.2111
4,019-4,378		11-4	.2761
4,379-4,777	.69	11-6	.0602
4,778-5,218	.68	11-8	.2853
5,219-5,708	.67	13-1	.2165
5,709-6,253	.66	13-3	.1165
6,254 and over	.65	13-4	.0072
		13-5	.1350
		14-1	.4712
		14-4	.2812
		14-5	.2097
		15-1	.2097
		15-7	.1744
		17-1	1.1894
		17-2	1.1894
		17-3	.3126
		17-4	.3434
		18-1	.4416
		20-2	.3628
		20-3	.2348
		20-4	.4022
		20-5	.1918
		20-7	.2304
		20-8	.1591
		21-1	.2665
		21-2	.2348
		21-4	.1039
		21-5	.4050
		22-1	.1438
		22-2	.2069
		24-1	.3419
		29-3	.4101
		29-4	.5145
		29-6	.2615
		29-8	.4168
		31-1	.4325
		31-2	.3122
		31-3	.3122
		31-4	.3424
		31-5	.4718
		33-1	.4532
		33-2	.3269
		33-3	.1760
		33-9	.2279
		34-1	.2201
		34-2	.2318
		34-3	.0728
		34-4	.2761
		34-5	.1200
		34-6	.1029
		34-7	.1759
		34-8	.0680
		34-9	.1014
		35-1	.2660
		35-3	.1849
		35-6	.3539
		35-8	.2028
		36-2	.0516
		36-3	.2735
		36-4	.4951
		36-5	.1790
		36-6	.3566
		37-1	.1144
		37-2	.2944
		37-7	.2132
		37-8	.1195
		38-1	.1560

AMENDATORY SECTION (Amending Order 84-12, filed 6/1/84)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund base rates and medical aid rates by class of industry shall be as set forth below.

Class	Rates Effective January 1, ((+1984)) 1985	
	Accident Fund Base Rate	Medical Aid Fund Rate
1-1	.6897	.4712
1-2	.4642	.4157
1-3	.5756	.5629
1-4	.4729	.3509
1-5	.5802	.5533
1-6	1.1119	.7710
1-7	.5008	.3805
1-8	.5516	.3842
1-9	.9017	.7761
2-1	1.2644	.8667
2-2	1.4438	1.0578
2-6	.6145	.5299
3-1	.3027	.2989
3-2	.9070	.4880
3-6	.2985	.3109
3-7	.2849	.3448
4-1	1.1969	.9475
4-2	.7472	.8755
4-3	.8635	.6254
5-2	.5704	.4199
5-3	.3547	.4093
5-4	.6620	.4903
5-5	.6870	.5786
5-6	.8826	.7491
5-7	.9005	.7277
5-8	1.0040	.7730
5-9	.8546	.6579
6-1	.2488	.2646
6-2	.2606	.2413
6-3	.4458	.2739
6-4	.6820	.7121
6-6	.1259	.1492
6-7	.1643	.1710
7-1	.6832	.7223
8-3	.2346	.2085
8-4	.3787	.5207
9-1	1.2688	.4948
10-2	.6220	.4093
10-3	.3633	.2779
10-4	.3633	.2779
10-5	1.5333	1.0170

Rates Effective
January 1, ((+984)) 1985Rates Effective
January 1, ((+984)) 1985

Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
38-2	.0950	.1075	61-9	.0213	.0233
38-8	.1061	.1199	62-1	.0914	.1098
39-1	.1858	.1632	62-2	.3765	.3076
39-2	.3561	.3063	62-3	.0693	.0824
39-3	.5012	.6399	62-4	.0766	.1057
39-5	.0759	.1165	62-5	.0766	.1057
39-6	.2698	.2807	62-6	.0766	.1057
39-9	.0967	.1452	62-7	.4319	.7898
40-2	.3949	.2951	62-8	.1486	.1633
41-1	.0744	.0994	62-9	.1109	.1970
41-3	.1386	.1872	63-1	.0672	.0595
41-7	.0394	.0577	63-2	.0954	.0859
41-8	.0744	.0994	63-3	.0256	.0277
41-9	.0744	.0994	63-4	.0719	.0729
42-1	.2878	.2277	63-5	.0324	.0482
43-1	.4455	.4505	63-6	.1022	.1537
43-2	.4374	.4525	63-8	.0223	.0188
43-3	.4736	.5513	63-9	.0542	.0854
43-4	.3737	.3327	64-2	.1326	.1222
43-5	.6971	.4550	64-3	.0798	.1023
44-1	.2475	.2277	64-4	.0279	.0387
44-2	.3239	.3004	64-5	.2361	.2813
44-4	.2348	.2312	64-6	.0437	.0544
45-1	.0696	.0772	64-7	.1031	.1215
45-2	.0287	.0267	64-8	.1747	.2354
45-4	.0355	.0641	64-9	.2597	.3415
46-1	.2762	.4672	65-1	.0235	.0256
48-2	.1319	.1340	65-2	.0083	.0123
48-3	.1562	.2269	65-3	.0706	.0394
48-4	.3137	.3029	65-4	.0955	.1589
48-5	.1642	.1788	65-5	.1020	.1077
48-6	.0409	.0534	65-6	.0249	.0308
48-7	.6870	.5786	65-8	.1718	.1967
48-8	.1807	.2547	65-9	.0959	.1225
48-9	.1109	.1211	66-1	.1335	.1521
49-1	.0358	.0565	66-2	.2489	.2088
49-2	.0804	.0914	66-3	.1306	.1409
49-3	.0358	.0565	66-4	.0410	.0440
49-4	.0089	.0122	66-5	.1086	.1299
49-5	.1460	.1484	66-7	.0746	.0964
49-6	.0294	.0374	66-8	.1691	.1301
49-7	.0584	.0574	66-9	.9389	1.1782
49-8	.0596	.1286	67-4	.0967	.1220
49-9	.0596	.1286	67-5	.2727	.4213
50-1	2.1618	1.5449	67-6	.1522	.1847
50-2	.2249	.2750	67-7	4.66*	8.98*
50-3	.7123	.3866	67-8	1.0846	1.0980
50-4	.3808	.4928	67-9	.0681	.1052
51-1	.4732	.4309	68-1	.3776	.2545
51-2	.7544	.7078	68-2	.2118	.2730
51-3	.6477	.5469	68-3	1.8960	1.5451
51-6	.3264	.4004	68-4	.1230	.1576
51-8	.4214	.4669	68-9	1.0015	2.0736
51-9	.3154	.2806	69-1	-	.0562
52-1	.2275	.2250	69-2	.6083	.3585
52-4	.8762	.4040	69-3	2.4133	2.7010
52-6	.2450	.2506	69-4	.1876	.1990
52-7	.0746	.0964	69-5	.1876	.1990
52-8	.4017	.4901	69-6	-	.1990
52-9	.3101	.3760	69-7	.6494	.5735
53-1	.0094	.0135	69-8	.2631	.2148
53-5	.0160	.0199	69-9	.0451	.0544
53-6	.0188	.0172	71-1	.0243	.0256
53-7	.1167	.1142	71-2	7.20*	27.14*
61-3	.0182	.0277	71-3	.1081	.1108
61-4	.2076	.2027	71-4	.0216	.0209
61-5	.1216	.1578	71-5	.1581	.1456
61-7	.0899	.1087	71-6	.2772	.2683
61-8	.2379	.2306	71-7	.3861	.4111

Class	Rates Effective January 1, ((1984)) 1985	
	Accident Fund Base Rate	Medical Aid Fund Rate
71-8	.9391	.7929
71-9	2.5333	2.2113
72-1	.1155	.1154
72-2	.0294	.0296
72-3	.0547	.0575
72-4	-	-
73-1	.2179	.3068
73-2	.2170	.3079
73-7	.2145	.3109
73-8	.1042	.1235
73-9	.0681	.1052

*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

WSR 84-20-105
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 248—Filed October 3, 1984]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to establishing a 30-day fishing season extension for Langlois Lake in King County, adopting WAC 232-28-61103.

We, the State Game Commission, find that an emergency exists and that this 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 the emergency is Langlois Lake in King County is scheduled for rehabilitation in 1984-85. The emergency season will provide anglers with an opportunity to harvest fish from the lake prior to rehabilitation.

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

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 3, 1984.

By Vern E. Ziegler
 Chairman, Game Commission

NEW SECTION

WAC 232-28-61103 ESTABLISH A 30-DAY FISHING SEASON EXTENSION FOR LANGLOIS

LAKE IN KING COUNTY. Langlois Lake is scheduled for rehabilitation this fall. This lake was originally planned for a late-September treatment. Each year Langlois closes on September 3. To optimize fishing potential up to the rotenone treatment, a 30-day emergency season extension was obtained at the August Commission meeting. The lake has since been rescheduled to late-October and thus another 30-day extension is in order. The Fisheries Management Division is requesting a 30-day emergency season on Langlois Lake beginning at 12:01 a.m. on October 4, 1984.

WSR 84-20-106
NOTICE OF PUBLIC MEETINGS
COMMISSION FOR
VOCATIONAL EDUCATION
 [Memorandum—September 28, 1984]

A special meeting of the Washington State Commission for Vocational Education will be held in the auditorium of the Seattle-Tacoma International Airport, beginning at 9:00 a.m., on Wednesday, October 24, 1984. The auditorium is located on the mezzanine floor of the airport.

The meeting site is barrier free. Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Commission for Vocational Education, Building 17, Airdustrial Park, MS LS-10, Olympia, WA 98504, by October 10, 1984, Phone: (206) 753-5662 or scan 234-5662.

WSR 84-20-107
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning the amending of WAC 296-24-073, safe place standards; specifically subsection (6)(e) with regard to the use of intoxicating beverages and narcotics in or around the work site. The proposed revision would read as follows: Intoxicating beverages and narcotics shall not be permitted in or around worksites except in industries and businesses engaged in the production, distribution and sale of intoxicating beverages and drugs. Employers who have reason to believe a worker is under the influence of alcohol or narcotics shall not permit that worker to be on the jobsite. This rule does not apply to persons taking prescription drugs and narcotics as directed by a licensed physician or dentist providing such use shall not endanger the worker or others;

that the agency will at 9:30 a.m., Thursday, November 15, 1984, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 11, 1984.

The authority under which these rules are proposed is RCW 49.17.040 and 49.17.050.

The specific statute these rules are intended to implement is RCW 49.17.060(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

Written or oral submissions may also contain data, views and arguments concerning the effective of the proposed rules or amendments of rules and 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.

The agency may need to change the date for public hearing or adoption on short notice. To ascertain that the public hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Richard E. Martin, Assistant Director
Industrial Safety and Health Division
Post Office Box 207
Olympia, Washington 98507

Dated: October 3, 1984

By: Sam Kinville
Director

STATEMENT OF PURPOSE

Title and Number of Chapter: WAC 296-24-073
Safe place standards from chapter 296-24 WAC, General safety and health standards.

Statutory Authority: RCW 49.17.040 and 49.17.050.

Specific Statute that Rule is Intended to Implement: RCW 49.17.060(1).

Summary of the Rule: WAC 296-24-073 Safe place standard, specifically subsection (6)(e) with regard to the use of intoxicating beverages and narcotics in or around the work site. The proposed revision would read as follows: Intoxicating beverages and narcotics shall not be permitted in or around work sites except in industries and businesses engaged in the production, distribution and sale of intoxicating beverages and drugs. Employers who have reason to believe a worker is under the influence of alcohol or narcotics shall not permit that worker to be on the jobsite. This rule does not apply to persons taking prescription drugs and narcotics as directed by a licensed physician or dentist providing such use shall not endanger the worker or others.

Reasons Supporting the Proposed Rule: To ensure safe and healthful working conditions for every person working in the state of Washington; and to be in compliance with federal regulations.

The Agency Personnel Responsible for Drafting: Steve Cant, Chief Industrial Hygienist, Division of Industrial

Safety and Health, 814 East Fourth, Olympia, Washington 98504, (206) 753-6497; Implementation: Richard E. Martin, Assistant Director, Division of Industrial Safety and Health, 814 East Fourth, Olympia, Washington 98504, (206) 753-6500; and Enforcement: Same as above.

Name of Person or Organization, Whether Private, Public or Governmental that is Proposing the Rule: The Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: These are basic rules that will not be difficult or expensive for employers who must comply with them. However, the rules will likely prevent many costly injuries, including death, to employees in the state of Washington.

Portions of the rules are necessary to comply with a federal law, 29 U.S.C. Subsection 667(c)(2).

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: No impact.

AMENDATORY SECTION

WAC 296-24-073 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 except in industries and business engaged in the production, distribution and sale of intoxicating beverages and drugs. ~~((Workers))~~ Employers who have reason to believe a worker is under the influence of alcohol or narcotics shall not ~~((be permitted on the work site))~~ permit that worker to be on the jobsite. This rule does not apply to persons taking prescription drugs and ~~((or))~~ narcotics as directed by a physician or dentist providing such use shall not endanger the worker or others.

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 84-20-108
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Retirement Systems intends to adopt, amend, or repeal rules concerning this notice proposes to add a section to chapter 415-02 WAC entitled Insurance premium deductions for retirees—Enrollment requirements. The proposal would require any insurance provider requesting the department to deduct premiums from retirement benefit allowances to secure at least twenty-five participants in or for the department to deduct such premiums. Providers currently receiving deductions who do not have twenty-five enrolled participants will have twelve months to increase enrollment. Providers who fall below twenty-five participants will have ninety days to meet the enrollment standard;

that the agency will at 10:00 a.m., Thursday, November 8, 1984, in the Board Room, Department of Retirement Systems, 1025 East Union, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.50.050(5) and 41.50.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1984.

Dated: October 2, 1984
 By: Dr. Robert L. Hollister, Jr.
 Director

STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 415-02-100 Insurance premium deductions for retirees—Enrollment requirements.

Statutory Authority: RCW 41.50.050(5) and 41.50.090.

Summary of Rule: This notice proposes to add a section to chapter 415-02 WAC entitled Insurance premium deductions for retirees—Enrollment requirements. The proposal would require any insurance provider requesting the department to deduct premiums from retirement benefit allowances to secure at least twenty-five participants in or for the department to deduct such premiums. Providers currently receiving deductions who do not have twenty-five enrolled participants will have twelve months to increase enrollment. Providers who fall below twenty-five participants will have ninety days to meet the enrollment standard.

Description of the Purpose of the Rule: To reduce the administrative impact of processing premium payments for providers with small enrollments.

Reasons for Supporting the Proposed Rule: The department is receiving growing numbers of requests to make insurance premium deductions from providers with one, two or five retirees enrolled. The administrative cost

to the department of enrolling the participants, accounting for the funds, and performing the mailing and information services required is becoming extremely high on a per capita basis. In order to reduce the administrative cost, it is necessary to require a minimum of twenty-five participants for any insurance provider. This requirement is consistent with the statutory requirement for payroll deductions for such purposes found in RCW 41.04.030.

The Agency Personnel Responsible for the Drafting, Implementation and Enforcement of the Rule: Robert L. Hollister, Jr., Director, Department of Retirement Systems, 1025 East Union, Olympia, Washington, (206) 753-5281.

Name of the Governmental Agency Proposing the Rule: Department of Retirement Systems.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: No.

NEW SECTION

WAC 415-02-100 RETIREE INSURANCE PREMIUM DEDUCTIONS FOR RETIREES—ENROLLMENT REQUIREMENTS Effective December 1, 1984 the Department of Retirement Systems will not accept requests by retirees of any of the systems which the department administers to deduct premiums for any kind of insurance from retirement allowances unless the provider has at least twenty-five such retirees enrolled in a withholding program. Any providers who now have less than twenty-five retirees in their deduction program will have twelve months in which to secure at least twenty-five participants. Failing to acquire the required minimum within twelve months will result in suspension of the deduction program for such provider. Any provider presently qualified who drops below twenty-five participants in the future will be suspended if they remain under twenty-five participants for ninety days.

WSR 84-20-109
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-162—Filed October 3, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of coho salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 3, 1984.

By Gary C. Alexander
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100S WILLAPA HARBOR GILL NET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective immediately until 6:00 p.m. October 14, 1984, it is unlawful to fish for or possess salmon taken from any Willapa Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

- Areas 2G and 2H - Immediately through 6:00 p.m. October 14, 1984.
- Areas 2J and 2K - 6:00 p.m. October 3 through 6:00 p.m. October 4, 6:00 p.m. October 7 through 6:00 p.m. October 8, and 6:00 p.m. October 10 through 6:00 p.m. October 11, 1984.
- Area 2M - 6:00 p.m. October 3 through 6:00 p.m. October 4, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100R WILLAPA HARBOR GILL NET SEASON. (84-161)

WSR 84-20-110
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-163—Filed October 3, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of adult salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 3, 1984.

By Edward P. Manary
for William R. Wilkerson
Director

NEW SECTION

WAC 220-57-16000M COLUMBIA RIVER. Notwithstanding the provisions of WAC 220-56-160, effective immediately until further notice bag limit A in those waters of the Columbia River downstream from Chief Joseph Dam to the Interstate 5 Bridge, except that the waters between the Vernita Bridge and the old Hanford townsite wooden powerline towers are closed effective 12:01 a.m. October 15, 1984 until further notice. Closures shown in WAC 220-56-160 (1) and (3) remain in effect.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-16000L COLUMBIA RIVER. (84-135)

WSR 84-20-111
PROPOSED RULES
PARKS AND RECREATION
COMMISSION
 [Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning recreational housing and meeting room fees, Fort Worden State Park, WAC 352-32-25001;

that the agency will at 9:00 a.m., Friday, November 16, 1984, in the Everett Pacific Hotel, 3105 Pine Street, Everett, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 43.51.040 and 43.51.060.

The specific statute these rules are intended to implement is RCW 43.51.040 and 43.51.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 12, 1984.

Dated: October 1, 1984
By: Mike Reed
Executive Assistant

STATEMENT OF PURPOSE

Title: Fort Worden facilities fee schedule, WAC 352-32-25001.

Description of Purpose: The rules establish fees for the use of vacation housing and meeting room facilities at Fort Worden State Park.

Statutory Authority: RCW 43.51.040 and 43.51.060.

Statutes Which Rules Implement: RCW 43.51.040 and 43.51.060.

Summary of Rule: The rules referenced above establish fees for various categories of vacation housing at Fort Worden State Park, including NCO buildings, officers' row facilities, dormitory housing, barracks housing, and meal charges. Meeting room charges are outlined also.

Reasons Supporting Proposed Action: The adoption of rules specifying fee schedules is consistent with requirements of state parks' statutory powers and duties, RCW 43.51.040, and with 43.51.060.

Agency Personnel Responsible for Drafting: Mike Reed, Executive Assistant, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504, (206) 753-6179; Implementation and Enforcement: Lynn Genasci, Assistant Director, Operations, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504, (206) 753-5761.

Proposing: Washington State Parks and Recreation Commission.

Agency Comments: [No information supplied by agency.]

Federal Law/Court Action: The rules referenced above are not required as a result of federal law or federal or state court action.

NEW SECTION

WAC 352-32-25001 RECREATIONAL HOUSING FEES AND MEETING ROOM FEES CHARGED. (1) The following fees shall be charged per day for recreational housing at Fort Worden State Park:

- (a) Renovated housing
 - Noncommissioned officers' buildings—#331 and #332 (2 bedrooms) \$ 57
 - Small officers' row buildings—#5, #6, and #7 (3.5 bedrooms) \$ 93
 - Large officers' row buildings—#4 and #11 (6 bedrooms) \$152
 - Charge for additional rollaway beds....\$9.25 per bed.

- (b) Nonrenovated housing
 - Officers' row buildings—#9, #10 and #16 (3 bedrooms) \$ 71
 - Officers' row buildings—#15 (5 bedrooms) \$111
 - Charge for additional rollaway beds....\$9.25 per bed.
 - Bliss vista building—#235 (one bedroom)..... \$ 47

A \$10.00 cancellation fee is charged for any cancelled reservations, to cover processing costs.

Standard meal charges (meals optional for above-listed housing)

Breakfast.....	\$ 2.75
Lunch.....	\$ 3.25
Dinner.....	\$ 5.00
Total.....	\$11.00

(c) Dormitory housing (for group reservations only—meals included)

1 - 2 days.....	\$20.00/person/day
3 - 13 days.....	\$18.35/person/day
14 or more days.....	\$16.90/person/day
Dormitory linen and towel charge.....	\$ 7.50
Additional towel charges.....	\$.55

The parks and recreation commission has an agreement with the Centrum organization which provides for use of Fort Worden State Park dormitory facilities and services in conjunction with special group programs administered by Centrum. For further information, contact Centrum at Fort Worden State Park.

(d) Barracks-style housing (for group reservations only—meals included)

1 - 2 days.....	\$18.35/person/day
3 - 13 days.....	\$16.90/person/day
14 or more days.....	\$15.35/person/day

Washington state sales tax is added to all charges.

(2) Meeting rooms are available at varying charges, depending on size, character of facility, and length of stay. Prices range between \$6.50 and \$33.00 for those residing in Fort Worden recreational housing, with substantially higher charges for nonusers of recreational housing facilities. Theatre is available for performances—\$100.00; for rehearsals—\$26.00 per night. Additional cleaning fee is charged if food or beverages are consumed in the room.

(3) Groups or organizations wishing to reserve the Fort Worden State Park housing or meeting room facilities may do so by completing and complying with procedures specified in the Group Booking Agreement, available through the agency. Included in the provisions of the agreement are the following:

A deposit of \$100.00 per night for each dorm and a proportional amount for units of vacation housing, up to a maximum of \$500.00, is required to confirm reservations. The deposit is nonrefundable unless cancellation is made sixty days in advance. Unrestricted partial cancellations of reserved housing facilities may be made up to sixty days in advance for dormitory facilities, or thirty days in advance for vacation housing; partial cancellations made following these dates incur certain minimum charges or penalties. The deposit will be credited against the final bill.

WSR 84-20-112
ADOPTED RULES
PARKS AND RECREATION
COMMISSION

[Order 84—Filed October 3, 1984]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Wenatchee, Washington, that it does adopt the annexed rules relating to State Environmental Policy Act procedures, chapter 352-11 WAC.

This action is taken pursuant to Notice No. WSR 84-16-089 filed with the code reviser on August 1, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 43.21C RCW and is intended to administratively implement that statute.

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

Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 3, 1984.

By Yvonne Ferrell
Deputy Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 352-10-010 AUTHORITY.
- WAC 352-10-020 PURPOSE.
- WAC 352-10-025 SCOPE AND COVERAGE OF THIS CHAPTER.
- WAC 352-10-030 INTEGRATION OF SEPA PROCEDURES WITH OTHER GOVERNMENTAL OPERATIONS.
- WAC 352-10-040 DEFINITIONS.
- WAC 352-10-050 USE OF THE ENVIRONMENTAL CHECKLIST FORM.
- WAC 352-10-055 TIMING OF THE EIS PROCESS.
- WAC 352-10-060 SCOPE OF A PROPOSAL AND ITS IMPACTS FOR THE PURPOSES OF LEAD AGENCY DETERMINATION, THRESHOLD DETERMINATION, AND EIS PREPARATION.
- WAC 352-10-100 SUMMARY OF INFORMATION WHICH MAY BE REQUIRED OF A PRIVATE APPLICANT.
- WAC 352-10-150 EXEMPTIONS EXCLUSIVE—CEP APPROVAL OF CHANGES IN EXEMPTIONS.
- WAC 352-10-160 NO PRESUMPTION OF SIGNIFICANCE FOR NONEXEMPT ACTIONS.
- WAC 352-10-170 CATEGORICAL EXEMPTIONS.
- WAC 352-10-175 EXEMPTIONS AND NON-EXEMPTIONS APPLICABLE TO SPECIFIC STATE AGENCIES.
- WAC 352-10-177 ENVIRONMENTALLY SENSITIVE AREAS.
- WAC 352-10-180 EXEMPTION FOR EMERGENCY ACTIONS.
- WAC 352-10-190 USE AND EFFECT OF CATEGORICAL EXEMPTIONS.
- WAC 352-10-200 LEAD AGENCY—RESPONSIBILITIES.
- WAC 352-10-203 DETERMINATION OF LEAD AGENCY—PROCEDURES.
- WAC 352-10-205 LEAD AGENCY DESIGNATION—GOVERNMENTAL PROPOSALS.
- WAC 352-10-210 LEAD AGENCY DESIGNATION—PROPOSALS INVOLVING BOTH PRIVATE AND PUBLIC CONSTRUCTION ACTIVITY.
- WAC 352-10-215 LEAD AGENCY DESIGNATION—PRIVATE PROJECTS FOR WHICH THERE IS ONLY ONE AGENCY WITH JURISDICTION.

WAC 352-10-220 LEAD AGENCY DESIGNATION—PRIVATE PROJECTS REQUIRING LICENSES FROM MORE THAN ONE AGENCY, WHEN ONE OF THE AGENCIES IS A COUNTY/CITY.

WAC 352-10-225 LEAD AGENCY DESIGNATION—PRIVATE PROJECTS REQUIRING LICENSES FROM MORE THAN ONE STATE AGENCY.

WAC 352-10-230 LEAD AGENCY DESIGNATION—SPECIFIC PROPOSALS.

WAC 352-10-235 LOCAL AGENCY TRANSFER OF LEAD AGENCY STATUS TO A STATE AGENCY.

WAC 352-10-240 AGREEMENTS AS TO LEAD AGENCY STATUS.

WAC 352-10-245 AGREEMENTS BETWEEN AGENCIES AS TO DIVISION OF LEAD AGENCY DUTIES.

WAC 352-10-260 DISPUTE AS TO LEAD AGENCY DETERMINATION—RESOLUTION BY CEP.

WAC 352-10-270 ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGENCY WITH JURISDICTION.

WAC 352-10-300 THRESHOLD DETERMINATION REQUIREMENT.

WAC 352-10-305 RECOMMENDED TIMING FOR THRESHOLD DETERMINATION.

WAC 352-10-310 THRESHOLD DETERMINATION PROCEDURES—ENVIRONMENTAL CHECKLIST.

WAC 352-10-320 THRESHOLD DETERMINATION PROCEDURES—INITIAL REVIEW OF ENVIRONMENTAL CHECKLIST.

WAC 352-10-330 THRESHOLD DETERMINATION PROCEDURES—INFORMATION IN ADDITION TO CHECKLIST.

WAC 352-10-340 THRESHOLD DETERMINATION PROCEDURES—NEGATIVE DECLARATIONS.

WAC 352-10-345 ASSUMPTION OF LEAD AGENCY STATUS BY ANOTHER AGENCY WITH JURISDICTION OVER A PROPOSAL—PREREQUISITES, EFFECT AND FORM OF NOTICE.

WAC 352-10-350 AFFIRMATIVE THRESHOLD DETERMINATION.

WAC 352-10-355 FORM OF DECLARATION OF SIGNIFICANCE/NONSIGNIFICANCE.

WAC 352-10-360 THRESHOLD DETERMINATION CRITERIA—APPLICATION OF ENVIRONMENTAL CHECKLIST.

WAC 352-10-365 ENVIRONMENTAL CHECKLIST.

WAC 352-10-370 WITHDRAWAL OF AFFIRMATIVE THRESHOLD DETERMINATION.

WAC 352-10-375 WITHDRAWAL OF NEGATIVE THRESHOLD DETERMINATION.

WAC 352-10-380 INTRA-AGENCY APPEALS OF THRESHOLD DETERMINATIONS.

WAC 352-10-390 EFFECT OF THRESHOLD DETERMINATION BY LEAD AGENCY.

WAC 352-10-400 DUTY TO BEGIN PREPARATION OF A DRAFT EIS.

WAC 352-10-405 PURPOSE AND FUNCTION OF A DRAFT EIS.

WAC 352-10-410 PREDRAFT CONSULTATION PROCEDURES.

WAC 352-10-420 PREPARATION OF EIS BY PERSONS OUTSIDE THE LEAD AGENCY.

WAC 352-10-425 ORGANIZATION AND STYLE OF A DRAFT EIS.

WAC 352-10-440 CONTENTS OF A DRAFT EIS.

WAC 352-10-442 SPECIAL CONSIDERATIONS REGARDING CONTENTS OF AN EIS ON A NONPROJECT ACTION.

WAC 352-10-444 LIST OF ELEMENTS OF THE ENVIRONMENT.

WAC 352-10-446 DRAFT EIS—OPTIONAL ADDITIONAL ELEMENTS—LIMITATION.

WAC 352-10-450 PUBLIC AWARENESS OF AVAILABILITY OF DRAFT EIS.

WAC 352-10-455 CIRCULATION OF THE DRAFT EIS—REVIEW PERIOD.

WAC 352-10-460 SPECIFIC AGENCIES TO WHICH DRAFT EIS SHALL BE SENT.

WAC 352-10-465 AGENCIES POSSESSING ENVIRONMENTAL EXPERTISE.

WAC 352-10-470 COST TO THE PUBLIC FOR REPRODUCTION OF ENVIRONMENTAL DOCUMENTS.

WAC 352-10-480 PUBLIC HEARING ON A PROPOSAL—WHEN REQUIRED.

WAC 352-10-485 NOTICE OF PUBLIC HEARING ON ENVIRONMENTAL IMPACT OF THE PROPOSAL.

WAC 352-10-490 PUBLIC HEARING ON THE PROPOSAL—USE OF ENVIRONMENTAL DOCUMENTS.

WAC 352-10-495 PREPARATION OF AMENDED OR NEW DRAFT EIS.

WAC 352-10-500 RESPONSIBILITIES OF CONSULTED AGENCIES—LOCAL AGENCIES.

WAC 352-10-510 RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH JURISDICTION.

WAC 352-10-520 RESPONSIBILITIES OF CONSULTED AGENCIES—STATE AGENCIES WITH ENVIRONMENTAL EXPERTISE.

WAC 352-10-530 RESPONSIBILITIES OF CONSULTED AGENCIES—WHEN PREDRAFT CONSULTATION HAS OCCURRED.

WAC 352-10-535 COST OF PERFORMANCE OF CONSULTED AGENCY RESPONSIBILITIES.

WAC 352-10-540 LIMITATIONS ON RESPONSES TO CONSULTATION.

WAC 352-10-545 EFFECT OF NO WRITTEN COMMENT.

WAC 352-10-550 PREPARATION OF THE FINAL EIS—TIME PERIOD ALLOWED.

WAC 352-10-570 PREPARATION OF THE FINAL EIS—CONTENTS—WHEN NO CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS.

WAC 352-10-580 PREPARATION OF THE FINAL EIS—CONTENTS—WHEN CRITICAL COMMENTS RECEIVED ON THE DRAFT EIS.

WAC 352-10-600 CIRCULATION OF THE FINAL EIS.

WAC 352-10-650 EFFECT OF AN ADEQUATE FINAL EIS PREPARED PURSUANT TO NEPA.

WAC 352-10-652 SUPPLEMENTATION BY A LEAD AGENCY OF AN INADEQUATE FINAL NEPA EIS.

WAC 352-10-660 USE OF PREVIOUSLY PREPARED EIS FOR A DIFFERENT PROPOSED ACTION.

WAC 352-10-690 USE OF LEAD AGENCY'S EIS BY OTHER ACTING AGENCIES FOR THE SAME PROPOSAL.

WAC 352-10-695 DRAFT AND FINAL SUPPLEMENTS TO A REVISED EIS.

WAC 352-10-700 NO ACTION FOR SEVEN DAYS AFTER PUBLICATION OF THE FINAL EIS.

WAC 352-10-710 EIS COMBINED WITH EXISTING PLANNING AND REVIEW PROCESSES.

WAC 352-10-810 AMENDMENTS TO THIS CHAPTER.

WAC 352-10-820 DESIGNATION OF RESPONSIBLE OFFICIAL.

WAC 352-10-825 PROCEDURES WHEN CONSULTED AGENCY.

WAC 352-10-830 COMMISSION SEPA PUBLIC INFORMATION CENTER.

WAC 352-10-840 APPLICATION OF COMMISSION GUIDELINES TO ONGOING ACTIONS.

WAC 352-10-860 FEES TO COVER THE COSTS OF SEPA COMPLIANCE.

WAC 352-10-910 SEVERABILITY.

WAC 352-10-920 EFFECTIVE DATE.

Chapter 352-11 WAC
SEPA PROCEDURES

NEW SECTION

WAC 352-11-010 AUTHORITY. These rules are promulgated under RCW 43.21C.120 (the State Environmental Policy Act) and chapter 197-11 WAC (SEPA rules).

NEW SECTION

WAC 352-11-020 ADOPTION BY REFERENCE. The Washington state parks and recreation commission adopts the following sections or subsections of chapter 197-11 WAC by reference.

WAC	
197-11-040	Definitions.
197-11-050	Lead agency.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.

197-11-100	Information required of applicants.	197-11-752	Impacts.
197-11-300	Purpose of this part.	197-11-754	Incorporation by reference.
197-11-305	Categorical exemptions.	197-11-756	Lands covered by water.
197-11-310	Threshold determination required.	197-11-758	Lead agency.
197-11-315	Environmental checklist.	197-11-760	License.
197-11-330	Threshold determination process.	197-11-762	Local agency.
197-11-335	Additional information.	197-11-764	Major action.
197-11-340	Determination of nonsignificance (DNS).	197-11-766	Mitigated DNS.
197-11-350	Mitigated DNS.	197-11-768	Mitigation.
197-11-360	Determination of significance (DS)/initiation of scoping.	197-11-770	Natural environment.
197-11-390	Effect of threshold determination.	197-11-772	NEPA.
197-11-400	Purpose of EIS.	197-11-774	Nonproject.
197-11-402	General requirements.	197-11-776	Phased review.
197-11-405	EIS types.	197-11-778	Preparation.
197-11-406	EIS timing.	197-11-780	Private project.
197-11-408	Scoping.	197-11-782	Probable.
197-11-410	Expanded scoping. (Optional)	197-11-784	Proposal.
197-11-420	EIS preparation.	197-11-786	Reasonable alternative.
197-11-425	Style and size.	197-11-788	Responsible official.
197-11-430	Format.	197-11-790	SEPA.
197-11-435	Cover letter or memo.	197-11-792	Scope.
197-11-440	EIS contents.	197-11-793	Scoping.
197-11-442	Contents of EIS on nonproject proposals.	197-11-794	Significant.
197-11-443	EIS contents when prior nonproject EIS.	197-11-796	State agency.
197-11-444	Elements of the environment.	197-11-797	Threshold determination.
197-11-448	Relationship of EIS to other considerations.	197-11-799	Underlying governmental action.
197-11-450	Cost-benefit analysis.	197-11-800	Categorical exemptions.
197-11-455	Issuance of DEIS.	197-11-810	Exemptions and nonexemptions applicable to specific state agencies.
197-11-460	Issuance of FEIS.	197-11-880	Emergencies.
197-11-500	Purpose of this part.	197-11-890	Petitioning DOE to change exemptions.
197-11-502	Inviting comment.	197-11-900	Purpose of this part.
197-11-504	Availability and cost of environmental documents.	197-11-908	Environmentally sensitive areas.
197-11-508	SEPA register.	197-11-912	Procedures on consulted agencies.
197-11-535	Public hearings and meetings.	197-11-914	SEPA fees and costs.
197-11-545	Effect of no comment.	197-11-916	Application to ongoing actions.
197-11-550	Specificity of comments.	197-11-920	Agencies with environmental expertise.
197-11-560	FEIS response to comments.	197-11-922	Lead agency rules.
197-11-570	Consulted agency costs to assist lead agency.	197-11-924	Determining the lead agency.
197-11-600	When to use existing environmental documents.	197-11-926	Lead agency for governmental proposals.
197-11-610	Use of NEPA documents.	197-11-928	Lead agency for public and private proposals.
197-11-620	Supplemental environmental impact statement—Procedures.	197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-625	Addenda—Procedures.	197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-630	Adoption—Procedures.	197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-635	Incorporation by reference—Procedures.	197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-640	Combining documents.	197-11-938	Lead agencies for specific proposals.
197-11-650	Purpose of this part.	197-11-940	Transfer of lead agency status to a state agency.
197-11-655	Implementation.	197-11-942	Agreements on lead agency status.
197-11-660	Substantive authority and mitigation.	197-11-944	Agreements on division of lead agency duties.
197-11-680	Appeals.	197-11-946	DOE resolution of lead agency disputes.
197-11-700	Definitions.	197-11-948	Assumption of lead agency status.
197-11-702	Act.	197-11-960	Environmental checklist.
197-11-704	Action.	197-11-965	Adoption notice.
197-11-706	Addendum.	197-11-970	Determination of nonsignificance (DNS).
197-11-708	Adoption.	197-11-980	Determination of significance and scoping notice (DS).
197-11-710	Affected tribe.	197-11-985	Notice of assumption of lead agency status.
197-11-712	Affecting.	197-11-990	Notice of action.
197-11-714	Agency.		
197-11-716	Applicant.		
197-11-718	Built environment.		
197-11-720	Categorical exemption.		
197-11-722	Consolidated appeal.		
197-11-724	Consulted agency.		
197-11-726	Cost-benefit analysis.		
197-11-728	County/city.		
197-11-730	Decision maker.		
197-11-732	Department.		
197-11-734	Determination of nonsignificance (DNS).		
197-11-736	Determination of significance (DS).		
197-11-738	EIS.		
197-11-740	Environment.		
197-11-742	Environmental checklist.		
197-11-744	Environmental document.		
197-11-746	Environmental review.		
197-11-748	Environmentally sensitive area.		
197-11-750	Expanded scoping.		

NEW SECTION

WAC 352-11-030 PURPOSE. This chapter implements the state-wide rules in chapter 197-11 WAC as they apply to the Washington state parks and recreation commission.

NEW SECTION

WAC 352-11-040 ADDITIONAL DEFINITIONS. In addition to the definitions contained in WAC

197-11-700 through 197-11-799, the following terms shall have the listed meanings:

(1) "Agency" means the entire staff and appointed commission members constituting the Washington state parks and recreation commission.

(2) "Authorized public use" means that a particular parcel of real property has developed facilities which have been subject to public use or has been specifically designated and classified for such public use without developed facilities. No "authorized public use" shall be construed to have occurred on parcels of real property being held for future use and development nor on portions of existing park lands remote from existing public use facilities, including developed trail systems.

(3) "Commission" means the Washington state parks and recreation commission.

(4) "Director" means the director of the Washington state parks and recreation commission.

(5) "Program" means any of the headquarters' sections or divisions of the Washington state parks and recreation commission that administers a program, such as, but not limited to, boating safety, winter recreation, and youth programs.

(6) "Regions" means any of the five regional offices of the Washington state parks and recreation commission.

(7) "Section" means any section within the divisional structure of the Washington state parks and recreation commission.

NEW SECTION

WAC 352-11-055 TIMING OF THE SEPA PROCESS. (1) Integrating SEPA and agency activities. The SEPA process shall be integrated with agency activities at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to seek to resolve potential problems.

(2) Timing of review of proposals. The agency shall prepare its threshold determination and environmental impact statement (EIS), if required, at the earliest possible point in the planning and decision-making process, when the principal features of a proposal and its environmental impacts can be reasonably identified.

(a) A proposal exists when the agency is presented with an application or has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal and the environmental effects can be meaningfully evaluated.

(i) The fact that proposals may require future agency approvals or environmental review shall not preclude current consideration, as long as proposed future activities are specific enough to allow some evaluation of their probable environmental impacts.

(ii) Preliminary steps or decisions are sometimes needed before a proposal is sufficiently definite to allow meaningful environmental analysis.

(b) Environmental reviews will normally begin when sufficient information is available for agency staff to make preliminary decisions. The agency may also organize environmental review in phases, as specified in WAC 197-11-060(5).

(c) Appropriate consideration of environmental information shall be completed before the agency commits to a particular course of action under WAC 197-11-070.

(3) Applications and rule-making. The timing of environmental review for applications and for rule-making shall be as follows:

(a) At the latest, the agency shall begin environmental review, if required, when an application is complete. The agency may initiate review earlier and may have informal conferences with applicants. A final threshold determination or final environmental impact statement (FEIS) shall normally precede or accompany the final staff recommendation, if any, in a quasi-judicial proceeding on an application. The substance of an ex parte communication of parties with any member of the commission concerning the decision of action will be placed on the record and subject to public announcement and opportunity for rebuttal at public hearings as required by RCW 42.36.060.

(b) For rule-making, the DNS or DEIS shall normally accompany the proposed rule. A FEIS, if any, shall be issued at least seven days before adoption of a final rule under WAC 197-11-460(4).

(4) Additional timing considerations.

(a) Commission staff receiving a completed application and environmental checklist shall forward such application and checklist to the responsible official who will determine whether the commission or another agency is the SEPA lead agency under WAC 197-11-050 and 197-11-922 through 197-11-940 within five working days. If the commission is not the lead agency, the responsible official shall send the completed environmental checklist and a copy of the application, together with an explanation of the determination to the identified lead agency.

(b) Commission staff receiving an application will forward it to the responsible official who will determine whether the proposal is an "action" and, if so, whether it is "categorically exempt" from SEPA. If the proposal is an "action" and is not exempt, the responsible official will ask the applicant to complete an environmental checklist. A checklist is not needed if the responsible official and applicant agree that an EIS is required, SEPA compliance has been completed, SEPA compliance has been initiated by another agency, or a checklist is included with the application.

(c) If the only nonexempt action is commission approval of detailed project plans and specifications, an applicant may request that the commission complete SEPA compliance before the applicant submits the detailed plans and specifications.

(d) The commission staff and applicants may hold preliminary discussions or exploration of ideas and options prior to commencing formal environmental review, under provisions of this chapter and chapter 197-11 WAC, subject to RCW 42.36.060.

(5) An overall decision to proceed with a course of action may involve a series of actions or decisions by one or more agencies. If several agencies have jurisdiction over a proposal, they shall coordinate their SEPA processes wherever possible. The agencies shall comply with

lead agency determination requirements in WAC 197-11-050 and 197-11-922.

(6) To meet the requirement to insure that environmental values and amenities are given appropriate consideration along with economic and technical considerations, environmental documents and analysis shall be circulated and reviewed with other planning documents to the fullest extent possible.

(7) For its own public proposals, the responsible official may extend the time limits prescribed in this chapter.

(8) When the commission staff has prepared a commission agenda item for approval by the commission, the FEIS, DNS, or exemption statement shall accompany the agenda item to the commission for its review.

NEW SECTION

WAC 352-11-310 THRESHOLD DETERMINATION PROCESS—ADDITIONAL CONSIDERATIONS. When reviewing a completed environmental checklist to make the threshold determination, the responsible official or the designee of the responsible official will:

(1) Independently evaluate the responses of the applicant and note comments, concerns, corrections, or new information in the right margin of the checklist.

(2) Conduct the initial review of the checklist and any supporting documents without requiring additional information from the applicant.

NEW SECTION

WAC 352-11-350 MITIGATED DNS. (1) An applicant may ask the agency whether issuance of a DS is likely for a proposal. This request for early notice must:

(a) Be written;

(b) Follow submission of a permit application and environmental checklist for a nonexempt proposal for which the commission is lead agency; and

(c) Precede the agency's actual threshold determination for the proposal.

(2) The responsible official or his designee shall respond to the request within ten working days of receipt of the letter; the response shall:

(a) Be written;

(b) State whether the agency is considering issuance of a DS;

(c) Indicate the general or specific area(s) of concern that led the agency to consider a DS; and

(d) State that the applicant may change or clarify the proposal to mitigate the impacts indicated in the letter, revising the environmental checklist as necessary to reflect the changes or clarifications.

(3) The agency shall not continue with the threshold determination until after receiving a written response from the applicant changing or clarifying the proposal or asking that the threshold determination be based on the original proposal.

(4) If the applicant submits a changed or clarified proposal, along with a revised environmental checklist, the agency will make its threshold determination based on the changed or clarified proposal.

(a) If the agency's response to the request for early notice indicated specific mitigation measures that would remove all probable significant adverse environmental impacts, and the applicant changes or clarifies the proposal to include all of those specific mitigation measures, the agency shall issue a determination of nonsignificance and circulate the DNS for comments as in WAC 197-11-350(2).

(b) If the agency indicated general or specific areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the agency shall determine if the changed or clarified proposal may have a probable significant environmental impact, issuing a DNS or DS as appropriate.

(5) The agency may specify mitigation measures that would allow it to issue a DNS without a request for early notice from an applicant. If it does so, and the applicant changes or clarifies the proposal to include those measures, the agency shall issue a DNS and circulate it for review under WAC 197-11-350(2).

(6) When an applicant changes or clarifies the proposal, the clarifications or changes may be included in written attachments to the documents already submitted. If the environmental checklist and supporting documents would be difficult to read and/or understand because of the need to read them in conjunction with the attachment(s), the agency may require the applicant to submit a new checklist.

(7) The agency may change or clarify features of its own proposals before making the threshold determination.

(8) The agency's written response under subsection (2) of this section shall not be construed as a determination of significance. In addition, preliminary discussion of clarification of or changes to a proposal, as opposed to a written request for early notice, shall not bind the agency to consider the clarifications or changes in its threshold determination.

(9) When an applicant submits a changed or clarified proposal pursuant to this section, it shall be considered part of the applicant's application for a permit or other approval for all purposes, including enforcement of the permit or other approval. Unless the agency's decision expressly states otherwise, when a mitigated DNS is issued for a proposal, any decision approving the proposal shall be based on the proposal as changed or clarified pursuant to this section.

NEW SECTION

WAC 352-11-420 EIS PREPARATION. For draft and final EISs and supplemental environmental impact statements (SEISs):

(1) Preparation of the EIS is the responsibility of the agency, by or under the direction of its responsible official, as specified by the agency's procedures. No matter who participates in the preparation of the EIS, it is the EIS of the agency. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with this chapter and chapter 197-11 WAC.

(2) The agency may have an EIS prepared by agency staff, an applicant or its agent, or by an outside consultant retained by either an applicant or the agency. The

agency shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.

(3) If a person other than the agency is preparing the EIS, the agency shall:

(a) Coordinate any scoping procedures so that the individual preparing the EIS receives all substantive information submitted by any agency and the public that is needed by the person;

(b) Assist in obtaining any information on file with another agency that is needed by the person preparing the EIS;

(c) Allow any party preparing an EIS access to all public records of the agency that relate to the subject of the EIS, under RCW 42.17.250 through 42.17.340.

(4) Normally, the agency will prepare EISs for its own proposals.

(5) For applicant proposals, the agency normally will require the applicant to prepare or help prepare the EIS at the applicant's expense, under provisions of this chapter and chapter 197-11 WAC.

(6) The agency may require an applicant to provide information that the agency does not possess, including specific investigations. The applicant is not required to supply information that is not required under this chapter and chapter 197-11 WAC.

NEW SECTION

WAC 352-11-504 AVAILABILITY AND COSTS OF ENVIRONMENTAL DOCUMENTS. (1) SEPA documents required by these rules shall be retained by the agency at the SEPA public information center, and made available in accordance with RCW 42.17.250 through 42.17.340.

(2) The agency shall make copies of environmental documents available in accordance with RCW 42.17.250 through 42.17.340, charging only those costs allowed plus mailing costs. Allowable costs for environmental documents may be indicated in the documents and made payable to the agency. However, no charge shall be levied for circulation of documents to other agencies as required by this chapter. The agency will provide one complimentary copy of each environmental document to each public interest organization requesting such.

NEW SECTION

WAC 352-11-508 NOTICE OF ENVIRONMENTAL DOCUMENTS. (1) The agency shall submit environmental documents required to be sent to the department of ecology for weekly publication in the SEPA register under this chapter, specifically:

(a) DNSs under WAC 197-11-340(2);

(b) DSs (scoping notices) under WAC 197-11-408;

(c) EISs under WAC 197-11-455, 197-11-460, 197-11-620, and 197-11-630; and

(d) Notices of action under RCW 43.21C.080 and 43.21C.087.

(2) The agency shall submit the environmental documents listed in subsection (1) of this section promptly and in accordance with procedures established by the department of ecology.

(3) The agency shall subscribe to the SEPA register.

NEW SECTION

WAC 352-11-510 PUBLIC NOTICE REQUIREMENTS. (1) The agency shall give public notice when issuing a DNS under WAC 197-11-350(2), a scoping notice under WAC 352-11-420, or a draft EIS under WAC 197-11-455.

(2) Whenever possible, the agency shall integrate the public notice required under this section with existing notice procedures for the agency's permit or approval required for the proposal.

(a) When more than one permit or approval required from or by the agency has public notice requirements, the notice procedures that would reach the widest audience shall be used, if possible.

(b) If the public notice requirements for the permit or approval must be completed at a specific time in the permitting process and that timing does not coincide with the timing requirements for SEPA public notice, the agency must use one or more public notice methods in subsection (3) of this section.

(c) If there are no public notice requirements for any of the permits/approvals required for a proposal, the agency must use one or more public notice methods in subsection (3) of this section.

(3) The agency shall use one or more of the following methods of public notice, taking into consideration the geographic area affected by the proposal, the size and complexity of the proposal, the public notice requirements for the permit or approval required from the agency, public interest expressed in the proposal, and whether the proposal is a project or regulation:

(a) Notifying persons or groups who have expressed interest in the proposal, of the type of proposal, or proposals in the geographic area in which the proposal will be implemented if approved;

(b) Publication in a newspaper of general circulation in the area in which the proposal will be implemented;

(c) Posting the property for site-specific proposals;

(d) Notifying the news media; and or

(e) Placing notice in appropriate regional, neighborhood, ethnic, or trade journals.

(4) The agency may require an applicant to perform the public notice requirement at the applicant's expense.

NEW SECTION

WAC 352-11-615 COORDINATION ON COMBINED AGENCY—FEDERAL ACTION. When the agency is considering an action which also involves federal actions, it shall attempt to coordinate the two governmental processes so that only one environmental impact statement need be prepared for that proposal.

NEW SECTION

WAC 352-11-665 POLICIES AND PROCEDURES FOR CONDITIONING OR DENYING

PERMITS OR OTHER APPROVALS. (1)(a) The overriding policy of the Washington state parks and recreation commission is to avoid or mitigate adverse environmental impacts which may result from the agency's decisions.

(b) The commission shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(i) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(ii) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(iii) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(iv) Preserve important historic, cultural, and natural aspects of our national heritage;

(v) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(vi) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(vii) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The agency recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(d) The agency shall ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations.

(2) Policies – Specific. The commission is responsible for the following approvals, permits, or rulemaking which have potential to impact the environment and which are subject to the provisions of this chapter:

(a) Grant concessions or leases in state parks and parkways (RCW 43.51.040(5));

(b) Grant franchises and easements for any legitimate purpose on parks and parkways (RCW 43.51.060(5));

(c) Enter into agreements whereby individuals or companies may rent undeveloped parks or parkway land for grazing, agricultural, or mineral development (RCW 43.51.060(7));

(d) Lease park land for television stations (RCW 43.51.062 and 43.51.063);

(e) Grant permits for improvement of parks (RCW 43.51.130 through 43.51.160);

(f) Administer the seashore conservation area including:

(i) Establish reasonable regulations for the use and control of vehicular traffic on or along the ocean beach highways (RCW 43.51.680, 79.94.340 and 79.94.360);

(ii) Sale of sand from accretions to supply the needs of cranberry growers (RCW 43.51.685);

(iii) Grant mining leases for the removal of "black sands" (minerals) (RCW 43.51.685); and or

(iv) Grant leases and permits for the removal of sands for construction purposes (RCW 43.51.685).

(g) Grant approvals for the construction, operation and maintenance of winter recreational devices, including but not limited to ski lifts, ski tows, j-bars, t-bars, ski mobiles, chair lifts and similar devices and equipment (RCW 70.88.010 through 70.88.040).

(h) Any other approval authority which may be granted to the commission in the future.

(3)(a) SEPA procedures. When the environmental document for a proposal for approval by the agency shows it will cause significant adverse impacts that the proponent does not plan to mitigate, the responsible official shall consider whether:

(i) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;

(ii) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(iii) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(b) The responsible official may:

(i) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in subsection (1) of this section.

(ii) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in subsection (1) of this section.

(c) The procedures in WAC 197-11-660 must also be followed when conditioning or denying permits or other approvals.

NEW SECTION

WAC 352-11-800 THRESHOLD LEVELS ADOPTED BY COUNTIES/CITIES. (1) In determining whether a proposal is exempt from SEPA, the agency shall respect the threshold levels adopted by counties/cities under WAC 197-11-800(1).

(2) The agency's responsible official shall obtain copies of ordinances adopted by counties/cities which have established different threshold levels from those of WAC 197-11-800(1) and which directly affect state park lands.

NEW SECTION

WAC 352-11-905 RESPONSIBILITIES OF INDIVIDUALS AND WORK UNITS WITHIN THE AGENCY. (1) The environmental coordination section of the agency shall be responsible for the following:

(a) Coordinating agency activities to comply with SEPA, encouraging consistency in SEPA compliance among all regions, sections, and programs.

(b) Providing information and guidance on SEPA and the SEPA rules to commission staff, agencies, groups, and citizens.

(c) Receiving all SEPA documents sent to the commission for review and comment, distributing documents

and coordinating review with appropriate regions, programs and sections, preparing the agency's response, ensuring a timely response, and requesting extensions to the comment period of an EIS, when needed.

(d) Maintaining the agency's files for EISs, DNSs, scoping notices, and notices of action prepared for commission approvals and other agency actions and which are sent to the department of ecology under SEPA and the SEPA rules.

(e) Maintaining files for the city/county SEPA procedures designating environmentally sensitive areas and flexible thresholds and making the information available to agency staff.

(f) Writing and/or coordinating EIS preparation, including scoping and the scoping notice, making sure to work with appropriate regions, programs, and sections.

(g) Preparing the agency's SEPA rules and amendments to the SEPA rules as necessary.

(h) Fulfilling the agency's other general responsibilities under SEPA and the SEPA rules.

(i) Determining whether a decision on a permit or other approval, program, policy, plan, or regulation is an "action" under SEPA and, if so, whether it is exempt from SEPA's requirements.

(j) Determining whether the commission or another agency is SEPA lead agency.

(k) Making the threshold determination. This shall be made by the responsible official under WAC 352-11-910.

(l) Issuing a determination of nonsignificance, if appropriate (issued by responsible official) and ensuring compliance with the public notice requirements of WAC 352-11-510;

(2) Other staff of the commission in regions, programs, and sections shall be responsible for the following:

(a) Reviewing SEPA documents and submitting comments to the environmental coordination section in a timely fashion, recognizing that SEPA and the SEPA rules impose strict time limits on commenting.

(b) Working with the environmental coordination section on preparation of EISs, DNSs, and environmental checklists.

(c) Ensuring that permit decisions are consistent with the final EIS and DNS.

NEW SECTION

WAC 352-11-908 ENVIRONMENTALLY SENSITIVE AREAS. (1) The agency's responsible official shall obtain maps of all designated "environmentally sensitive areas" on existing state park lands which have been prepared by counties/cities under WAC 197-11-908.

(2) In determining whether a proposal is exempt from SEPA, the agency shall respect "environmentally sensitive area" designations made by counties/cities under WAC 197-11-908.

NEW SECTION

WAC 352-11-910 DESIGNATION OF RESPONSIBLE OFFICIAL. The ultimate responsible official is the commission. Normally, the operational responsibility shall be delegated via the director to the chief, environmental coordination. Depending upon the size and scope of the proposed action, consideration may be given to establishing the responsible official at the level of assistant director, resources development, Washington state parks and recreation commission, or at the level of director.

NEW SECTION

WAC 352-11-950 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

WSR 84-20-113

PROPOSED RULES

CHIROPRACTIC DISCIPLINARY BOARD

[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Chiropractic Disciplinary Board intends to adopt, amend, or repeal rules concerning the ethical standards for the practice of chiropractic;

that the agency will at 9:30 a.m., Thursday, November 8, 1984, in the Seattle Airport Hilton, Columbia Room, 17620 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.26.110(2).

The specific statute these rules are intended to implement is RCW 18.26.110(2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1984.

Dated: October 3, 1984

By: Sydney W. Beckett
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: State of Washington Chiropractic Disciplinary Board.

Purpose: To adopt ethical standards to guide the chiropractic profession.

Summary: WAC 113-12-080 Vitamins, minerals and food supplements clarifies permissible dietary advice and sale of vitamins, minerals and food supplements; 113-12-190 Testimonial advertising establishes criteria for ethical testimonials; 113-12-195 Disclosure of cost of services requires full disclosure of professional fees; 113-12-200 Scope of practice repeals sections regarding vitamins and food supplements which would be covered by

WAC 113-12-080; and 113-12-210 Clinically necessary x-rays warns against unnecessary radiation exposure.

Statutory Authority: RCW 18.26.110(2).

Reason Proposed: The adoption of the proposed ethical standards will further the protection of the public health, safety and welfare as it relates to the provision of chiropractic services.

Responsible Departmental Personnel: In addition to members of the Chiropractic Disciplinary Board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Sydney W. Beckett, Executive Secretary, 1300 Quince Street S.E., Olympia, WA 98504, 235-1931 scan, 754-1931 comm.

Proponents: The subject matter of this rule hearing has been proposed by the Chiropractic Disciplinary Board.

Small Business Economic Impact Statement: A small business economic impact statement is not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order 8, filed 9/9/68)

WAC 113-12-080 VITAMINS MINERALS AND FOOD SUPPLEMENTS. (1) No chiropractor shall sell or dispense or permit to be sold or dispensed any vitamins, minerals or food supplements.

(2) Dietary advice may include the recommendation of vitamins, minerals and food supplements as long as they are recommended for the normal regimen of the patient and not for treatment of a specific disease. The normal regimen of the patient shall not include therapeutic levels of vitamins, minerals and food supplements.

(3) The chiropractor shall not receive any direct or indirect profit from the sale of vitamins, minerals and food supplements as provided in chapter 19.68 RCW.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 113-12-190 TESTIMONIAL ADVERTISING. (1) Testimonial advertising includes the use of a statement testifying as to a chiropractor's qualifications, abilities and character or to the value of chiropractic services.

(2) The use of testimonial advertising will not be considered false or misleading if the following guidelines are met:

(a) Testimonials must relate to patient care provided within the immediately preceding five-year period.

(b) The testimonial should be documented by a notarized statement of the patient, a copy of which is kept by both the chiropractor and the patient.

(c) The testimonial must be consistent with the history of the patient's care, including office records, examination reports and x-rays.

(d) Testimonials should not:

(i) be exaggerated or misrepresented.

(ii) state that a technique or doctor is superior.

(iii) claim specific cures.

(iv) compare one chiropractor to another.

(v) include a named diagnosis.

NEW SECTION

WAC 113-12-195 FULL DISCLOSURE OF COST OF SERVICES. (1) This rule will apply to all representations however made regarding the provision of chiropractic services, including x-rays or chiropractic examinations, on a free basis or at a reduced cost.

(2) When a chiropractic service is represented as available without cost or at a reduced cost that service must be made available to everyone who wishes to take advantage of the offer on an equal basis. No

charge may be made to any individual or third party health care payor for any services which have been provided on a free basis. Billings to patients or to third party health care payors should accurately reflect the actual charge to the patient, including any discounts, reduced fees or waiver of co-payment.

(3) All billings to third party payors for patients who are also being treated for an unrelated condition must fully disclose the additional treatment being provided and the charges for that treatment.

AMENDATORY SECTION (Amending Order PL 380, filed 6/4/81)

WAC 113-12-200 SCOPE OF PRACTICE—REVOCAION 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 guidance to give 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))~~ (i) The use of hypnosis for any other than relaxation purposes.

~~((l))~~ (j) 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.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 113-12-210 CLINICALLY NECESSARY X-RAYS. All offers of free x-rays should be accompanied by a disclosure statement that x-rays will only be taken if clinically necessary in order to avoid unnecessary radiation exposure.

WSR 84-20-114
PROPOSED RULES
DEPARTMENT OF LICENSING
(Veterinary Board of Governors)
[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Veterinary Board of Governors intends to adopt, amend, or repeal rules concerning the Uniform Disciplinary Act, WAC 308-157-010.

A copy of the proposed rule is shown below, however, changes may be made at the hearing;

that the agency will at 9:30 a.m., Wednesday, November 7, 1984, in the Vance Airport Inn, Seattle Room, 18220 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.92.045.

The specific statute these rules are intended to implement is RCW 18.92.045.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 6, 1984.

Dated: October 3, 1984

By: Yvonne K. Braeme
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Veterinary Board of Governors.

Purpose of Proposed Rule: To adopt the Uniform Disciplinary Act in lieu of the disciplinary provisions in chapter 18.92 RCW.

Statutory Authority: RCW 18.92.045.

Summary of the Rule: WAC 308-157-010 Uniform Disciplinary Act.

Reason for Proposed Rule: To enhance the board's ability to protect the public.

Responsible Personnel: The Washington State Veterinary Board of Governors and the executive secretary for the board have the responsibility for drafting, implementing and enforcing these rules. The executive secretary is Yvonne Braeme, 1300 Quince Street S.E., Olympia, WA 98504, telephone (206) 753-3576 comm, 234-3576 scan.

Proponents of the Proposed Rule: The rule has been proposed by the Washington State Veterinary Board of Governors.

Federal Law or Federal or State Court Requirements: The proposed rule is not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required since this rule does not impact small businesses as that term is defined in RCW 43.31.920.

NEW SECTION

WAC 308-157-010 UNIFORM DISCIPLINARY ACT. The Veterinary Board of Governors elects to adopt the Uniform Disciplinary Act, sections 1 through 24 of chapter 279, Laws of 1984 (chapter 18.130 RCW), in lieu of the disciplinary provisions in chapter 18.92 RCW, effective August 1, 1985.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 84-20-115
PROPOSED RULES
CHIROPRACTIC DISCIPLINARY BOARD
[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Chiropractic Disciplinary Board intends to adopt, amend, or repeal rules concerning the adoption of the Uniform Disciplinary Act, chapter 279, Laws of 1984;

that the agency will at 9:30 a.m., Thursday, November 8, 1984, in the Seattle Airport Hilton, Columbia Room, 17620 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is section 28, chapter 279, Laws of 1984.

The specific statute these rules are intended to implement is section 28, chapter 279, Laws of 1984.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1984.

Dated: October 3, 1984
By: Sydney W. Beckett
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: State of Washington Chiropractic Disciplinary Board.

Purpose: To adopt the Uniform Disciplinary Act in lieu of the disciplinary provisions in chapter 18.26 RCW.

Summary: WAC 113-12-005 Uniform Disciplinary Act adoption and board interpretation of current statutes which would be superseded.

Statutory Authority: Section 28, chapter 279, Laws of 1984.

Reason Proposed: The adoption of the Uniform Disciplinary Act will enhance the board's ability to protect the public.

Responsible Departmental Personnel: In addition to members of the Chiropractic Disciplinary Board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Sydney W. Beckett, Executive Secretary, 1300 Quince Street S.E., Olympia, WA 98504, 235-1931 scan, 754-1931 comm.

Proponents: The subject matter of this rule hearing has been proposed by the Chiropractic Disciplinary Board at the request of the Director of Licensing.

Small Business Economic Impact Statement: A small business economic impact statement is not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

NEW SECTION

WAC 113-12-005 UNIFORM DISCIPLINARY ACT. The board elects to adopt the Uniform Disciplinary Act, Sections 1 through 24 of chapter 279, Laws of 1984, in lieu of the disciplinary provisions in chapter 18.26 RCW effective August 1, 1985.

WSR 84-20-116
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Dental Examiners)
[Filed October 3, 1984]

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

Amd WAC 308-40-110 Foreign trained dentists.
New WAC 308-40-140 Uniform Disciplinary Act.

A copy of the proposed rules is shown below, however, changes may be made at the hearing;

that the agency will at 9:00 a.m., Friday, November 16, 1984, in the Airport Hilton, 17620 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.32.040 and 18.32.038.

The specific statute these rules are intended to implement is RCW 18.32.038 and 18.32.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 16, 1984.

Dated: October 3, 1984
By: Linda Crerar
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Dental Examiners.

Purpose of Proposed Amendment and Rule: To amend the requirements to apply for examination for graduates of nonaccredited schools and to adopt the Uniform Disciplinary Act in lieu of the disciplinary provisions in chapter 18.32 RCW.

Statutory Authority: RCW 18.32.048 [18.32.038] and 18.32.040.

Summary of the Rule: WAC 308-40-110 Foreign trained dentists; and 308-40-140 Uniform Disciplinary Act.

Reason for Proposed Amendment and Rule: To amend examination application requirements for nonaccredited school graduates and to enhance the board's ability to protect the public.

Responsible Personnel: The Washington State Board of Dental Examiners and the executive secretary for the board have the responsibility for drafting, implementing and enforcing these rules. The executive secretary is Linda Crerar, 1300 Quince Street S.E., Olympia, WA 98504, telephone (206) 753-2461 comm, 234-2461 scan.

Proponents of the Proposed Amendment and Rule: The amendment and rule have been proposed by the Washington State Board of Dental Examiners.

Federal Law or Federal or State Court Requirements: The proposed amendment and rule are not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required since this rule does not impact small businesses as that term is defined in RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 431, filed 3/29/83)

WAC 308-40-110 (~~FOREIGN TRAINED DENTISTS~~) GRADUATES OF NON-ACCREDITED SCHOOLS. The following requirements apply to persons who are graduates of dental schools or colleges not accredited by the American Dental Association Commission on Accreditation.

(1) A person who has issued to him or her a degree of doctor of dental medicine or doctor of dental surgery by a (~~foreign~~) non-accredited dental school listed by the World Health Organization, or by a non-accredited (~~foreign~~) dental school approved by the board of examiners, shall be eligible to take the examination given by the board in the theory and practice of the science of dentistry upon furnishing all of the following:

- (a) (~~(A-c)~~) Certified cop(~~y~~)ies of dental school diplomas.
- (b) Official dental school transcripts.
- (c) Proof of identification by an appropriate governmental agency; provided, however, that alternate arrangements may be made for political refugees.

d) Effective February 1, 1985, satisfactory evidence of the successful completion of at least two additional academic years of dental school education at a dental school approved pursuant to WAC 308-40-101(1) and a certification by the dean of that school that the candidate

has achieved the same level of didactic and clinical competence as expected of a graduate of that school.

~~((2) Examination by the board of a foreign trained dental applicant shall be a progression examination given in English in the following sequence:~~

- ~~(a) Passing scores on national board examinations, parts I and II.~~
- ~~(b) Satisfactory performance on a preclinical examination in all portions of the restorative examination. This portion will be completed on a typodont.~~
- ~~(c) Satisfactory performance on a clinical examination required of all candidates for dental licensure including the prosthetic/oral diagnosis and treatment planning examination:))~~

~~(2) Upon completion of the requirements in (1), an applicant under this section will be allowed to take the examination pursuant to WAC 308-40-102 and will be subject to the applicable provisions of WAC 308-40-101; PROVIDED, HOWEVER, That individuals who had fulfilled the requirements for application prior to the requirement of (1)(d) and who have applied by January 31, 1985, may be allowed one opportunity to pass the clinical (practice) examination in 1985.~~

~~((3) The licensure examination for foreign trained dental applicants shall be held by the board at least once a year with such additional examinations as the board desires to hold. The time and place of the examination shall be fixed by the board at least six months prior to the date that the examination is to be held:))~~

~~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.~~

~~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: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.~~

NEW SECTION

WAC 308-40-140 UNIFORM DISCIPLINARY ACT. The Board of Dental Examiners elects to adopt the Uniform Disciplinary Act, sections 1 through 24, Laws of 1984 (chapter 18.130 RCW) in lieu of the disciplinary provisions in chapter 18.32 RCW, effective August 1, 1985

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 84-20-117
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning SEPA procedures, chapter 16-236 WAC;

that the agency will at 10:00 a.m., Tuesday, November 13, 1984, in the General Administration Building, Room G-150, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 27, 1984.

The authority under which these rules are proposed is chapter 43.21C RCW.

The specific statute these rules are intended to implement is RCW 43.21C.120.

Dated: October 3, 1984
By: M. Keith Ellis
Director

STATEMENT OF PURPOSE

Title: SEPA procedures.

Description of Purpose: To establish rules for agency integration of the State Environmental Policy Act (SEPA).

Statutory Authority: Chapter 43.21C RCW.

Summary of Rules: The rule establishes policies and procedures for the implementation of chapter 43.21C RCW and chapter 197-11 WAC, adopting by reference most of the sections of chapter 197-11 WAC. Procedures for conditioning or denying permits or other approvals are outlined. Agency persons responsible for preparation of draft and final EISs and SEISs are identified.

Reason Supporting the Proposed Rule: The rule is needed in order for the agency to be in conformance with the statutes.

Agency Personnel to Contact: John Daly, Assistant to the Director, Department of Agriculture, 406 General Administration Building, AX-41, Olympia, WA 98504, Telephone: (206) 754-2722.

Agency Comment: None.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Small Business Economic Impact Statement: None.

Chapter 16-236 WAC
SEPA PROCEDURES

WAC

- 16-236-010 Authority.
- 16-236-020 Adoption by reference.
- 16-236-030 Purpose.
- 16-236-040 Additional definition.
- 16-236-050 Designation of responsible official.
- 16-236-060 EIS preparation.
- 16-236-070 Environmentally sensitive areas.
- 16-236-080 Threshold levels adopted by local governments.
- 16-236-090 Coordination of combined state-federal action.
- 16-236-100 Public notice requirements.
- 16-236-110 Notice/statute of limitations.
- 16-236-120 Policies and procedures for conditioning or denying permits or other approvals.
- 16-236-130 Severability.

NEW SECTION

WAC 16-236-010 AUTHORITY. These rules are promulgated under RCW 43.21C.120 (the State Environmental Policy Act) and chapter 197-11 WAC (SEPA Rules).

NEW SECTION

WAC 16-236-020 ADOPTION BY REFERENCE. The department of agriculture adopts the following sections of chapter 197-11 WAC by reference:

WAC

- 197-11-020 Purpose.
- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-055 Timing of the SEPA process.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.
- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.

- 197-11-340 Determination of nonsignificance (DNS).
 197-11-350 Mitigated DNS.
 197-11-360 Determination of significance (DS)/initiation of scoping.
 197-11-390 Effect of threshold determination.
 197-11-400 Purpose of EIS.
 197-11-402 General requirements.
 197-11-405 EIS types.
 197-11-406 EIS timing.
 197-11-408 Scoping.
 197-11-410 Expanded scoping. (Optional)
 197-11-425 Style and size.
 197-11-430 Format.
 197-11-435 Cover letter or memo.
 197-11-440 EIS contents.
 197-11-442 Contents of EIS on nonproject proposals.
 197-11-443 EIS contents when prior nonproject EIS.
 197-11-444 Elements of the environment.
 197-11-448 Relationship of EIS to other considerations.
 197-11-450 Cost-benefit analysis.
 197-11-455 Issuance of DEIS.
 197-11-460 Issuance of FEIS.
 197-11-500 Purpose of this part.
 197-11-502 Inviting comment.
 197-11-504 Availability and cost of environmental documents.
 197-11-508 SEPA register.
 197-11-535 Public hearings and meetings.
 197-11-545 Effect of no comment.
 197-11-550 Specificity of comments.
 197-11-560 FEIS response to comments.
 197-11-570 Consulted agency costs to assist lead agency.
 197-11-600 When to use existing environmental documents.
 197-11-610 Use of Nepa documents.
 197-11-620 Supplemental environmental impact statement—Procedures.
 197-11-625 Addenda—Procedures.
 197-11-630 Adoption—Procedures.
 197-11-635 Incorporation by reference—Procedures.
 197-11-640 Combining documents.
 197-11-650 Purpose of this part.
 197-11-655 Implementation.
 197-11-660 Substantive authority and mitigation.
 197-11-680 Appeals.
 197-11-700 Definitions.
 197-11-702 Act.
 197-11-704 Action.
 197-11-706 Addendum.
 197-11-708 Adoption.
 197-11-710 Affected Tribe.
 197-11-712 Affecting.
 197-11-714 Agency.
 197-11-716 Applicant.
 197-11-718 Built environment.
 197-11-720 Categorical exemption.
 197-11-722 Consolidated appeal.
 197-11-724 Consulted agency.
 197-11-726 Cost-benefit analysis.
 197-11-728 County/city.
 197-11-730 Decision maker.
 197-11-734 Determination of nonsignificance (DNS).
 197-11-736 Determination of significance (DS).
 197-11-738 EIS.
 197-11-740 Environment.
 197-11-742 Environmental checklist.
 197-11-744 Environmental document.
 197-11-746 Environmental review.
 197-11-748 Environmental sensitive area.
 197-11-750 Expanded scoping.
 197-11-752 Impacts.
 197-11-754 Incorporation by reference.
 197-11-756 Lands covered by water.
 197-11-758 Lead agency.
 197-11-760 License.
 197-11-762 Local agency.
 197-11-764 Major action.
 197-11-766 Mitigated DNS.
 197-11-768 Mitigation.
 197-11-770 Natural environment.
 197-11-772 NEPA.
 197-11-774 Nonproject.
 197-11-776 Phased review.
 197-11-778 Preparation.
 197-11-780 Private project.
 197-11-782 Probable.
 197-11-784 Proposal.
 197-11-786 Reasonable alternative.
 197-11-788 Responsible official.
 197-11-790 SEPA.
 197-11-792 Scope.
 197-11-793 Scoping.
 197-11-794 Significant.
 197-11-796 State agency.
 197-11-797 Threshold determination.
 197-11-799 Underlying governmental action.
 197-11-800 Categorical exemptions.
 197-11-810 Exemptions and nonexemptions applicable to specific state agencies.
 197-11-850 Department of agriculture.
 197-11-880 Emergencies.
 197-11-890 Petitioning DOE to change exemptions.
 197-11-900 Purpose of this part.
 197-11-908 Environmentally sensitive areas.
 197-11-912 Procedures on consulted agencies.
 197-11-916 Application to ongoing actions.
 197-11-917 Relationship to chapter 197-10 WAC.
 197-11-920 Agencies with environmental expertise.
 197-11-922 Lead agency rules.
 197-11-924 Determining the lead agency.
 197-11-926 Lead agency for governmental proposals.
 197-11-928 Lead agency for public and private proposals.
 197-11-930 Lead agency for private projects with one agency with jurisdiction.
 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
 197-11-938 Lead agencies for specific proposals.
 197-11-940 Transfer of lead agency status to a state agency.
 197-11-942 Agreements on lead agency status.
 197-11-944 Agreements on division of lead agency duties.
 197-11-946 DOE resolution of lead agency disputes.
 197-11-948 Assumption of lead agency status.
 197-11-960 Environmental checklist.
 197-11-965 Adoption notice.
 197-11-970 Determination of nonsignificance (DNS).
 197-11-980 Determination of significance and scoping notice (DS).
 197-11-985 Notice of assumption of lead agency status.
 197-11-990 Notice of action.

NEW SECTION

WAC 16-236-030 PURPOSE. (1) This chapter implements the state-wide rules in chapter 197-11 WAC as they apply to the department of agriculture.

(2) In order to carry out the policy set forth in this chapter, it is the continuing responsibility of the department to use all practical means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(a) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(b) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(c) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(d) Preserve important historic, cultural, and natural aspects of our national heritage;

(e) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(f) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(g) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(3) The department recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

NEW SECTION

WAC 16-236-040 ADDITIONAL DEFINITION. "Department" means department of agriculture unless otherwise indicated.

NEW SECTION

WAC 16-236-050 DESIGNATION OF RESPONSIBLE OFFICIAL. Within the department of agriculture the ultimate responsible official is the director. The responsible official for a specific proposal shall be the assistant to the director in charge of environmental affairs or his/her designee.

NEW SECTION

WAC 16-236-060 EIS PREPARATION. (1) Preparation of draft and final EISs and SEISs is the responsibility of the assistant to the director in charge of environmental affairs or his/her designee. The responsible official shall be satisfied that all EISs and SEIS issued by the department are in compliance with these rules and chapter 197-11 WAC.

(2) Any draft or final EIS or SEIS shall be prepared by the department, the applicant, or by a consultant mutually agreed upon by the department and applicant.

(3) Whenever someone other than the department prepares a draft or final EIS or SEIS, the responsible official shall:

(a) Coordinate scoping to ensure that the individual preparing the document receives all substantive information submitted by any agency or person.

(b) Direct the areas of research and study to be undertaken and the content and organization of the document.

(c) Assist in obtaining information on file with another agency that is needed by the person preparing the document.

(d) Allow the person preparing the document access to department records relating to the document, as prescribed in chapter 16.06 WAC, Public Records.

(4) Nothing herein shall be construed to prohibit the department from charging any fee of an applicant that the department is otherwise authorized to charge (see WAC 197-11-914). A performance bond in amount specified by the department may be required of the applicant to ensure payment of department expenses in preparing, in whole or in part, a draft or final EIS or SEIS.

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

NEW SECTION

WAC 16-236-070 ENVIRONMENTALLY SENSITIVE AREAS. During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall give all due consideration to "environmentally sensitive area" designations made by local governments under WAC 197-11-908.

NEW SECTION

WAC 16-236-080 THRESHOLD LEVELS ADOPTED BY LOCAL GOVERNMENTS. During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall respect threshold levels adopted by local governments under WAC 197-11-800.

NEW SECTION

WAC 16-236-090 COORDINATION OF COMBINED STATE-FEDERAL ACTION. When the department considers actions which also involve federal actions, it shall coordinate the two governmental processes so that only one EIS, or other environmental document, need be prepared for that proposal.

NEW SECTION

WAC 16-236-100 PUBLIC NOTICE REQUIREMENTS. (1) When these rules require notice of environmental document preparation or availability, as a lead agency and taking into consideration the geographic area affected by the proposal, the size and complexity of the proposal, the public notice requirements for the permit or approval required from the department, public interest expressed in the proposal, and whether the proposal is a project or regulation, the department shall give public notice by using at least one of the following methods:

- (a) Posting the property, for site-specific proposals;
- (b) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;
- (c) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;
- (d) Notifying the news media; and/or
- (e) Publishing notice in a department newsletter.

(2) Whenever possible, the department shall integrate these public notice requirements with existing notice procedures for any department permits or approvals required for the proposal.

(3) The department may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

NEW SECTION

WAC 16-236-110 NOTICE/STATUTE OF LIMITATIONS. (1) The department, applicant for, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080.

(2) The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published by the department, applicant, or proponent pursuant to RCW 43.21C.080.

NEW SECTION

WAC 16-236-120 POLICIES AND PROCEDURES FOR CONDITIONING OR DENYING PERMITS OR OTHER APPROVALS. (1) The policies and goals in this section are supplementary to existing authorities of the department.

(2) It is the policy of the department to avoid or mitigate adverse environmental impacts which may result from the department's decisions.

(3) The department shall ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision-making along with economic and technical considerations.

(4) When the environmental document for a proposal shows it will cause significant adverse impacts, the responsible official shall consider whether:

(a) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;

(b) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(c) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(5) When the environmental document for a proposal shows it will cause significant adverse impacts, the responsible official may:

(a) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in this section; or

(b) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in this section.

(6) The procedures in WAC 197-110-660 shall also be followed when conditioning or denying permits or other approvals.

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

NEW SECTION

WAC 16-236-130 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

**WSR 84-20-118
PROPOSED RULES
FIRE MARSHAL
INSURANCE COMMISSIONER**

[Filed October 3, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner/State Fire Marshal intends to adopt, amend, or repeal rules concerning fireworks, chapter 212-17 WAC. This notice proposes to add one new section and amend several existing sections of chapter 212-17 WAC, fireworks. The new section WAC 212-17-198, would list the type of fireworks that may be sold to the public in this state pursuant to chapter 70.77 RCW and proposes permanent adoption of the emergency rule adopted, filed on September 19, 1984 (WSR 84-19-063). The amendments would conform the fireworks rules to recent

amendments in chapter 70.77 RCW, including amending the definitions of various classifications of fireworks and adding certain requirements for license applications by manufacturers, wholesalers, and retailers. Specific sections amended would be: WAC 212-17-025, 212-17-035, 212-17-040, 212-17-045, 212-17-050, 212-17-055, 212-17-060, 212-17-065, 212-17-070, 212-17-115, 212-17-120, 212-17-125, 212-17-165, 212-17-170, 212-17-185, 212-17-190 and 212-17-203;

that the agency will at 10:00 a.m., Wednesday, November 7, 1984, in the Insurance Commissioners Conference Room, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 70.77.575(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1984.

Dated: October 3, 1984

By: Thomas R. Brace
Director

STATEMENT OF PURPOSE

Title: Chapter 212-17 WAC, Fireworks; rules of the State Fire Marshal relating to fireworks.

Statutory Authority: RCW 70.77.250 and 70.77.575 (section 8, chapter 249, Laws of 1984).

Summary of Rule(s): This notice proposes to add one new section and amend several existing sections of chapter 212-17 WAC, Fireworks. The new section, WAC 212-17-198, would list the type of fireworks that may be sold to the public in this state pursuant to chapter 70.77 RCW. The amendments would conform the fireworks rules to recent amendments in chapter 70.77 RCW, including amending the definitions of various classifications of fireworks and adding certain requirements for license applications by manufacturers, wholesalers, and retailers.

Reasons Supporting the Proposed Rule(s): Chapter 249, Laws of 1984, effective June 7, 1984, significantly modified the state fireworks law. Administrative rules must be modified accordingly. Furthermore, RCW 70.77.575 (section 8, chapter 249, Laws of 1984) specifically requires the State Fire Marshal to adopt by rule a list of fireworks that may be sold to the public.

Agency Personnel Responsible for Drafting: Ron Brown, Chief of Investigation, Office of State Fire Marshal, Insurance Building, Olympia, Washington 98504, MS: AQ-21, (206) 753-3605; Implementation and Enforcement: Tom Brace, Director, State Fire Marshal Division, Office of State Fire Marshal, Insurance Building, Olympia, WA 98504, (206) 753-3605.

Name of Organization Proposing Rule(s): Office of State Fire Marshal.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-025 DEFINITION—"FIREWORKS." The term "fireworks" shall mean any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of "common" or "special"

fireworks ((as set forth in the United States Department of Transportation's (DOT) Hazardous Materials Regulations, Title 49; Code of Federal Regulations, Parts 173.88 and 173.100, 1981, as of October 29, 1982)).

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-035 DEFINITION AND CLASSIFICATION—"COMMON FIREWORKS." The term "common fireworks" shall mean any ((small)) fireworks ((device)) designed primarily to produce visible or audible effects by combustion ((and which must comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission, as set forth in Title 16, Code of Federal Regulations, Part 1507, 1981, as of October 29, 1982. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less explosive composition, and aerial devices containing 130 mg or less of explosive composition. Common fireworks are classified as Class C explosives by the United States Department of Transportation and include the following)). The term includes:

(1) Ground and hand-held sparkling devices.

(a) Dipped stick, sparkler. Stick, or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed 5 grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item, not Class C explosives under DOT regulations, are included in this category.

(b) Cylindrical fountain. Cylindrical tubes not more than 3/4 inch (19 mm) inside diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain).

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held.

(e) Wheel. Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units; tubes not exceeding 1/2 inch (12.5 mm) inside diameter and containing up to 60 grams of pyrotechnic composition. Total pyrotechnic composition of each wheel shall not exceed 240 grams. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) Aerial device((s)).

((~~(a)~~)) Sky rocket. Tubes not exceeding 1/2 inch (12.5 mm) inside diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color or noise or both is produced at the height of flight.

((~~(b)~~)) Missile-type rocket. A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability.

((~~(c)~~)) ((a)) Helicopter, aerial spinner. A tube not more than 1/2 inch (12.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

((~~(d)~~)) ((b)) Roman candles. Heavy paper or cardboard tube not exceeding 3/8 inch (9.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several-second intervals.

((~~(e)~~)) ((c)) Mine, shell. Heavy cardboard or paper tube up to 2 1/2 inches (63.5 mm) inside diameter attached to a wood or plastic base

and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars," firecrackers, or other devices are propelled into the air. The tube remains on the ground.

(3) ~~((Audible ground devices:~~

~~(a) Firecrackers, salutes. Small paper-wrapped or cardboard tube containing not more than 50 mg of pyrotechnic composition. Upon ignition, noise and a flash of light is produced. External dimensions shall not exceed 1 1/2 inches in length or 1/4 inch in diameter.~~

~~(b) Chaser. Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 mg.~~

~~(4)) Combination items. Fireworks devices containing combinations of two or more of the effects described in ((subsections (1), (2) or (3) of this section)) this section.~~

~~((5)) (4) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.~~

~~(5) Class C explosives classified on January 1, 1984, as common fireworks by the United States department of transportation except that the terms shall not include firecrackers, salutes, chasers, skyrockets, or missile-type rockets.~~

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-040 DEFINITION AND CLASSIFICATION—"SPECIAL FIREWORKS." The term "special fireworks" shall mean large fireworks designed primarily ~~((to produce))~~ for exhibition display by producing visible or audible effects by combustion, deflagration, or detonation. The term includes, but is not limited to ~~((firecrackers))~~:

(1) Sky rocket. Tubes not exceeding 1/2 inch (12.5 mm) inside diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color or noise or both is produced at the height of flight.

(2) Missile-type rocket. A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability. Firework devices which use a cylindrical bore or rod for launching stability, even though the word "missile" may appear on the label, are not included in this category.

(3) Firecrackers, salutes. Small paper-wrapped or cardboard tube containing not more than 2 grains (130 mg) of explosive composition. Upon ignition, noise and a flash of light is produced.

(4) Chaser. Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 mg.

(5) Display pieces. Fireworks containing more than 2 grains (130 mg) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as "common fireworks." Special fireworks are classified as Class B explosives by the United States Department of Transportation.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-045 DEFINITION AND CLASSIFICATION—"AGRICULTURAL AND WILDLIFE FIREWORKS." The term "agricultural and wildlife fireworks" shall mean (1) fireworks devices, including but not limited to, firecrackers containing more than 50 mg (.772 grains) of pyrotechnic composition designed to produce audible effects, which are distributed to farmers, ranchers and growers through a wildlife management program administered by the United States Department of Interior (or by equivalent state or local governmental agencies); and, such distribution is in response to a written application describing the wildlife management problem that requires use of such devices, is of a quantity no greater than required to control the problem described, and is where other means of control is unavailable or inadequate or, (2) seal control units, purchased under a Certificate of Inclusion, issued by the United States Department of Commerce, National Oceanic and Atmosphere Administration, or sold by bona fide dealers to licensed commercial fishermen or licensed commercial fishing boat owners for marine mammal control.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-050 FIREWORK DEVICE CHEMICAL CONTENT, CONSTRUCTION. All common fireworks devices shall meet the following chemical content, design, and construction requirements.

(1) Prohibited chemicals. Fireworks devices shall not contain any of the following chemicals:

- (a) Arsenic sulfide, arsenates, or arsenites.
- (b) Boron.
- (c) Chlorates, except:
 - (i) In colored smoke mixtures in which an equal or greater amount of sodium bicarbonate is included;
 - (ii) In caps and party poppers;
 - (iii) In those small items wherein the total powder content does not exceed four grams of which not greater than fifteen percent is potassium, sodium, or barium chlorate.
- (d) Gallates or gallic acid.
- (e) Magnesium (magnesium/aluminum alloys, called magnalium, are permitted).
- (f) Mercury salts.
- (g) Phosphorus (red or white). EXCEPT that red phosphorus is permissible in caps and party poppers.
- (h) Picrates or picric acid.
- (i) Thiocyanates.
- (j) Titanium, except in particle size greater than 100-mesh.
- (k) Zirconium.

(2) Fuses.

(a) Fireworks devices that require a fuse shall:

- (i) Utilize only a fuse that has been treated or coated in such manner as to reduce the possibility of side ignition. Devices such as ground spinners that require a restricted orifice for proper thrust and contain less than 6 grams of pyrotechnic composition are exempt from this requirement.
- (ii) Utilize only a fuse which will burn at least three seconds but not more than six seconds before ignition of the device.

(b) The fuse shall be securely attached so that it will support either the weight of the fireworks device plus eight ounces dead weight or double the weight of the device, whichever is less, without separation from the fireworks device.

(3) Bases. The base or bottom of fireworks devices that are operated in a standing upright position shall have the minimum horizontal dimensions or the diameter of the base equal to at least one-third of the height of the device including any base or cap affixed thereto.

(4) Pyrotechnic leakage. The pyrotechnic chamber in fireworks devices shall be sealed in a manner that prevents leakage of the pyrotechnic composition during shipping, handling and normal operation.

(5) Burnout and blowout. The pyrotechnic chamber in fireworks devices shall be constructed in a manner to allow functioning in a normal manner without burnout or blowout.

(6) Handles and spikes. Fireworks devices that are intended to be hand-held and are so labeled shall incorporate a handle at least four inches in length. Handles shall remain firmly attached during transportation, handling and full operation of the device, or shall consist of an integral section of the device at least four inches below the pyrotechnic chamber. Spikes provided with fireworks devices shall protrude at least two inches from the base of the device and shall have a blunt tip not less than 1/8 inch in diameter or 1/8 inch square.

(7) Wheel devices. Drivers in fireworks devices commonly known as "wheels" shall be securely attached to the device so that they will not come loose in transportation, handling, and normal operation. Wheel devices intended to operate in a fixed location shall be designed in such a manner that the axle remains attached to the device during normal operation.

(8) Toy smoke devices and fitter devices.

(a) Toy smoke devices shall be so constructed that they will neither burst nor produce external flame (excluding the fuse and firstfire upon ignition) during normal operation.

(b) Toy smoke devices and fitter devices shall not be of such color and configuration so as to be confused with banned fireworks such as M-80 salutes, silver salutes, or cherry bombs.

(c) Toy smoke devices shall not incorporate plastic as an exterior material if the pyrotechnic composition comes in direct contact with the plastic.

(9) Rockets with sticks. Rockets with sticks (including sky rockets and bottle rockets) shall utilize a straight and rigid stick to provide a direct and stable flight. Such sticks shall remain straight and rigid and

attached to the driver so as to prevent the stick from being damaged or detached during transportation, handling, or normal operation.

(10) Party poppers. Party poppers (also known by other names such as "Champagne party poppers" and "party surprise poppers" shall not contain more than 0.25 grains of pyrotechnic composition. Such devices may contain soft paper or cloth inserts provided any such inserts do not ignite during normal operation.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-055 FIREWORK DEVICE, LABELING. (1) Any common fireworks device not required to have a specific label by 16 CFR 1500.14(b)(7), 1981, as of October 29, 1982, shall carry a warning label indicating to the user where and how the item is to be used and necessary safety precautions to be observed.

(2) Every fireworks device, or fireworks device container where the device is packaged in an immediate container intended or suitable for delivery to the ultimate consumer, shall be conspicuously labeled with the name and place of business of the manufacturer, packer, distributor, or seller and the United States department of transportation designation as "Class C common fireworks" or "Class B special fireworks."

(3) All label wording shall be prominently located, in the English language, and in conspicuous and legible type in contrast by typography, layout, or color with the printed matter on the fireworks device or container.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-060 PUBLIC PURCHASE OF FIREWORKS.

(1) The public may purchase common fireworks only from licensed retail fireworks stands between noon, June 28th and noon, July 6th of each year. Purchase or discharge is prohibited between the hours of 11:00 p.m. and 9:00 a.m. Possession and discharge of fireworks is lawful during this period only, except as provided in subsection (2) of this section.

(2) Religious organizations or private organizations or adult persons may be authorized to purchase ((specific)) common fireworks or such audible ground devices as firecrackers, salutes, and chasers, as defined in WAC 212-17-040 (3) and (4) from licensed manufacturers, importers, or wholesalers for use on prescribed dates and locations for religious or ((private)) specific purposes, when ((approved-by)) a permit is obtained from the fire chief or other designated local official. Application shall be on forms provided by the state fire marshal and shall contain the following information: (a) The name and mailing address of the organization or person desiring to purchase and discharge the fireworks; (b) the date and time of the proposed discharge; (c) the location of the proposed discharge; (d) the quantity and type of fireworks desired to be purchased and discharged; (e) the reason or purpose of the discharge; and (f) the signature of the applicant, following a statement that: "The applicant understands and agrees to comply with all provisions of the application and requirements of the approving authority, will discharge the fireworks only in a manner that will not endanger persons or property or constitute a nuisance, and assumes full responsibility for all consequences of the discharge, intended or not." Upon approval by the fire official, the applicant may submit a copy of the approval to any licensed wholesaler as proof of authorization to purchase the fireworks listed therein. The applicant shall retain the approval and have it available for inspection by any public official at the actual discharge of the fireworks.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-065 FIREWORKS MANUFACTURER—GENERAL. Persons intending to manufacture fireworks in this state shall procure a license from the state fire marshal and a permit from the local governmental agency having jurisdiction prior to engaging in business. Applications for license shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application. License applications shall be made on or before January 31 of the year for which the license is desired. Fireworks manufacturers domiciled in other than the state of Washington shall have a designated agent in the state of Washington, registered with the state fire marshal.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-070 FIREWORKS MANUFACTURER—LICENSING. Upon receipt of application and license fee, the state fire marshal will cause an investigation to be made. If the investigation discloses compliance with state laws governing the manufacture of fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary. License applications shall be either granted or denied by the state fire marshal within ninety days following receipt of a properly submitted or amended application.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-115 FIREWORKS WHOLESALER—GENERAL. Fireworks wholesaler licenses cover those persons engaged in the business of selling fireworks at wholesale to licensed persons in this state. Wholesale licensees may transport the class of fireworks for which they hold a valid license. Fireworks wholesalers domiciled in other than the state of Washington shall have a designated agent in the state of Washington, registered with the state fire marshal.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-120 FIREWORKS WHOLESALER—LICENSING. Persons intending to engage in the sale of fireworks at wholesale in this state shall procure a license from the state fire marshal. A permit from the local governmental agency having jurisdiction shall also be obtained for the storage of all classes and types of fireworks in possession of the wholesaler licensee. The application shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application. License applications shall be made on or before January 31 of the year for which the license is desired.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-125 FIREWORKS WHOLESALER—INVESTIGATION. Upon receipt of an application and the license fee, the state fire marshal will cause an investigation to be made. If the investigation discloses compliance with state laws governing fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why the license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary. License applications shall be either granted or denied by the state fire marshal within ninety days following receipt of a properly submitted or amended application.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-165 IMPORTERS OF FIREWORKS—GENERAL. Importer fireworks licenses are for the importation of fireworks to this state. Such a license does not authorize the licensee to engage in wholesale or retail trade or in any other activity requiring a special fireworks license. Fireworks importers domiciled in other than the state of Washington shall have a designated agent in the state of Washington, registered with the state fire marshal.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-170 IMPORTERS OF FIREWORKS—LICENSING. Every person who desires to import fireworks to this state shall file application and procure a license. Application shall be made on forms provided by the state fire marshal and shall be accompanied by the required license fee. License applications shall be made on or before January 31 of the year for which the license is desired. The application shall be either granted or denied by the state fire marshal within ninety days following receipt of a properly submitted or amended application.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-185 **RETAILERS OF FIREWORKS—GENERAL.** Persons desiring to engage in the business of selling fireworks at retail shall secure a license from the state fire marshal. In addition to the state license, a permit must be obtained from the local governmental officials having jurisdiction. The application shall be made on forms provided by the state fire marshal and shall be accompanied by the license fee of ten dollars. License applications shall be made on or before June 10 of the year for which the license is desired. The state fire marshal shall grant or deny the license within fifteen days of receipt of the application. Applicants are cautioned to first determine whether a local retail sales permit for fireworks can be obtained. A retailer's license to sell fireworks shall not authorize licensee to engage in any other fireworks activity. Retailers are limited to selling only those fireworks which have been approved for sale to the public and appear on the list of approved fireworks published annually by the state fire marshal. A copy of the list shall be prominently posted at each retail outlet.

AMENDATORY SECTION (Amending Order FM 82-10, filed 11/2/82)

WAC 212-17-190 **RETAILERS OF FIREWORKS—SALES DATES.** Retail fireworks licenses are for the retail sales of fireworks from 12 noon on the twenty-eighth day of June to 12 noon on the sixth day of July except that no fireworks may be sold to the public between the hours of 11:00 p.m. and 9:00 a.m.

NEW SECTION

WAC 212-17-203 **RETAILERS OF FIREWORKS—LIST TO BE POSTED.** Retailers shall post prominently at each retail outlet a list of the fireworks that may be sold to the public. The posted list shall be in a form approved by the state fire marshal. The state fire marshal shall make available the list.

NEW SECTION

WAC 212-17-198 **RETAILERS OF FIREWORKS—LIST.** The following is the list of fireworks that may be sold to the public.

(1) Ground and hand-held sparkling devices.

(a) Dipped stick, sparkler. Stick, or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed 5 grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item, not Class C explosives under DOT regulations, are included in this category.

(b) Cylindrical fountain. Cylindrical tubes not more than 3/4 inch (19 mm) inside diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain).

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held.

(e) Wheel. Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units; tubes not exceeding 1/2 inch (12.5 mm) inside diameter and containing up to 60 grams of pyrotechnic composition. Total pyrotechnic composition of each wheel shall not exceed 240 grams. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) Aerial devices.

(a) Helicopter, aerial spinner. A tube not more than 1/2 inch (12.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

(b) Roman candles. Heavy paper or cardboard tube not exceeding 3/8 inch (9.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several-second intervals.

(c) Mine, shell. Heavy cardboard or paper tube up to 2 1/2 inches (63.5 mm) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars," firecrackers, or other devices are propelled into the air. The tube remains on the ground.

(3) Combination items. Fireworks devices containing combinations of two or more of the effects described in this section.

(4) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.

(5) Class C explosives classified on January 1, 1984 as common fireworks by the United States department of transportation except that the term shall not include firecrackers, salutes, chasers, skyrockets or missile-type rockets.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- REP = Repeal of existing section
- READOPT = Re-adoption of existing section
- REAFF = Order assuming and reaffirming rules
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- 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.

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WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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16-236-050	NEW-E	84-20-064	16-400-070	REP-P	84-20-096	25-36-120	NEW-P	84-19-010
16-236-050	NEW-P	84-20-117	16-400-090	REP-P	84-20-096	25-36-130	NEW-P	84-19-010
16-236-060	NEW-E	84-20-064	16-400-100	AMD-P	84-20-096	36-08-010	AMD-P	84-13-051
16-236-060	NEW-P	84-20-117	16-400-110	REP-P	84-20-096	36-08-010	AMD	84-16-035
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16-236-080	NEW-E	84-20-064	16-400-150	AMD-P	84-20-096	36-12-010	AMD-P	84-13-051
16-236-080	NEW-P	84-20-117	16-400-200	REP-P	84-20-096	36-12-010	AMD	84-16-035
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16-236-090	NEW-P	84-20-117	16-400-230	REP-P	84-20-096	36-12-190	AMD	84-16-035
16-236-100	NEW-E	84-20-064	16-400-235	REP-P	84-20-096	36-12-330	AMD-P	84-13-051
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16-236-110	NEW-E	84-20-064	16-400-250	REP-P	84-20-096	36-12-350	AMD-P	84-13-051
16-236-110	NEW-P	84-20-117	16-400-270	AMD-P	84-20-096	36-12-350	AMD	84-16-035
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16-236-130	NEW-P	84-20-117	16-470-010	NEW-P	84-06-054	36-12-480	AMD	84-16-035
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132I-116-300	AMD-P	84-09-039	132Q-136-040	NEW	84-19-028	136-180-010	NEW	84-16-065
132I-116-300	AMD	84-14-020	132Q-136-050	NEW-P	84-15-036	136-180-020	NEW-P	84-11-064
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132J-160-030	AMD-P	84-06-053	132Q-136-060	NEW	84-19-028	136-180-040	NEW	84-16-065
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132Q-04-010	AMD	84-19-029	136-100-020	NEW-P	84-11-064	136-200-030	NEW	84-11-064
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132Q-04-060	AMD-P	84-15-052	136-100-040	NEW	84-16-065	136-210-020	NEW	84-16-065
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132Q-04-070	AMD-P	84-15-052	136-110-020	NEW	84-16-065	136-210-040	NEW	84-16-065
132Q-04-070	AMD	84-19-029	136-110-030	NEW-P	84-11-064	136-210-050	NEW-P	84-11-064
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132Q-04-090	AMD-P	84-15-052	136-120-010	NEW	84-16-065	136-220-030	NEW	84-16-065
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132Q-04-100	AMD-P	84-15-052	136-120-020	NEW	84-16-065	136-250-010	NEW	84-16-065
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132Q-04-110	AMD	84-19-029	136-130-010	NEW-P	84-11-064	136-250-030	NEW-P	84-11-064
132Q-04-120	AMD-P	84-15-052	136-130-010	NEW	84-16-065	136-250-030	NEW	84-16-065
132Q-04-120	AMD	84-19-029	136-130-020	NEW-P	84-11-064	136-250-040	NEW-P	84-11-064
132Q-04-130	AMD-P	84-15-052	136-130-020	NEW	84-16-065	136-250-040	NEW	84-16-065
132Q-04-130	AMD	84-19-029	136-130-030	NEW-P	84-11-064	136-250-050	NEW-P	84-11-064
132Q-04-140	AMD-P	84-15-052	136-130-030	NEW	84-16-065	136-250-050	NEW	84-16-065
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132Q-04-160	AMD-P	84-15-052	136-130-050	NEW	84-16-065	137-12-020	REP	84-06-009
132Q-04-160	AMD	84-19-029	136-130-060	NEW-P	84-11-064	137-12-030	REP-P	84-03-014
132Q-04-170	AMD-P	84-15-052	136-130-060	NEW	84-16-065	137-12-030	REP	84-06-009
132Q-04-170	AMD	84-19-029	136-130-070	NEW-P	84-11-064	137-12-040	REP-P	84-03-014
132Q-04-180	AMD-P	84-15-052	136-130-070	NEW	84-16-065	137-12-040	REP	84-06-009
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132Q-04-190	AMD	84-19-029	136-150-010	NEW-P	84-11-064	137-12-060	REP-P	84-03-014
132Q-04-200	AMD-P	84-15-052	136-150-010	NEW	84-16-065	137-12-060	REP	84-06-009
132Q-04-200	AMD	84-19-029	136-150-020	NEW-P	84-11-064	137-12-070	REP-P	84-03-014
132Q-04-210	AMD-P	84-15-052	136-150-030	NEW	84-16-065	137-12-070	REP	84-06-009
132Q-04-210	AMD	84-19-029	136-150-030	NEW	84-16-065	137-12-080	REP-P	84-03-014
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132Q-04-230	AMD	84-19-029	136-150-040	NEW	84-16-065	137-12-090	REP-P	84-03-014
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172-150-090	AMD	84-13-053	173-19-4203	AMD-P	84-14-103	173-303-020	AMD	84-09-088
172-150-100	AMD-P	84-09-030	173-19-4203	AMD-C	84-18-041	173-303-030	AMD	84-09-088
172-150-100	AMD	84-13-053	173-19-4204	AMD	84-19-038	173-303-040	AMD	84-09-088
172-150-110	AMD-P	84-09-030	173-19-4204	AMD-P	84-12-085	173-303-045	AMD	84-09-088
172-150-110	AMD	84-13-053	173-19-4204	AMD-P	84-14-103	173-303-050	AMD	84-09-088
172-150-120	AMD-P	84-09-030	173-19-4204	AMD-C	84-18-041	173-303-060	AMD	84-09-088
172-150-120	AMD	84-13-053	173-19-4205	AMD	84-19-038	173-303-070	AMD-P	84-09-083
172-150-130	AMD-P	84-09-030	173-19-4205	AMD-P	84-12-085	173-303-070	AMD-C	84-12-045
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172-150-140	AMD-P	84-09-030	173-19-4205	AMD-C	84-18-041	173-303-071	AMD	84-09-088
172-150-140	AMD	84-13-053	173-19-4205	AMD	84-19-038	173-303-072	NEW-P	84-09-083
172-150-145	AMD-P	84-09-030	173-19-4206	AMD-P	84-12-085	173-303-072	NEW-C	84-12-045
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172-150-150	AMD-P	84-09-030	173-19-4206	AMD-C	84-18-041	173-303-075	AMD	84-09-088
172-150-150	AMD	84-13-053	173-19-4206	AMD	84-19-038	173-303-081	AMD	84-09-088
172-150-160	AMD-P	84-09-030	173-19-450	AMD	84-06-043	173-303-082	AMD	84-09-088
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172-150-180	AMD-P	84-09-030	173-19-4502	AMD	84-08-029	173-303-090	AMD	84-14-031
172-150-180	AMD	84-13-053	173-19-4502	AMD-P	84-09-086	173-303-100	AMD	84-09-088
172-150-190	AMD-P	84-09-030	173-19-4502	AMD-C	84-13-035	173-303-101	AMD	84-09-088
172-150-190	AMD	84-13-053	173-19-4502	AMD	84-16-006	173-303-102	AMD	84-09-088
173-06-065	REP-E	84-15-002	173-19-4704	AMD-P	84-18-077	173-303-103	AMD-P	84-09-083
173-06-065	REP-P	84-17-136	173-19-4704	AMD-P	84-04-079	173-303-103	AMD-C	84-12-045
173-06-065	REP-E	84-17-137	173-216-010	AMD	84-08-003	173-303-103	AMD	84-14-031
173-19-1104	AMD	84-20-042	173-216-010	AMD-P	84-02-070	173-303-104	AMD-P	84-09-083
173-19-130	AMD-C	84-06-042	173-216-020	AMD	84-06-023	173-303-104	AMD-C	84-12-045
173-19-130	AMD	84-08-030	173-216-020	AMD-P	84-02-070	173-303-104	AMD	84-14-031
173-19-250	AMD-P	84-03-057	173-218-010	NEW	84-06-023	173-303-110	AMD-P	84-09-083
173-19-250	AMD	84-07-025	173-218-020	NEW-P	84-02-070	173-303-110	AMD-C	84-12-045
173-19-2505	AMD-P	84-20-040	173-218-020	NEW	84-06-023	173-303-120	AMD-P	84-09-083
173-19-2520	AMD-P	84-14-101	173-218-030	NEW-P	84-02-070	173-303-120	AMD-C	84-12-045
173-19-2520	AMD	84-19-039	173-218-030	NEW	84-06-023	173-303-120	AMD	84-14-031
173-19-260	AMD-P	84-03-058	173-218-040	NEW-P	84-02-070	173-303-121	NEW	84-09-088
173-19-260	AMD	84-08-042	173-218-040	NEW	84-06-023	173-303-140	AMD	84-09-088
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173-303-160	AMD	84-09-088	173-303-808	NEW	84-09-088	173-549-027	NEW-P	84-07-056
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173-303-170	AMD	84-09-088	173-303-809	NEW-C	84-12-045	173-549-030	REP-P	84-07-056
173-303-180	AMD-P	84-09-083	173-303-809	NEW	84-14-031	173-549-030	REP	84-13-076
173-303-180	AMD	84-14-031	173-303-810	AMD	84-09-088	173-549-035	NEW-P	84-07-056
173-303-190	AMD	84-09-088	173-303-815	AMD	84-09-088	173-549-035	NEW	84-13-076
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173-303-200	AMD-C	84-12-045	173-303-825	AMD	84-09-088	173-549-040	REP	84-13-076
173-303-200	AMD	84-14-031	173-303-830	AMD	84-09-088	173-549-050	REP-P	84-07-056
173-303-210	AMD	84-09-088	173-303-840	AMD-P	84-09-083	173-549-050	REP	84-13-076
173-303-220	AMD	84-09-088	173-303-840	AMD-C	84-12-045	173-549-060	AMD-P	84-07-056
173-303-230	AMD	84-09-088	173-303-840	AMD	84-14-031	173-549-060	AMD	84-13-076
173-303-240	AMD-P	84-09-083	173-303-910	AMD-P	84-09-083	173-549-070	AMD-P	84-07-056
173-303-240	AMD-C	84-12-045	173-303-910	AMD-C	84-12-045	173-549-070	AMD	84-13-076
173-303-240	AMD	84-14-031	173-303-910	AMD	84-14-031	173-549-080	NEW-P	84-07-056
173-303-250	AMD	84-09-088	173-303-950	NEW	84-09-088	173-549-080	NEW	84-13-076
173-303-260	AMD	84-09-088	173-303-9901	AMD	84-09-088	173-549-090	NEW-P	84-07-056
173-303-270	AMD	84-09-088	173-303-9903	AMD	84-09-088	173-549-090	NEW	84-13-076
173-303-275	REP-P	84-09-083	173-303-9904	AMD	84-09-088	173-549-100	NEW-P	84-07-056
173-303-275	REP	84-14-031	173-303-9905	AMD	84-09-088	173-549-100	NEW	84-13-076
173-303-280	AMD	84-09-088	173-305-010	NEW	84-05-012	173-549-900	NEW-P	84-07-056
173-303-290	AMD	84-09-088	173-305-015	NEW	84-05-012	173-549-900	NEW	84-13-076
173-303-300	AMD	84-09-088	173-305-020	NEW	84-05-012	173-801-010	REP-P	84-09-081
173-303-310	AMD	84-09-088	173-305-030	NEW	84-05-012	173-801-010	REP	84-13-037
173-303-320	AMD	84-09-088	173-305-040	NEW	84-05-012	173-801-020	REP-P	84-09-081
173-303-330	AMD	84-09-088	173-305-050	NEW	84-05-012	173-801-020	REP	84-13-037
173-303-340	AMD	84-09-088	173-305-060	NEW	84-05-012	173-801-030	REP-P	84-09-081
173-303-350	AMD	84-09-088	173-305-070	NEW	84-05-012	173-801-030	REP	84-13-037
173-303-360	AMD	84-09-088	173-305-080	NEW	84-05-012	173-801-040	REP-P	84-09-081
173-303-370	AMD	84-09-088	173-305-090	NEW	84-05-012	173-801-040	REP	84-13-037
173-303-380	AMD	84-09-088	173-330	NEW-C	84-12-069	173-801-045	REP-P	84-09-081
173-303-390	AMD	84-09-088	173-330	NEW-C	84-14-030	173-801-045	REP	84-13-037
173-303-395	AMD-P	84-09-083	173-330-010	NEW-P	84-10-061	173-801-050	REP-P	84-09-081
173-303-395	AMD-C	84-12-045	173-330-010	NEW	84-16-005	173-801-050	REP	84-13-037
173-303-395	AMD	84-14-031	173-330-020	NEW-P	84-10-061	173-801-060	REP-P	84-09-081
173-303-400	AMD	84-09-088	173-330-020	NEW	84-16-005	173-801-060	REP	84-13-037
173-303-420	NEW	84-09-088	173-330-030	NEW-P	84-10-061	173-801-070	REP-P	84-09-081
173-303-430	NEW	84-09-088	173-330-030	NEW	84-16-005	173-801-070	REP	84-13-037
173-303-440	NEW	84-09-088	173-330-040	NEW-P	84-10-061	173-801-080	REP-P	84-09-081
173-303-500	AMD-P	84-09-083	173-330-040	NEW	84-16-005	173-801-080	REP	84-13-037
173-303-500	AMD-C	84-12-045	173-330-050	NEW-P	84-10-061	173-801-090	REP-P	84-09-081
173-303-500	AMD	84-14-031	173-330-050	NEW	84-16-005	173-801-090	REP	84-13-037
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173-303-505	NEW-C	84-12-045	173-330-060	NEW	84-16-005	173-801-100	REP	84-13-037
173-303-510	AMD-P	84-09-083	173-330-070	NEW-P	84-10-061	173-801-110	REP-P	84-09-081
173-303-510	AMD-C	84-12-045	173-330-070	NEW	84-16-005	173-801-110	REP	84-13-037
173-303-510	AMD	84-14-031	173-330-900	NEW-P	84-10-061	173-801-120	REP-P	84-09-081
173-303-515	NEW-P	84-09-083	173-330-900	NEW	84-16-005	173-801-120	REP	84-13-037
173-303-515	NEW-C	84-12-045	173-400-075	AMD-P	84-04-076	173-801-130	REP-P	84-09-081
173-303-515	NEW	84-14-031	173-400-075	AMD	84-10-019	173-801-130	REP	84-13-037
173-303-520	AMD-P	84-09-083	173-403	AMD-C	84-20-039	173-802-010	NEW-P	84-09-081
173-303-520	AMD-C	84-12-045	173-403	AMD-C	84-20-065	173-802-010	NEW	84-13-037
173-303-520	AMD	84-14-031	173-403-050	AMD-P	84-16-077	173-802-020	NEW-P	84-09-081
173-303-550	NEW	84-09-088	173-403-070	AMD-P	84-16-077	173-802-020	NEW	84-13-037
173-303-560	NEW	84-09-088	173-403-080	AMD-P	84-16-077	173-802-030	NEW-P	84-09-081
173-303-575	AMD	84-09-088	173-403-120	AMD-P	84-16-077	173-802-030	NEW	84-13-037
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173-303-610	AMD-P	84-09-083	173-422-050	AMD-P	84-03-056	173-802-040	NEW	84-13-037
173-303-610	AMD-C	84-12-045	173-422-050	AMD	84-09-087	173-802-050	NEW-P	84-09-081
173-303-610	AMD	84-14-031	173-514-010	NEW	84-04-014	173-802-050	NEW	84-13-037
173-303-620	AMD	84-09-088	173-514-020	NEW	84-04-014	173-802-060	NEW-P	84-09-081
173-303-630	AMD	84-09-088	173-514-030	NEW	84-04-014	173-802-060	NEW	84-13-037
173-303-640	AMD	84-09-088	173-514-040	NEW	84-04-014	173-802-070	NEW-P	84-09-081
173-303-645	NEW	84-09-088	173-514-050	NEW	84-04-014	173-802-070	NEW	84-13-037
173-303-650	AMD	84-09-088	173-514-060	NEW	84-04-014	173-802-080	NEW-P	84-09-081
173-303-655	NEW	84-09-088	173-514-070	NEW	84-04-014	173-802-080	NEW	84-13-037
173-303-660	AMD	84-09-088	173-514-080	NEW	84-04-014	173-802-090	NEW-P	84-09-081
173-303-665	NEW	84-09-088	173-514-090	NEW	84-04-014	173-802-090	NEW	84-13-037
173-303-670	AMD	84-09-088	173-549-010	AMD-P	84-07-056	173-802-100	NEW-P	84-09-081
173-303-700	AMD	84-09-088	173-549-010	AMD	84-13-076	173-802-100	NEW	84-13-037
173-303-800	AMD	84-09-088	173-549-015	NEW-P	84-07-056	173-802-110	NEW-P	84-09-081
173-303-801	AMD	84-09-088	173-549-015	NEW	84-13-076	173-802-110	NEW	84-13-037
173-303-802	NEW	84-09-088	173-549-016	NEW	84-13-076	173-802-120	NEW-P	84-09-081
173-303-804	NEW	84-09-088	173-549-020	AMD-P	84-07-056	173-802-120	NEW	84-13-037
173-303-805	AMD	84-09-088	173-549-020	AMD	84-13-076	173-802-130	NEW-P	84-09-081
173-303-806	NEW	84-09-088	173-549-025	NEW-P	84-07-056	173-802-130	NEW	84-13-037

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173-802-140	NEW	84-13-037	173-806-155	NEW	84-13-036	174-148-010	REP-C	84-11-020
173-802-150	NEW-P	84-09-081	173-806-160	NEW-P	84-10-049	174-148-015	REP-P	84-08-064
173-802-150	NEW	84-13-037	173-806-160	NEW	84-13-036	174-148-015	REP-C	84-11-020
173-802-190	NEW-P	84-09-081	173-806-170	NEW-P	84-10-049	174-148-030	REP-P	84-08-064
173-802-190	NEW	84-13-037	173-806-170	NEW	84-13-036	174-148-030	REP-C	84-11-020
173-805-010	REP-P	84-10-049	173-806-173	NEW	84-13-036	174-148-040	REP-P	84-08-064
173-805-010	REP	84-13-036	173-806-175	NEW	84-13-036	174-148-040	REP-C	84-11-020
173-805-020	REP-P	84-10-049	173-806-180	NEW-P	84-10-049	174-148-050	REP-P	84-08-064
173-805-020	REP	84-13-036	173-806-180	NEW	84-13-036	174-148-050	REP-C	84-11-020
173-805-030	REP-P	84-10-049	173-806-185	NEW	84-13-036	174-148-060	REP-P	84-08-064
173-805-030	REP	84-13-036	173-806-190	NEW-P	84-10-049	174-148-060	REP-C	84-11-020
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173-805-040	REP	84-13-036	173-806-190	NEW	84-13-036	174-148-070	REP-C	84-11-020
173-805-050	REP-P	84-10-049	173-806-200	NEW-P	84-10-049	174-148-080	REP-P	84-08-064
173-805-050	REP	84-13-036	173-806-200	NEW	84-13-036	174-148-080	REP-C	84-11-020
173-805-060	REP-P	84-10-049	173-806-205	NEW	84-13-036	174-148-080	REP-P	84-08-064
173-805-060	REP	84-13-036	173-806-210	NEW-P	84-10-049	174-148-085	REP-C	84-11-020
173-805-070	REP-P	84-10-049	173-806-220	NEW-P	84-10-049	174-148-085	REP-P	84-08-064
173-805-070	REP	84-13-036	173-806-220	NEW	84-13-036	174-148-090	REP-C	84-11-020
173-805-080	REP-P	84-10-049	173-806-230	NEW	84-13-036	174-148-090	REP-P	84-08-064
173-805-080	REP	84-13-036	174-104-010	AMD-C	84-04-017	174-148-100	REP-C	84-11-020
173-805-090	REP-P	84-10-049	174-104-010	AMD-C	84-09-051	174-148-100	REP-P	84-08-064
173-805-090	REP	84-13-036	174-104-010	AMD	84-14-025	174-148-110	REP-C	84-11-020
173-805-100	REP-P	84-10-049	174-109-010	NEW-P	84-08-064	174-148-110	REP-P	84-08-064
173-805-100	REP	84-13-036	174-109-010	NEW-C	84-11-020	174-148-120	REP-C	84-11-020
173-805-105	REP-P	84-10-049	174-109-010	NEW	84-17-108	174-148-120	REP-P	84-08-064
173-805-105	REP	84-13-036	174-109-020	NEW-P	84-08-064	177-04	REAFF	84-14-064
173-805-110	REP-P	84-10-049	174-109-020	NEW-C	84-11-020	177-06	REAFF	84-14-064
173-805-110	REP	84-13-036	174-109-020	NEW	84-17-108	177-08	REAFF	84-14-064
173-805-115	REP-P	84-10-049	174-109-030	NEW-P	84-08-064	180-16-002	NEW-P	84-08-051
173-805-115	REP	84-13-036	174-109-030	NEW-C	84-11-020	180-16-002	NEW	84-11-043
173-805-120	REP-P	84-10-049	174-109-030	NEW	84-17-108	180-16-003	REP-P	84-08-051
173-805-120	REP	84-13-036	174-109-040	NEW-P	84-08-064	180-16-003	REP	84-11-043
173-805-121	REP-P	84-10-049	174-109-040	NEW-C	84-11-020	180-16-006	NEW-P	84-08-051
173-805-121	REP	84-13-036	174-109-040	NEW	84-17-108	180-16-006	NEW	84-11-043
173-805-130	REP-P	84-10-049	174-109-050	NEW-P	84-08-064	180-16-191	AMD-P	84-08-051
173-805-130	REP	84-13-036	174-109-050	NEW-C	84-11-020	180-16-191	AMD	84-11-043
173-805-135	REP-P	84-10-049	174-109-050	NEW	84-17-108	180-16-195	AMD-P	84-08-051
173-805-135	REP	84-13-036	174-109-060	NEW-P	84-08-064	180-16-195	AMD	84-11-043
173-805-140	REP-P	84-10-049	174-109-060	NEW-C	84-11-020	180-16-200	AMD-P	84-08-051
173-805-140	REP	84-13-036	174-109-060	NEW	84-17-108	180-16-200	AMD	84-11-043
173-806-010	NEW-P	84-10-049	174-109-070	NEW-P	84-08-064	180-16-205	AMD-P	84-08-051
173-806-010	NEW	84-13-036	174-109-070	NEW-C	84-11-020	180-16-205	AMD	84-11-043
173-806-020	NEW-P	84-10-049	174-109-080	NEW-P	84-08-064	180-16-210	AMD-P	84-08-051
173-806-020	NEW	84-13-036	174-109-080	NEW-C	84-11-020	180-16-210	AMD	84-11-043
173-806-030	NEW-P	84-10-049	174-109-080	NEW	84-17-108	180-16-220	AMD-P	84-08-051
173-806-030	NEW	84-13-036	174-109-090	NEW-P	84-08-064	180-16-220	AMD	84-11-043
173-806-040	NEW-P	84-10-049	174-109-090	NEW-C	84-11-020	180-16-225	AMD-P	84-08-051
173-806-040	NEW	84-13-036	174-109-090	NEW	84-17-108	180-16-225	AMD	84-11-043
173-806-045	NEW-P	84-10-049	174-109-100	NEW-P	84-08-064	180-16-240	AMD-P	84-08-051
173-806-050	NEW-P	84-10-049	174-109-100	NEW-C	84-11-020	180-16-240	AMD	84-11-043
173-806-050	NEW	84-13-036	174-109-100	NEW	84-17-108	180-22-100	NEW-P	84-08-047
173-806-053	NEW	84-13-036	174-109-200	NEW-P	84-08-064	180-22-100	NEW-W	84-08-058
173-806-055	NEW	84-13-036	174-109-200	NEW-C	84-11-020	180-22-105	NEW-P	84-17-084
173-806-058	NEW	84-13-036	174-109-200	NEW	84-17-108	180-22-105	NEW-P	84-08-047
173-806-060	NEW-P	84-10-049	174-109-300	NEW-P	84-08-064	180-22-105	NEW-W	84-08-058
173-806-065	NEW	84-13-036	174-109-300	NEW-C	84-11-020	180-22-140	NEW-P	84-17-084
173-806-070	NEW-P	84-10-049	174-109-300	NEW	84-17-108	180-22-140	NEW-W	84-08-058
173-806-070	NEW	84-13-036	174-109-400	NEW-P	84-08-064	180-22-140	NEW-P	84-17-084
173-806-080	NEW-P	84-10-049	174-109-400	NEW-C	84-11-020	180-22-150	AMD-P	84-08-047
173-806-080	NEW	84-13-036	174-109-400	NEW	84-17-108	180-22-150	AMD-W	84-08-058
173-806-090	NEW-P	84-10-049	174-109-500	NEW-P	84-08-064	180-22-150	AMD-P	84-17-084
173-806-090	NEW	84-13-036	174-109-500	NEW-C	84-11-020	180-22-200	REP-P	84-08-047
173-806-100	NEW-P	84-10-049	174-109-500	NEW	84-17-108	180-22-200	REP-W	84-08-058
173-806-100	NEW	84-13-036	174-116-011	AMD-P	84-10-047	180-22-200	REP-P	84-17-084
173-806-110	NEW	84-13-036	174-116-011	AMD	84-13-056	180-22-250	REP-P	84-08-047
173-806-120	NEW-P	84-10-049	174-116-040	AMD-P	84-10-047	180-22-250	REP-W	84-08-058
173-806-120	NEW	84-13-036	174-116-040	AMD	84-13-056	180-22-250	REP-P	84-11-044
173-806-125	NEW-P	84-10-049	174-116-044	AMD-P	84-10-047	180-22-255	REP-P	84-08-047
173-806-125	NEW	84-13-036	174-116-044	AMD	84-13-056	180-22-255	REP-W	84-08-058
173-806-128	NEW	84-13-036	174-116-119	AMD-P	84-10-047	180-22-255	REP-P	84-08-059
173-806-130	NEW-P	84-10-049	174-116-119	AMD	84-13-056	180-22-255	REP	84-11-044
173-806-130	NEW	84-13-036	174-116-122	AMD-P	84-10-047	180-22-260	REP-P	84-08-047
173-806-140	NEW-P	84-10-049	174-116-122	AMD	84-13-056	180-22-260	REP-W	84-08-058
173-806-140	NEW	84-13-036	174-116-123	AMD-P	84-10-047	180-22-260	REP-P	84-08-059
173-806-150	NEW-P	84-10-049	174-116-123	AMD	84-13-056			

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-22-260	REP	84-11-044	180-27-035	AMD	84-11-047	180-55-010	AMD	84-11-050
180-22-265	REP-P	84-08-047	180-27-040	AMD-P	84-08-048	180-55-015	AMD-P	84-08-075
180-22-265	REP-W	84-08-058	180-27-040	AMD	84-11-047	180-55-015	AMD	84-11-050
180-22-265	REP-P	84-08-059	180-27-053	NEW-P	84-08-048	180-55-020	AMD-P	84-08-075
180-22-265	REP	84-11-044	180-27-053	NEW-C	84-11-048	180-55-020	AMD	84-11-050
180-22-270	REP-P	84-08-047	180-27-053	NEW-P	84-17-083	180-55-050	AMD-P	84-08-075
180-22-270	REP-W	84-08-058	180-27-054	NEW-P	84-08-048	180-55-050	AMD	84-11-050
180-22-270	REP-P	84-08-059	180-27-054	NEW-C	84-11-048	180-56-003	NEW-P	84-17-088
180-22-270	REP	84-11-044	180-27-054	NEW-P	84-17-083	180-56-006	REP-P	84-17-088
180-22-275	REP-P	84-08-047	180-27-060	AMD-P	84-08-048	180-56-011	REP-P	84-17-088
180-22-275	REP-W	84-08-058	180-27-060	AMD	84-11-047	180-56-016	REP-P	84-17-088
180-22-275	REP-P	84-08-059	180-27-070	AMD-P	84-04-084	180-56-021	REP-P	84-17-088
180-22-275	REP	84-11-044	180-27-070	AMD	84-07-036	180-56-023	REP-P	84-17-088
180-22-280	REP-P	84-08-047	180-29-090	AMD-P	84-17-086	180-56-026	REP-P	84-17-088
180-22-280	REP-W	84-08-058	180-29-095	AMD-P	84-17-086	180-56-031	REP-P	84-17-088
180-22-280	REP-P	84-08-059	180-50-010	REP-P	84-17-087	180-56-036	REP-P	84-17-088
180-22-280	REP	84-11-044	180-50-020	REP-P	84-17-087	180-56-041	REP-P	84-17-088
180-22-285	REP-P	84-08-047	180-50-030	REP-P	84-17-087	180-56-046	REP-P	84-17-088
180-22-285	REP-W	84-08-058	180-50-040	REP-P	84-17-087	180-56-051	REP-P	84-17-088
180-22-285	REP-P	84-08-059	180-50-050	REP-P	84-17-087	180-56-056	REP-P	84-17-088
180-22-285	REP	84-11-044	180-50-070	REP-P	84-17-087	180-56-061	REP-P	84-17-088
180-22-290	REP-P	84-08-047	180-50-100	NEW-P	84-17-087	180-56-066	REP-P	84-17-088
180-22-290	REP-W	84-08-058	180-50-105	NEW-P	84-17-087	180-72-045	AMD-P	84-17-089
180-22-290	REP-P	84-08-059	180-50-110	NEW-P	84-17-087	180-72-060	AMD-P	84-17-089
180-22-290	REP	84-11-044	180-50-115	NEW-P	84-17-087	180-72-065	AMD-P	84-17-089
180-22-295	REP-P	84-08-047	180-50-120	NEW-P	84-17-087	182-08-140	REP-E	84-04-063
180-22-295	REP-W	84-08-058	180-50-125	NEW-P	84-17-087	182-08-140	REP-P	84-05-029
180-22-295	REP-P	84-08-059	180-50-130	NEW-P	84-17-087	182-08-140	REP	84-09-043
180-22-295	REP	84-11-044	180-50-135	NEW-P	84-17-087	182-08-140	REP-E	84-09-060
180-23-037	NEW-P	84-08-050	180-50-140	NEW-P	84-17-087	182-08-150	REP-E	84-04-063
180-23-037	NEW	84-11-045	180-50-300	NEW-P	84-17-087	182-08-150	REP-P	84-05-029
180-23-040	NEW-P	84-08-050	180-50-310	NEW-P	84-17-087	182-08-150	REP	84-09-043
180-23-040	NEW	84-11-045	180-50-315	NEW-P	84-17-087	182-08-150	REP-E	84-09-060
180-23-043	NEW-P	84-08-050	180-50-320	NEW-P	84-17-087	182-08-195	NEW-E	84-04-063
180-23-043	NEW	84-11-045	180-51-005	NEW-P	84-08-076	182-08-195	NEW-P	84-05-029
180-23-047	NEW-P	84-08-050	180-51-005	NEW	84-11-049	182-08-195	NEW	84-09-043
180-23-047	NEW	84-11-045	180-51-010	NEW-P	84-08-076	182-08-195	NEW-E	84-09-060
180-23-050	NEW-P	84-08-050	180-51-010	NEW	84-11-049	182-12-125	AMD-E	84-04-063
180-23-050	NEW	84-11-045	180-51-015	NEW-P	84-08-076	182-12-125	AMD-P	84-05-029
180-23-055	NEW-P	84-08-050	180-51-015	NEW	84-11-049	182-12-125	AMD	84-09-043
180-23-055	NEW	84-11-045	180-51-020	NEW-P	84-08-076	182-12-125	REP-E	84-09-044
180-23-058	NEW-P	84-08-050	180-51-020	NEW	84-11-049	182-12-125	REP-P	84-10-020
180-23-058	NEW	84-11-045	180-51-025	NEW-P	84-08-076	182-12-125	REP-C	84-13-012
180-23-060	NEW-P	84-08-050	180-51-025	NEW	84-11-049	182-12-125	REP	84-14-058
180-23-060	NEW	84-11-045	180-51-030	NEW-P	84-08-076	192-12-131	NEW	84-02-061
180-23-065	NEW-P	84-08-050	180-51-030	NEW	84-11-049	192-12-131	REP-E	84-09-033
180-23-065	NEW	84-11-045	180-51-035	NEW-P	84-08-076	192-12-131	REP-P	84-09-034
180-23-070	NEW-P	84-08-050	180-51-035	NEW	84-11-049	192-12-131	REP	84-13-050
180-23-070	NEW	84-11-045	180-51-040	NEW-P	84-08-076	192-12-132	NEW	84-02-061
180-23-070	AMD-P	84-17-085	180-51-040	NEW	84-11-049	192-12-132	REP-E	84-09-033
180-23-075	NEW-P	84-08-050	180-51-045	NEW-P	84-08-076	192-12-132	REP-P	84-09-034
180-23-075	NEW	84-11-045	180-51-045	NEW	84-11-049	192-12-132	REP	84-13-050
180-23-077	NEW-P	84-08-050	180-51-050	NEW-P	84-08-076	192-12-134	NEW	84-02-061
180-23-077	NEW	84-11-045	180-51-050	NEW	84-11-049	192-12-151	NEW-E	84-09-033
180-23-078	NEW-P	84-08-050	180-51-055	NEW-P	84-08-076	192-12-151	NEW-P	84-09-034
180-23-078	NEW	84-11-045	180-51-055	NEW	84-11-049	192-12-151	NEW	84-13-050
180-23-080	NEW-P	84-08-050	180-51-060	NEW-P	84-08-076	192-12-190	NEW-E	84-20-053
180-23-080	NEW	84-11-045	180-51-060	NEW	84-11-049	192-23-001	NEW-P	84-10-022
180-23-085	NEW-P	84-08-050	180-51-065	NEW-P	84-08-076	192-23-001	NEW-E	84-10-023
180-23-085	NEW	84-11-045	180-51-065	NEW	84-11-049	192-23-001	NEW	84-13-050
180-23-090	NEW-P	84-08-050	180-51-070	NEW-P	84-08-076	192-23-002	NEW-P	84-10-022
180-23-090	NEW	84-11-045	180-51-070	NEW	84-11-049	192-23-002	NEW-E	84-10-023
180-23-095	NEW-P	84-08-050	180-51-075	NEW-P	84-08-076	192-23-002	NEW	84-13-050
180-23-095	NEW	84-11-045	180-51-075	NEW	84-11-049	192-23-011	NEW-P	84-10-022
180-23-100	NEW-P	84-08-050	180-51-080	NEW-P	84-08-076	192-23-011	NEW-E	84-10-023
180-23-100	NEW	84-11-045	180-51-080	NEW	84-11-049	192-23-011	NEW	84-13-050
180-23-105	NEW-P	84-08-050	180-51-085	NEW-P	84-08-076	192-23-012	NEW	84-10-022
180-23-105	NEW	84-11-045	180-51-085	NEW	84-11-049	192-23-012	NEW-E	84-10-023
180-23-110	NEW-P	84-08-050	180-51-100	NEW-P	84-08-076	192-23-012	NEW	84-13-050
180-23-110	NEW	84-11-045	180-51-100	NEW	84-11-049	192-23-013	NEW-P	84-10-022
180-23-115	NEW-P	84-08-050	180-51-105	NEW-P	84-08-076	192-23-013	NEW-E	84-10-023
180-23-115	NEW	84-11-045	180-51-105	NEW	84-11-049	192-23-013	NEW	84-13-050
180-23-120	NEW-P	84-08-050	180-51-110	NEW-P	84-08-076	192-23-014	NEW-P	84-10-022
180-23-120	NEW	84-11-045	180-51-110	NEW	84-11-049	192-23-014	NEW-E	84-10-023
180-26-025	AMD-P	84-08-049	180-51-115	NEW-P	84-08-076	192-23-014	NEW	84-13-050
180-26-025	AMD	84-11-046	180-51-115	NEW	84-11-049	192-23-015	NEW-P	84-10-022
180-27-035	AMD-P	84-08-048	180-55-010	AMD-P	84-08-075	192-23-015	NEW-E	84-10-023

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
192-23-015	NEW	84-13-050	194-12-090	REP-P	84-17-067	197-10-442	REP	84-05-021
192-23-016	NEW-P	84-10-022	194-12-090	REP	84-20-044	197-10-444	REP	84-05-021
192-23-016	NEW-E	84-10-023	194-12-100	REP-P	84-17-067	197-10-446	REP	84-05-021
192-23-016	NEW	84-13-050	194-12-100	REP	84-20-044	197-10-450	REP	84-05-021
192-23-017	NEW-P	84-10-022	194-12-110	REP-P	84-17-067	197-10-455	REP	84-05-021
192-23-017	NEW-E	84-10-023	194-12-110	REP	84-20-044	197-10-460	REP	84-05-021
192-23-017	NEW	84-13-050	194-12-120	REP-P	84-17-067	197-10-465	REP	84-05-021
192-23-051	NEW-P	84-10-022	194-12-120	REP	84-20-044	197-10-470	REP	84-05-021
192-23-051	NEW-E	84-10-023	196-08-085	AMD	84-04-027	197-10-480	REP	84-05-021
192-23-051	NEW	84-13-050	196-12-010	AMD	84-04-027	197-10-485	REP	84-05-021
192-23-052	NEW-P	84-10-022	196-12-020	AMD	84-04-027	197-10-490	REP	84-05-021
192-23-052	NEW-E	84-10-023	196-12-030	AMD	84-04-027	197-10-495	REP	84-05-021
192-23-052	NEW	84-13-050	196-12-050	AMD	84-04-027	197-10-500	REP	84-05-021
192-23-061	NEW-P	84-10-022	196-12-060	AMD	84-04-027	197-10-510	REP	84-05-021
192-23-061	NEW-E	84-10-023	196-12-085	AMD	84-04-027	197-10-520	REP	84-05-021
192-23-061	NEW	84-13-050	196-16-007	AMD	84-04-027	197-10-530	REP	84-05-021
192-23-071	NEW-P	84-10-022	196-16-010	AMD	84-04-027	197-10-535	REP	84-05-021
192-23-071	NEW-E	84-10-023	196-16-020	AMD	84-04-027	197-10-540	REP	84-05-021
192-23-081	NEW-P	84-10-022	196-16-031	AMD	84-04-027	197-10-545	REP	84-05-021
192-23-081	NEW-E	84-10-023	196-20-010	AMD	84-04-027	197-10-550	REP	84-05-021
192-23-081	NEW	84-13-050	196-20-030	AMD	84-04-027	197-10-550	REP	84-05-021
192-23-082	NEW-P	84-10-022	196-24-030	AMD	84-04-027	197-10-580	REP	84-05-021
192-23-082	NEW-E	84-10-023	196-24-040	AMD	84-04-027	197-10-600	REP	84-05-021
192-23-082	NEW	84-13-050	196-24-050	AMD	84-04-027	197-10-650	REP	84-05-021
192-23-091	NEW-P	84-10-022	196-24-080	AMD	84-04-027	197-10-652	REP	84-05-021
192-23-091	NEW-E	84-10-023	196-27-010	NEW	84-04-027	197-10-660	REP	84-05-021
192-23-091	NEW	84-13-050	196-27-020	NEW	84-04-027	197-10-690	REP	84-05-021
192-23-096	NEW-P	84-10-022	197-10-010	REP	84-05-021	197-10-695	REP	84-05-021
192-23-096	NEW-E	84-10-023	197-10-020	REP	84-05-021	197-10-700	REP	84-05-021
192-23-096	NEW	84-13-050	197-10-025	REP	84-05-021	197-10-710	REP	84-05-021
192-23-113	NEW-P	84-10-022	197-10-030	REP	84-05-021	197-10-800	REP	84-05-021
192-23-113	NEW-E	84-10-023	197-10-040	REP	84-05-021	197-10-805	REP	84-05-021
192-23-113	NEW	84-13-050	197-10-050	REP	84-05-021	197-10-810	REP	84-05-021
192-23-301	NEW-P	84-10-022	197-10-055	REP	84-05-021	197-10-820	REP	84-05-021
192-23-301	NEW-E	84-10-023	197-10-060	REP	84-05-021	197-10-825	REP	84-05-021
192-23-301	NEW	84-13-050	197-10-100	REP	84-05-021	197-10-831	REP	84-05-021
192-23-320	NEW-P	84-10-022	197-10-150	REP	84-05-021	197-10-840	REP	84-05-021
192-23-320	NEW-E	84-10-023	197-10-160	REP	84-05-021	197-10-860	REP	84-05-021
192-23-320	NEW	84-13-050	197-10-170	REP	84-05-021	197-10-900	REP	84-05-021
192-23-350	NEW-P	84-10-022	197-10-175	REP	84-05-021	197-10-910	REP	84-05-021
192-23-350	NEW-E	84-10-023	197-10-177	REP	84-05-021	197-11-010	NEW	84-05-020
192-23-350	NEW	84-13-050	197-10-180	REP	84-05-021	197-11-020	NEW	84-05-020
192-23-800	NEW-P	84-10-022	197-10-190	REP	84-05-021	197-11-030	NEW	84-05-020
192-23-800	NEW-E	84-10-023	197-10-200	REP	84-05-021	197-11-040	NEW	84-05-020
192-23-800	NEW	84-13-050	197-10-203	REP	84-05-021	197-11-050	NEW	84-05-020
192-23-810	NEW-P	84-10-022	197-10-205	REP	84-05-021	197-11-055	NEW	84-05-020
192-23-810	NEW-E	84-10-023	197-10-210	REP	84-05-021	197-11-060	NEW	84-05-020
192-23-810	NEW	84-13-050	197-10-215	REP	84-05-021	197-11-070	NEW	84-05-020
192-23-820	NEW-P	84-10-022	197-10-220	REP	84-05-021	197-11-080	NEW	84-05-020
192-23-820	NEW-E	84-10-023	197-10-225	REP	84-05-021	197-11-090	NEW	84-05-020
192-23-900	NEW-P	84-10-022	197-10-230	REP	84-05-021	197-11-100	NEW	84-05-020
192-23-900	NEW-E	84-10-023	197-10-235	REP	84-05-021	197-11-300	NEW	84-05-020
192-23-900	NEW	84-13-050	197-10-240	REP	84-05-021	197-11-305	NEW	84-05-020
192-24-001	NEW-P	84-10-022	197-10-245	REP	84-05-021	197-11-310	NEW	84-05-020
192-24-001	NEW	84-13-050	197-10-260	REP	84-05-021	197-11-315	NEW	84-05-020
192-24-010	NEW-P	84-10-022	197-10-270	REP	84-05-021	197-11-330	NEW	84-05-020
192-24-010	NEW	84-13-050	197-10-300	REP	84-05-021	197-11-335	NEW	84-05-020
192-24-020	NEW-P	84-10-022	197-10-305	REP	84-05-021	197-11-340	NEW	84-05-020
192-24-020	NEW	84-13-050	197-10-310	REP	84-05-021	197-11-350	NEW	84-05-020
192-24-030	NEW-P	84-10-022	197-10-320	REP	84-05-021	197-11-360	NEW	84-05-020
192-24-030	NEW	84-13-050	197-10-330	REP	84-05-021	197-11-390	NEW	84-05-020
194-12-010	AMD-P	84-17-067	197-10-340	REP	84-05-021	197-11-400	NEW	84-05-020
194-12-010	AMD	84-20-044	197-10-345	REP	84-05-021	197-11-402	NEW	84-05-020
194-12-020	AMD-P	84-17-067	197-10-350	REP	84-05-021	197-11-405	NEW	84-05-020
194-12-020	AMD	84-20-044	197-10-355	REP	84-05-021	197-11-406	NEW	84-05-020
194-12-030	REP-P	84-17-067	197-10-360	REP	84-05-021	197-11-408	NEW	84-05-020
194-12-030	REP	84-20-044	197-10-365	REP	84-05-021	197-11-410	NEW	84-05-020
194-12-040	REP-P	84-17-067	197-10-370	REP	84-05-021	197-11-420	NEW	84-05-020
194-12-040	REP	84-20-044	197-10-375	REP	84-05-021	197-11-425	NEW	84-05-020
194-12-050	REP-P	84-17-067	197-10-380	REP	84-05-021	197-11-430	NEW	84-05-020
194-12-050	REP	84-20-044	197-10-390	REP	84-05-021	197-11-435	NEW	84-05-020
194-12-060	REP-P	84-17-067	197-10-400	REP	84-05-021	197-11-440	NEW	84-05-020
194-12-060	REP	84-20-044	197-10-405	REP	84-05-021	197-11-442	NEW	84-05-020
194-12-070	REP-P	84-17-067	197-10-410	REP	84-05-021	197-11-443	NEW	84-05-020
194-12-070	REP	84-20-044	197-10-420	REP	84-05-021	197-11-444	NEW	84-05-020
194-12-080	REP-P	84-17-067	197-10-425	REP	84-05-021	197-11-448	NEW	84-05-020
194-12-080	REP	84-20-044	197-10-440	REP	84-05-021	197-11-450	NEW	84-05-020

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220-20-015	AMD	84-13-078	220-32-03000N	NEW-E	84-20-072	220-40-03000A	NEW-E	84-14-092
220-20-02000B	NEW-E	84-14-092	220-32-04000T	NEW-E	84-02-049	220-40-03000B	NEW-E	84-16-017
220-22-020	AMD-P	84-11-097	220-32-04000T	REP-E	84-04-060	220-44	AMD-P	84-04-091
220-22-020	AMD	84-15-008	220-32-04000U	NEW-E	84-04-060	220-44	AMD	84-08-014
220-22-030	AMD-P	84-08-065	220-32-04000U	REP-E	84-05-035	220-44-020	AMD-P	84-04-091
220-22-030	AMD-C	84-11-098	220-32-04000V	NEW-E	84-05-035	220-44-020	AMD	84-08-014
220-22-030	AMD	84-13-078	220-32-04100G	NEW-E	84-12-028	220-44-030	AMD-P	84-04-091
220-22-03000A	NEW-E	84-13-045	220-32-044	AMD-P	84-04-091	220-44-030	AMD	84-08-014
220-22-410	AMD-P	84-04-091	220-32-044	AMD	84-08-014	220-44-040	AMD-P	84-04-091
220-22-410	AMD	84-08-014	220-32-05000H	REP-E	84-11-058	220-44-040	AMD	84-08-014
220-24-02000A	NEW-E	84-11-011	220-32-05100B	NEW-E	84-05-036	220-44-050	AMD-P	84-04-091
220-24-02000A	REP-E	84-17-021	220-32-05100B	REP-E	84-14-012	220-44-050	AMD	84-08-014
220-24-02000B	NEW-E	84-17-021	220-32-05100C	NEW-E	84-14-012	220-44-05000E	REP-E	84-08-007
220-24-02000Z	NEW-E	84-10-024	220-32-05100C	REP-E	84-17-022	220-44-05000F	NEW-E	84-08-007
220-28-073H0F	NEW-E	84-11-013	220-32-05100D	NEW-E	84-17-022	220-44-05000F	NEW-E	84-11-001
220-28-401	NEW-E	84-09-037	220-32-05100D	REP-E	84-17-095	220-44-05000F	REP-E	84-15-034
220-28-401	REP-E	84-11-010	220-32-05100E	NEW-E	84-17-095	220-44-05000H	NEW-E	84-15-034
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220-28-402	REP-E	84-12-060	220-32-05100F	NEW-E	84-19-012	220-44-05000I	NEW-E	84-16-013
220-28-403	NEW-E	84-12-060	220-32-05100F	REP-E	84-19-032	220-44-05000I	REP-E	84-17-043
220-28-403	REP-E	84-13-044	220-32-05100G	NEW-E	84-19-032	220-44-05000J	NEW-E	84-17-043
220-28-404	NEW-E	84-13-044	220-32-055	AMD-P	84-03-059	220-44-05000J	REP-E	84-18-050
220-28-404	REP-E	84-14-059	220-32-055	AMD	84-05-046	220-44-05000K	NEW-E	84-18-050
220-28-405	NEW-E	84-14-059	220-32-05500H	NEW-E	84-10-042	220-44-060	NEW-P	84-04-091
220-28-405	REP-E	84-14-093	220-32-05500H	REP-E	84-12-044	220-44-060	NEW	84-08-014
220-28-406	NEW-E	84-14-093	220-32-05500I	NEW-E	84-11-058	220-44-070	NEW-P	84-04-091
220-28-406	REP-E	84-15-009	220-32-05500I	REP-E	84-12-044	220-44-070	NEW	84-08-014
220-28-407	NEW-E	84-15-009	220-32-05500J	NEW-E	84-12-044	220-47-121	AMD-P	84-08-065
220-28-407	REP-E	84-15-030	220-32-05500J	REP-E	84-14-012	220-47-121	AMD-C	84-11-098
220-28-408	NEW-E	84-15-030	220-32-05500K	NEW-E	84-14-012	220-47-121	AMD	84-13-078
220-28-408	REP-E	84-15-039	220-32-05700T	NEW-E	84-02-049	220-47-251	REP-P	84-08-065
220-28-409	NEW-E	84-15-039	220-32-05800M	NEW-E	84-17-022	220-47-251	REP-C	84-11-098
220-28-409	REP-E	84-15-069	220-32-05800M	REP-E	84-17-095	220-47-251	REP	84-13-078
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220-28-410	REP-E	84-16-014	220-32-05800N	REP-E	84-19-012	220-47-253	REP-C	84-11-098
220-28-411	NEW-E	84-16-014	220-32-05800P	NEW-E	84-19-012	220-47-253	REP	84-13-078
220-28-411	REP-E	84-16-040	220-36-021	AMD-P	84-11-097	220-47-254	REP-P	84-08-065
220-28-412	NEW-E	84-16-040	220-36-021	AMD	84-15-008	220-47-254	REP-C	84-11-098
220-28-412	REP-E	84-16-074	220-36-02100P	NEW-E	84-14-092	220-47-254	REP	84-13-078
220-28-413	NEW-E	84-16-074	220-36-022	AMD-P	84-11-097	220-47-255	REP-P	84-08-065
220-28-413	REP-E	84-17-075	220-36-022	AMD	84-15-008	220-47-255	REP-C	84-11-098
220-28-414	NEW-E	84-17-075	220-36-024	AMD-P	84-11-097	220-47-255	REP	84-13-078
220-28-414	REP-E	84-17-091	220-36-024	AMD	84-15-008	220-47-256	REP-P	84-08-065
220-28-415	NEW-E	84-17-091	220-36-02500J	NEW-E	84-06-051	220-47-256	REP-C	84-11-098
220-28-415	REP-E	84-18-008	220-36-02500K	NEW-E	84-18-010	220-47-256	REP	84-13-078
220-28-416	NEW-E	84-18-008	220-36-03001	AMD-P	84-04-091	220-47-257	REP-P	84-08-065
220-28-416	REP-E	84-18-043	220-36-03001	AMD	84-08-014	220-47-257	REP-C	84-11-098
220-28-417	NEW-E	84-18-043	220-36-03001A	NEW-E	84-16-017	220-47-257	REP	84-13-078
220-28-417	REP-E	84-18-076	220-40-021	AMD-P	84-11-097	220-47-258	REP-P	84-08-065
220-28-418	NEW-E	84-18-076	220-40-021	AMD	84-15-008	220-47-258	REP-C	84-11-098
220-28-418	REP-E	84-19-006	220-40-02100I	NEW-E	84-14-092	220-47-258	REP	84-13-078
220-28-419	NEW-E	84-19-006	220-40-02100I	REP-E	84-16-057	220-47-259	REP-P	84-08-065
220-28-419	REP-E	84-19-015	220-40-02100J	NEW-E	84-16-057	220-47-259	REP-C	84-11-098
220-28-420	NEW-E	84-19-015	220-40-02100J	REP-E	84-16-082	220-47-259	REP	84-13-078
220-28-420	REP-E	84-19-035	220-40-02100K	NEW-E	84-16-082	220-47-260	REP-P	84-08-065
220-28-421	NEW-E	84-19-035	220-40-02100K	REP-E	84-17-068	220-47-260	REP-C	84-11-098
220-28-421	REP-E	84-19-052	220-40-02100L	NEW-E	84-17-068	220-47-260	REP	84-13-078
220-28-422	NEW-E	84-19-052	220-40-02100L	REP-E	84-18-005	220-47-261	REP-P	84-08-065
220-28-422	REP-E	84-20-009	220-40-02100M	NEW-E	84-20-008	220-47-261	REP-C	84-11-098
220-28-423	NEW-E	84-20-009	220-40-02100M	REP-E	84-20-017	220-47-261	REP	84-13-078
220-28-423	REP-E	84-20-063	220-40-02100N	NEW-E	84-20-017	220-47-263	REP-P	84-08-065
220-28-424	NEW-E	84-20-063	220-40-02100N	REP-E	84-20-049	220-47-263	REP-C	84-11-098
220-32-02000L	NEW-E	84-05-006	220-40-02100P	NEW-E	84-20-049	220-47-263	REP	84-13-078
220-32-02200K	NEW-E	84-04-043	220-40-02100P	REP-E	84-20-062	220-47-264	REP-P	84-08-065
220-32-02200K	REP-E	84-05-006	220-40-02100Q	NEW-E	84-20-062	220-47-264	REP-C	84-11-098
220-32-02500I	NEW-E	84-06-022	220-40-02100Q	REP-E	84-20-073	220-47-264	REP	84-13-078
220-32-02500I	REP-E	84-06-051	220-40-02100R	NEW-E	84-20-073	220-47-265	REP-P	84-08-065
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220-32-03000H	REP-E	84-06-008	220-40-02100S	NEW-E	84-20-109	220-47-265	REP	84-13-078
220-32-03000I	NEW-E	84-06-008	220-40-022	AMD-P	84-11-097	220-47-267	REP-P	84-08-065
220-32-03000I	NEW-E	84-14-010	220-40-022	AMD	84-15-008	220-47-267	REP-C	84-11-098
220-32-03000K	NEW-E	84-19-013	220-40-024	AMD-P	84-11-097	220-47-267	REP	84-13-078
220-32-03000K	REP-E	84-19-033	220-40-024	AMD	84-15-008	220-47-268	REP-P	84-08-065
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220-32-03000L	REP-E	84-20-020	220-40-030	AMD	84-08-014	220-47-268	REP	84-13-078
220-32-03000M	NEW-E	84-20-020	220-40-030	AMD-P	84-11-097	220-47-307	AMD-P	84-08-065

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220-47-311	AMD-P	84-08-065	220-48-01500I	NEW-E	84-06-007	220-56-125	AMD	84-09-026
220-47-311	AMD-C	84-11-098	220-48-01500I	REP-E	84-07-002	220-56-12500A	NEW-E	84-08-005
220-47-311	AMD	84-13-078	220-48-01500J	NEW-E	84-07-002	220-56-12800B	NEW-E	84-09-028
220-47-312	AMD-P	84-08-065	220-48-01500J	REP-E	84-08-004	220-56-132	NEW-P	84-03-060
220-47-312	AMD-C	84-11-098	220-48-01500K	NEW-E	84-08-004	220-56-132	NEW	84-09-026
220-47-312	AMD	84-13-078	220-48-01500L	NEW-E	84-13-061	220-56-13200A	NEW-E	84-08-005
220-47-313	AMD-P	84-08-065	220-48-017	AMD-P	84-04-091	220-56-15600A	NEW-E	84-12-022
220-47-313	AMD-C	84-11-098	220-48-017	AMD	84-08-014	220-56-15600A	REP-E	84-15-035
220-47-313	AMD	84-13-078	220-48-029	AMD-P	84-04-091	220-56-15600B	NEW-E	84-15-035
220-47-314	REP-P	84-08-065	220-48-029	AMD	84-08-014	220-56-15600B	REP-E	84-17-107
220-47-314	REP-C	84-11-098	220-48-031	AMD-P	84-04-091	220-56-15600C	NEW-E	84-17-107
220-47-314	REP	84-13-078	220-48-031	AMD	84-08-014	220-56-180	AMD-P	84-03-060
220-47-319	AMD-P	84-08-065	220-48-071	AMD-P	84-04-091	220-56-180	AMD	84-09-026
220-47-319	AMD-C	84-11-098	220-48-071	AMD	84-08-014	220-56-18000L	NEW-E	84-07-029
220-47-319	AMD	84-13-078	220-49-020	AMD-P	84-04-091	220-56-18000M	NEW-E	84-08-005
220-47-411	AMD-P	84-08-065	220-49-020	AMD	84-08-014	220-56-18000M	NEW-E	84-14-071
220-47-411	AMD-C	84-11-098	220-49-02000Q	NEW-E	84-09-078	220-56-18000M	REP-E	84-16-009
220-47-411	AMD	84-13-078	220-52-001	NEW-P	84-04-091	220-56-18000N	NEW-E	84-16-009
220-47-412	AMD-P	84-08-065	220-52-001	NEW	84-08-014	220-56-18000O	NEW-E	84-16-075
220-47-412	AMD-C	84-11-098	220-52-010	AMD-P	84-04-091	220-56-18000O	REP-E	84-17-076
220-47-412	AMD	84-13-078	220-52-010	AMD	84-08-014	220-56-18000P	NEW-E	84-17-076
220-47-413	AMD-P	84-08-065	220-52-015	REP-P	84-04-091	220-56-18000P	REP-E	84-19-025
220-47-413	AMD-C	84-11-098	220-52-015	REP	84-08-014	220-56-18000Q	NEW-E	84-18-051
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220-47-414	AMD-P	84-08-065	220-52-018	AMD	84-08-014	220-56-18500A	NEW-E	84-14-060
220-47-414	AMD-C	84-11-098	220-52-019	AMD-P	84-04-091	220-56-190	AMD-P	84-03-060
220-47-414	AMD	84-13-078	220-52-019	AMD	84-08-014	220-56-190	AMD	84-09-026
220-47-50101	AMD-P	84-08-065	220-52-01901	AMD-P	84-04-091	220-56-19000D	NEW-E	84-10-041
220-47-50101	AMD-C	84-11-098	220-52-01901	AMD	84-08-014	220-56-19000D	REP-E	84-12-025
220-47-50101	AMD	84-13-078	220-52-020	AMD-P	84-04-091	220-56-19000E	NEW-E	84-11-002
220-47-50201	AMD-P	84-08-065	220-52-020	AMD	84-08-014	220-56-19000F	NEW-E	84-12-025
220-47-50201	AMD-C	84-11-098	220-52-030	AMD-P	84-04-091	220-56-19000F	REP-E	84-13-085
220-47-50201	AMD	84-13-078	220-52-030	AMD	84-08-014	220-56-19000G	NEW-E	84-13-085
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220-47-503	AMD-C	84-11-098	220-52-040	AMD-P	84-04-091	220-56-19000H	NEW-E	84-15-035
220-47-503	AMD	84-13-078	220-52-040	AMD	84-08-014	220-56-19000H	REP-E	84-15-040
220-47-901	NEW-E	84-16-055	220-52-043	AMD-P	84-04-091	220-56-19000I	NEW-E	84-15-040
220-47-901	REP-E	84-16-064	220-52-043	AMD	84-08-014	220-56-19000I	REP-E	84-16-012
220-47-902	NEW-E	84-16-064	220-52-046	AMD-P	84-04-091	220-56-19000J	NEW-E	84-16-012
220-47-902	REP-E	84-17-019	220-52-046	AMD	84-08-014	220-56-19000J	REP-E	84-16-029
220-47-903	NEW-E	84-17-019	220-52-04600M	NEW-E	84-14-009	220-56-19000K	NEW-E	84-16-029
220-47-903	REP-E	84-17-025	220-52-04600N	NEW-E	84-18-019	220-56-19000K	REP-E	84-17-024
220-47-904	NEW-E	84-17-025	220-52-04600P	NEW-E	84-20-006	220-56-19000L	NEW-E	84-17-024
220-47-904	REP-E	84-17-045	220-52-050	AMD-P	84-04-091	220-56-19000L	REP-E	84-17-063
220-47-905	NEW-E	84-17-045	220-52-050	AMD	84-08-014	220-56-19000M	NEW-E	84-17-063
220-47-905	REP-E	84-17-054	220-52-053	AMD-P	84-04-091	220-56-19000M	REP-E	84-18-020
220-47-906	NEW-E	84-17-054	220-52-053	AMD	84-08-014	220-56-19000N	NEW-E	84-18-020
220-47-906	REP-E	84-17-064	220-52-05300N	NEW-E	84-11-028	220-56-196	AMD-P	84-03-060
220-47-907	NEW-E	84-17-064	220-52-063	AMD-P	84-04-091	220-56-196	AMD	84-09-026
220-47-907	REP-E	84-17-081	220-52-063	AMD	84-08-014	220-56-198	AMD-P	84-03-060
220-47-908	NEW-E	84-17-081	220-52-066	AMD-P	84-04-091	220-56-198	AMD	84-09-026
220-47-908	REP-E	84-18-007	220-52-066	AMD	84-08-014	220-56-201	NEW-P	84-03-060
220-47-909	NEW-E	84-18-007	220-52-06600D	NEW-E	84-04-044	220-56-201	NEW	84-09-026
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220-47-910	REP-E	84-18-075	220-52-069	AMD-P	84-04-091	220-56-235	AMD-P	84-03-060
220-47-911	NEW-E	84-18-075	220-52-069	AMD	84-08-014	220-56-235	AMD	84-09-026
220-47-911	REP-E	84-19-005	220-52-07300A	NEW-E	84-20-013	220-56-23500B	NEW-E	84-08-005
220-47-912	NEW-E	84-19-005	220-52-075	AMD-P	84-04-091	220-56-240	AMD-P	84-03-060
220-47-912	REP-E	84-19-016	220-52-075	AMD	84-08-014	220-56-240	AMD	84-09-026
220-47-913	NEW-E	84-19-016	220-52-07500H	NEW-E	84-04-044	220-56-24000A	NEW-E	84-08-005
220-47-913	REP-E	84-19-034	220-52-07500I	NEW-E	84-10-010	220-56-250	AMD-P	84-03-060
220-47-914	NEW-E	84-19-034	220-55-120	AMD-P	84-03-059	220-56-250	AMD	84-09-026
220-47-914	REP-E	84-20-001	220-55-120	AMD	84-05-046	220-56-25000D	NEW-E	84-08-005
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220-47-915	REP-E	84-20-010	220-55-130	AMD	84-05-046	220-56-295	AMD	84-09-026
220-47-916	NEW-E	84-20-010	220-56-105	AMD-P	84-03-060	220-56-29500A	NEW-E	84-08-005
220-47-916	REP-E	84-20-050	220-56-105	AMD	84-09-026	220-56-310	AMD-P	84-03-060
220-47-917	NEW-E	84-20-050	220-56-115	AMD-P	84-03-060	220-56-310	AMD	84-09-026
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220-56-33000B	NEW-E	84-08-005	220-57-46500C	NEW-E	84-14-060	220-95-021	AMD	84-05-046
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220-56-33000D	NEW-E	84-13-015	220-57-497	NEW-E	84-16-008	220-100-010	AMD-P	84-16-083
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220-56-38000A	NEW-E	84-08-005	220-57-510	AMD	84-09-026	220-100-020	AMD	84-19-053
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220-57-150	AMD	84-09-026	220-57A-037	NEW	84-09-026	220-100-055	NEW	84-19-053
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220-57-155	AMD	84-09-026	220-57A-040	AMD	84-09-026	220-100-060	AMD	84-19-053
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220-57-16000F	NEW-E	84-14-061	220-57A-082	AMD	84-09-026	220-100-075	NEW	84-19-053
220-57-16000F	REP-E	84-15-010	220-57A-112	AMD-P	84-03-060	220-100-080	AMD-P	84-16-083
220-57-16000G	NEW-E	84-15-010	220-57A-112	AMD	84-09-026	220-100-080	AMD	84-19-053
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220-57-16000H	REP-E	84-17-024	220-57A-120	AMD	84-09-026	220-100-090	REP-P	84-16-083
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232-18-650	REP	84-20-012	232-28-60603	NEW-E	84-04-002	236-11-020	NEW	84-20-015
232-18-652	REP-P	84-14-088	232-28-60604	NEW-E	84-05-002	236-11-030	NEW-P	84-17-046
232-18-652	REP	84-20-012	232-28-60605	NEW-E	84-06-005	236-11-030	NEW	84-20-015
232-18-660	REP-P	84-14-088	232-28-60606	NEW-E	84-07-031	236-11-040	NEW-P	84-17-046
232-18-660	REP	84-20-012	232-28-60607	NEW-E	84-07-031	236-11-040	NEW	84-20-015
232-18-690	REP-P	84-14-088	232-28-607	REP-P	84-14-086	236-11-050	NEW-P	84-17-046
232-18-690	REP	84-20-012	232-28-60701	NEW-P	84-08-069	236-11-050	NEW	84-20-015
232-18-695	REP-P	84-14-088	232-28-60701	NEW	84-12-011	236-11-060	NEW-P	84-17-046
232-18-695	REP	84-20-012	232-28-60701	REP-P	84-14-086	236-11-060	NEW	84-20-015
232-18-700	REP-P	84-14-088	232-28-60701	AMD-E	84-16-032	236-11-070	NEW-P	84-17-046
232-18-700	REP	84-20-012	232-28-608	REP-P	84-14-086	236-11-070	NEW	84-20-015
232-18-710	REP-P	84-14-088	232-28-60801	NEW-E	84-18-036	236-11-080	NEW-P	84-17-046
232-18-710	REP	84-20-012	232-28-609	REP-P	84-14-086	236-11-080	NEW	84-20-015
232-18-840	REP-P	84-14-088	232-28-60901	NEW-E	84-16-071	236-11-090	NEW-P	84-17-046
232-18-840	REP	84-20-012	232-28-60902	NEW-E	84-20-047	236-11-090	NEW	84-20-015
232-18-870	REP-P	84-14-088	232-28-60903	NEW-E	84-20-046	236-11-100	NEW-P	84-17-046
232-18-870	REP	84-20-012	232-28-610	REP-P	84-14-086	236-11-100	NEW	84-20-015
232-18-910	REP-P	84-14-088	232-28-61001	NEW-E	84-16-070	236-11-110	NEW-P	84-17-046
232-18-910	REP	84-20-012	232-28-611	REP-P	84-14-086	236-11-110	NEW	84-20-015
232-19-010	NEW-P	84-14-088	232-28-61101	NEW-P	84-08-071	236-11-120	NEW-P	84-17-046
232-19-010	NEW	84-20-012	232-28-61101	NEW	84-12-012	236-11-120	NEW	84-20-015
232-19-015	NEW-P	84-14-088	232-28-61101	NEW-E	84-12-014	236-11-130	NEW-P	84-17-046
232-19-015	NEW	84-20-012	232-28-61101	REP-P	84-14-086	236-11-130	NEW	84-20-015
232-19-020	NEW-P	84-14-088	232-28-61102	NEW-E	84-18-048	236-28-030	AMD-P	84-15-013
232-19-020	NEW	84-20-012	232-28-61103	NEW-E	84-20-105	236-28-030	AMD-E	84-15-014
232-19-030	NEW-P	84-14-088	232-28-612	REP-P	84-14-086	236-28-030	AMD	84-19-058
232-19-030	NEW	84-20-012	232-28-613	REP-P	84-14-086	236-28-040	REP-P	84-15-013
232-19-040	NEW-P	84-14-088	232-28-61301	NEW-P	84-08-070	236-28-040	REP-E	84-15-014
232-19-040	NEW	84-20-012	232-28-61301	NEW	84-12-010	236-28-040	REP	84-19-058
232-19-050	NEW-P	84-14-088	232-28-61301	NEW-E	84-12-013	236-28-050	REP-P	84-15-013
232-19-050	NEW	84-20-012	232-28-61301	REP-P	84-14-086	236-28-050	REP-E	84-15-014
232-19-055	NEW-P	84-14-088	232-28-614	NEW-P	84-14-086	236-28-050	REP	84-19-058
232-19-055	NEW	84-20-012	232-28-705	REP	84-05-060	236-28-060	REP-P	84-15-013
232-19-060	NEW-P	84-14-088	232-28-706	NEW	84-05-060	236-28-060	REP-E	84-15-014
232-19-060	NEW	84-20-012	232-28-805	REP-P	84-05-059	236-28-060	REP	84-19-058
232-19-070	NEW-P	84-14-088	232-28-805	REP	84-12-031	236-47-001	NEW-P	84-07-024
232-19-070	NEW	84-20-012	232-28-806	NEW-P	84-05-059	236-47-001	NEW	84-13-008
232-19-080	NEW-P	84-14-088	232-28-806	NEW	84-12-031	236-47-002	NEW-P	84-07-024
232-19-080	NEW	84-20-012	232-32-010	NEW-P	84-14-085	236-47-002	NEW	84-13-008
232-19-090	NEW-P	84-14-088	232-32-010	NEW	84-18-065	236-47-003	NEW-P	84-07-024
232-19-090	NEW	84-20-012	232-32-020	NEW-P	84-14-085	236-47-003	NEW	84-13-008
232-19-100	NEW-P	84-14-088	232-32-020	NEW	84-18-065	236-47-004	NEW-P	84-07-024
232-19-100	NEW	84-20-012	232-32-030	NEW-P	84-14-085	236-47-004	NEW	84-13-008
232-19-110	NEW-P	84-14-088	232-32-030	NEW	84-18-065	236-47-005	NEW-P	84-07-024
232-19-110	NEW	84-20-012	232-32-040	NEW-P	84-14-085	236-47-005	NEW	84-13-008
232-19-120	NEW-P	84-14-088	232-32-040	NEW	84-18-065	236-47-006	NEW-P	84-07-024
232-19-120	NEW	84-20-012	232-32-050	NEW-P	84-14-085	236-47-006	NEW	84-13-008
232-19-130	NEW-P	84-14-088	232-32-050	NEW	84-18-065	236-47-007	NEW-P	84-07-024
232-19-130	NEW	84-20-012	232-32-060	NEW-P	84-14-085	236-47-007	NEW	84-13-008
232-19-140	NEW-P	84-14-088	232-32-060	NEW	84-18-065	236-47-008	NEW-P	84-07-024
232-19-140	NEW	84-20-012	232-32-070	NEW-P	84-14-085	236-47-008	NEW	84-13-008
232-19-180	NEW-P	84-14-088	232-32-070	NEW	84-18-065	236-47-009	NEW-P	84-07-024
232-19-180	NEW	84-20-012	232-32-155	NEW-E	84-02-063	236-47-009	NEW	84-13-008
232-28-106	REP-P	84-11-096	232-32-157	NEW-E	84-02-065	236-47-010	NEW-P	84-07-024
232-28-106	REP	84-16-016	232-32-158	NEW-E	84-03-023	236-47-010	NEW	84-13-008
232-28-107	NEW-P	84-11-096	232-32-159	NEW-E	84-03-029	236-47-011	NEW-P	84-07-024
232-28-107	NEW	84-16-016	232-32-160	NEW-E	84-03-022	236-47-011	NEW	84-13-008
232-28-207	REP-P	84-08-073	232-32-161	NEW-E	84-03-030	236-47-012	NEW-P	84-07-024
232-28-207	REP	84-14-070	232-32-162	NEW-E	84-03-031	236-47-012	NEW	84-13-008
232-28-208	NEW-P	84-08-073	232-32-163	NEW-E	84-05-001	236-47-013	NEW-P	84-07-024
232-28-208	NEW	84-14-070	232-32-164	NEW-E	84-07-044	236-47-013	NEW	84-13-008
232-28-20801	NEW-E	84-18-027	232-32-165	NEW-E	84-09-004	236-47-014	NEW-P	84-07-024
232-28-20801	NEW-P	84-18-061	236-10-010	REP-P	84-17-046	236-47-014	NEW	84-13-008
232-28-20802	NEW-E	84-18-028	236-10-015	REP-P	84-17-046	236-47-015	NEW-P	84-07-024
232-28-20802	NEW-P	84-18-063	236-10-020	REP-P	84-17-046	236-47-015	NEW	84-13-008
232-28-406	REP-P	84-14-066	236-10-030	REP-P	84-17-046	236-47-016	NEW-P	84-07-024
232-28-406	REP	84-18-026	236-10-040	REP-P	84-17-046	236-47-016	NEW	84-13-008
232-28-408	NEW-P	84-14-066	236-10-050	REP-P	84-17-046	236-47-017	NEW-P	84-07-024
232-28-408	NEW	84-18-026	236-10-060	REP-P	84-17-046	236-47-017	NEW	84-13-008
232-28-506	REP-P	84-11-094	236-10-070	REP-P	84-17-046	248-08-595	REP-P	84-12-058

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-08-595	REP	84-16-031	248-26-020	NEW-P	84-12-004	248-60A-170	REP	84-18-034
248-08-596	NEW-P	84-12-058	248-26-020	NEW	84-17-010	248-61-001	REP-P	84-12-059
248-08-596	NEW	84-16-031	248-26-030	NEW-P	84-12-004	248-61-001	REP	84-18-034
248-14-050	REP-P	84-11-036	248-26-030	NEW	84-17-010	248-61-010	REP-P	84-12-059
248-14-050	REP	84-15-007	248-26-040	NEW-P	84-12-004	248-61-010	REP	84-18-034
248-15-020	AMD-P	84-11-068	248-26-040	NEW	84-17-010	248-61-015	REP-P	84-12-059
248-15-020	AMD	84-17-035	248-26-050	NEW-P	84-12-004	248-61-015	REP	84-18-034
248-15-030	AMD-P	84-11-068	248-26-050	NEW	84-17-010	248-61-020	REP-P	84-12-059
248-15-030	AMD	84-17-035	248-26-060	NEW-P	84-12-004	248-61-020	REP	84-18-034
248-15-080	AMD-P	84-11-068	248-26-060	NEW	84-17-010	248-61-030	REP-P	84-12-059
248-15-080	AMD	84-17-035	248-26-070	NEW-P	84-12-004	248-61-030	REP	84-18-034
248-15-100	AMD-P	84-11-068	248-26-070	NEW	84-17-010	248-61-040	REP-P	84-12-059
248-15-100	AMD	84-17-035	248-26-080	NEW-P	84-12-004	248-61-040	REP	84-18-034
248-17-020	AMD-P	84-11-069	248-26-080	NEW	84-17-010	248-61-050	REP-P	84-12-059
248-17-020	AMD	84-17-036	248-26-090	NEW-P	84-12-004	248-61-050	REP	84-18-034
248-17-212	AMD-P	84-11-069	248-26-090	NEW	84-17-010	248-61-060	REP-P	84-12-059
248-17-212	AMD	84-17-036	248-26-100	NEW-P	84-12-004	248-61-060	REP	84-18-034
248-17-213	AMD-P	84-11-069	248-26-100	NEW	84-17-010	248-61-070	REP-P	84-12-059
248-17-213	AMD	84-17-036	248-27-001	NEW-P	84-12-078	248-61-070	REP	84-18-034
248-17-214	AMD-P	84-11-069	248-27-001	NEW	84-17-006	248-61-080	REP-P	84-12-059
248-17-214	AMD	84-17-036	248-27-002	NEW-P	84-12-078	248-61-080	REP	84-18-034
248-17-220	AMD-P	84-11-069	248-27-002	NEW	84-17-006	248-61-090	REP-P	84-12-059
248-17-220	AMD	84-17-036	248-27-010	NEW-P	84-12-078	248-61-090	REP	84-18-034
248-17-250	NEW-P	84-11-069	248-27-010	NEW	84-17-006	248-61-100	REP-P	84-12-059
248-17-250	NEW	84-17-036	248-27-020	NEW-P	84-12-078	248-61-100	REP	84-18-034
248-17-255	NEW-P	84-11-069	248-27-020	NEW	84-17-006	248-61-110	REP-P	84-12-059
248-17-255	NEW	84-17-036	248-27-030	NEW-P	84-12-078	248-61-110	REP	84-18-034
248-17-260	NEW-P	84-11-069	248-27-030	NEW	84-17-006	248-61-120	REP-P	84-12-059
248-17-260	NEW	84-17-036	248-27-040	NEW-P	84-12-078	248-61-120	REP	84-18-034
248-17-265	NEW-P	84-11-069	248-27-040	NEW	84-17-006	248-61-130	REP-P	84-12-059
248-17-265	NEW	84-17-036	248-27-050	NEW-P	84-12-078	248-61-130	REP	84-18-034
248-17-270	NEW-P	84-11-069	248-27-050	NEW	84-17-006	248-61-140	REP-P	84-12-059
248-17-270	NEW	84-17-036	248-27-060	NEW-P	84-12-078	248-61-140	REP	84-18-034
248-17-275	NEW-P	84-11-069	248-27-060	NEW	84-17-006	248-61-150	REP-P	84-12-059
248-17-275	NEW	84-17-036	248-27-070	NEW-P	84-12-078	248-61-150	REP	84-18-034
248-18-001	AMD-P	84-14-089	248-27-070	NEW	84-17-006	248-61-160	REP-P	84-12-059
248-18-001	AMD	84-17-077	248-27-080	NEW-P	84-12-078	248-61-160	REP	84-18-034
248-18-030	REP-P	84-14-089	248-27-080	NEW	84-17-006	248-61-170	REP-P	84-12-059
248-18-030	REP	84-17-077	248-27-090	NEW-P	84-12-078	248-61-170	REP	84-18-034
248-18-031	NEW-P	84-14-089	248-27-090	NEW	84-17-006	248-61-180	REP-P	84-12-059
248-18-031	NEW	84-17-077	248-27-100	NEW-P	84-12-078	248-61-180	REP	84-18-034
248-18-033	NEW-P	84-14-089	248-27-100	NEW	84-17-006	248-63-001	NEW-P	84-12-059
248-18-033	NEW	84-17-077	248-27-120	NEW-P	84-12-078	248-63-001	NEW	84-18-034
248-18-235	NEW-P	84-18-033	248-27-120	NEW	84-17-006	248-63-010	NEW-P	84-12-059
248-18-532	NEW-P	84-18-033	248-60A-010	REP-P	84-12-059	248-63-010	NEW	84-18-034
248-19-220	AMD-P	84-04-026	248-60A-010	REP	84-18-034	248-63-020	NEW-P	84-12-059
248-19-220	AMD-E	84-04-057	248-60A-020	REP-P	84-12-059	248-63-020	NEW	84-18-034
248-19-220	AMD	84-07-014	248-60A-020	REP	84-18-034	248-63-030	NEW-P	84-12-059
248-19-230	AMD-P	84-04-026	248-60A-030	REP-P	84-12-059	248-63-030	NEW	84-18-034
248-19-230	AMD-E	84-04-057	248-60A-030	REP	84-18-034	248-63-040	NEW-P	84-12-059
248-19-230	AMD	84-07-014	248-60A-040	REP-P	84-12-059	248-63-040	NEW	84-18-034
248-22-500	REP-P	84-12-003	248-60A-040	REP	84-18-034	248-63-050	NEW-P	84-12-059
248-22-500	REP	84-17-014	248-60A-050	REP-P	84-12-059	248-63-050	NEW	84-18-034
248-22-501	REP-P	84-12-003	248-60A-050	REP	84-18-034	248-63-060	NEW-P	84-12-059
248-22-501	REP	84-17-014	248-60A-060	REP-P	84-12-059	248-63-060	NEW	84-18-034
248-22-510	REP-P	84-12-003	248-60A-060	REP	84-18-034	248-63-070	NEW-P	84-12-059
248-22-510	REP	84-17-014	248-60A-070	REP-P	84-12-059	248-63-070	NEW	84-18-034
248-22-520	REP-P	84-12-003	248-60A-070	REP	84-18-034	248-63-080	NEW-P	84-12-059
248-22-520	REP	84-17-014	248-60A-080	REP-P	84-12-059	248-63-080	NEW	84-18-034
248-22-530	REP-P	84-12-003	248-60A-080	REP	84-18-034	248-63-090	NEW-P	84-12-059
248-22-530	REP	84-17-014	248-60A-090	REP-P	84-12-059	248-63-090	NEW	84-18-034
248-22-540	REP-P	84-12-003	248-60A-090	REP	84-18-034	248-63-100	NEW-P	84-12-059
248-22-540	REP	84-17-014	248-60A-100	REP-P	84-12-059	248-63-100	NEW	84-18-034
248-22-550	REP-P	84-12-003	248-60A-100	REP	84-18-034	248-63-110	NEW-P	84-12-059
248-22-550	REP	84-17-014	248-60A-110	REP-P	84-12-059	248-63-110	NEW	84-18-034
248-22-560	REP-P	84-12-003	248-60A-110	REP	84-18-034	248-63-120	NEW-P	84-12-059
248-22-560	REP	84-17-014	248-60A-120	REP-P	84-12-059	248-63-120	NEW	84-18-034
248-22-570	REP-P	84-12-003	248-60A-120	REP	84-18-034	248-63-130	NEW-P	84-12-059
248-22-570	REP	84-17-014	248-60A-130	REP-P	84-12-059	248-63-130	NEW	84-18-034
248-22-580	REP-P	84-12-003	248-60A-130	REP	84-18-034	248-63-140	NEW-P	84-12-059
248-22-580	REP	84-17-014	248-60A-140	REP-P	84-12-059	248-63-140	NEW	84-18-034
248-22-590	REP-P	84-12-003	248-60A-140	REP	84-18-034	248-63-150	NEW-P	84-12-059
248-22-590	REP	84-17-014	248-60A-150	REP-P	84-12-059	248-63-150	NEW	84-18-034
248-26-001	NEW-P	84-12-004	248-60A-150	REP	84-18-034	248-63-160	NEW-P	84-12-059
248-26-001	NEW	84-17-010	248-60A-160	REP-P	84-12-059	248-63-160	NEW	84-18-034
248-26-010	NEW-P	84-12-004	248-60A-160	REP	84-18-034	248-63-170	NEW-P	84-12-059
248-26-010	NEW	84-17-010	248-60A-170	REP-P	84-12-059	248-63-170	NEW	84-18-034

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-63-180	NEW-P	84-12-059	251-12-080	AMD-P	84-12-087	251-18-240	AMD-P	84-06-065
248-63-180	NEW	84-18-034	251-12-080	AMD-E	84-14-079	251-18-240	AMD	84-10-056
248-84-002	AMD-P	84-10-044	251-12-080	AMD	84-16-067	251-18-240	AMD-C	84-12-087
248-84-002	AMD	84-14-090	251-12-110	AMD-P	84-12-087	251-18-240	AMD	84-16-067
248-84-030	AMD-P	84-10-044	251-12-110	AMD-E	84-14-079	251-18-260	AMD-P	84-06-065
248-84-030	AMD	84-14-090	251-12-110	AMD	84-16-067	251-18-260	AMD	84-10-056
248-84-035	AMD-P	84-10-044	251-12-240	AMD-P	84-12-087	251-18-265	AMD-P	84-06-065
248-84-035	AMD	84-14-090	251-12-240	AMD-E	84-14-079	251-18-265	AMD	84-10-056
248-84-062	NEW-P	84-10-044	251-12-240	AMD	84-16-067	251-18-270	AMD-P	84-06-065
248-84-062	NEW	84-14-090	251-18-010	AMD-P	84-06-065	251-18-270	AMD	84-10-056
248-100-075	AMD-P	84-16-081	251-18-010	AMD	84-10-056	251-18-315	NEW-P	84-02-067
248-100-075	AMD	84-19-043	251-18-011	NEW-P	84-06-065	251-18-315	NEW-C	84-06-004
250-18-060	AMD-E	84-10-027	251-18-011	NEW	84-10-056	251-18-315	NEW-C	84-12-088
250-18-060	AMD-P	84-10-043	251-18-012	NEW-P	84-06-065	251-18-320	AMD-P	84-04-070
250-18-060	AMD	84-14-024	251-18-012	NEW	84-10-056	251-18-320	AMD-E	84-04-071
250-44-050	AMD-P	84-10-048	251-18-015	NEW-P	84-06-065	251-18-320	AMD	84-08-032
250-44-050	AMD	84-14-084	251-18-015	NEW	84-10-056	251-18-320	AMD-P	84-12-087
250-44-060	AMD-P	84-10-048	251-18-020	AMD-P	84-06-065	251-18-320	AMD	84-16-067
250-44-060	AMD	84-14-084	251-18-020	AMD	84-10-056	251-18-330	AMD-P	84-02-067
250-44-070	AMD-P	84-10-048	251-18-025	REP-P	84-06-065	251-18-330	AMD-P	84-04-070
250-44-070	AMD	84-14-084	251-18-025	REP-C	84-10-055	251-18-330	AMD-E	84-04-071
250-44-080	AMD-P	84-10-048	251-18-025	REP	84-18-060	251-18-330	AMD	84-08-032
250-44-080	AMD	84-14-084	251-18-030	REP-P	84-06-065	251-18-340	AMD-P	84-04-070
250-44-090	AMD-P	84-10-048	251-18-030	REP-C	84-10-055	251-18-340	AMD-E	84-04-071
250-44-090	AMD	84-14-084	251-18-030	REP	84-18-060	251-18-340	AMD	84-08-032
250-44-110	AMD-P	84-10-048	251-18-030	REP	84-18-060	251-18-347	AMD-P	84-12-087
250-44-110	AMD	84-14-084	251-18-050	AMD	84-10-056	251-18-347	AMD	84-16-067
250-44-130	AMD-P	84-10-048	251-18-060	AMD-P	84-06-065	251-18-350	AMD-P	84-02-067
250-44-130	AMD	84-14-084	251-18-060	AMD-C	84-10-055	251-18-350	AMD-C	84-06-004
251-04-020	AMD-P	84-02-067	251-18-060	AMD	84-12-047	251-18-350	AMD-C	84-12-088
251-04-020	AMD-P	84-04-070	251-18-070	AMD-P	84-06-065	251-18-350	AMD	84-16-067
251-04-020	AMD-E	84-04-071	251-18-070	AMD	84-10-056	251-18-355	NEW-P	84-02-067
251-04-020	AMD-C	84-06-004	251-18-080	REP-P	84-06-065	251-18-355	NEW-C	84-06-004
251-04-020	AMD	84-06-035	251-18-080	REP	84-10-056	251-18-355	NEW-C	84-12-088
251-04-020	AMD-P	84-06-065	251-18-100	REP-P	84-06-065	251-18-361	NEW-P	84-02-067
251-04-020	AMD	84-10-058	251-18-100	REP	84-10-056	251-18-361	NEW-C	84-06-004
251-04-020	AMD-C	84-12-087	251-18-110	AMD-P	84-06-065	251-18-361	NEW-C	84-12-088
251-04-020	AMD-C	84-12-088	251-18-110	AMD	84-10-056	251-20-010	AMD-P	84-12-087
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251-04-020	AMD-P	84-19-061	251-18-115	REP	84-10-056	251-20-010	AMD-P	84-19-061
251-04-040	AMD-P	84-02-067	251-18-120	AMD-P	84-06-065	251-20-010	AMD-P	84-19-061
251-04-040	AMD-C	84-06-004	251-18-120	AMD	84-10-056	251-20-020	AMD-P	84-12-087
251-04-040	AMD-C	84-12-088	251-18-130	AMD-P	84-06-065	251-20-020	AMD-E	84-14-079
251-04-040	AMD	84-16-067	251-18-130	AMD-C	84-10-055	251-20-020	AMD	84-16-067
251-04-050	AMD-P	84-09-068	251-18-130	AMD	84-12-047	251-20-030	AMD-P	84-12-087
251-04-050	AMD	84-12-047	251-18-130	AMD	84-12-047	251-20-030	AMD-E	84-14-079
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251-08-090	AMD-P	84-19-061	251-18-140	AMD-C	84-18-059	251-20-040	AMD-E	84-14-079
251-08-091	NEW-P	84-12-087	251-18-145	NEW-P	84-06-065	251-20-040	AMD	84-16-067
251-08-091	NEW-E	84-14-079	251-18-145	NEW	84-10-056	251-20-040	AMD	84-16-067
251-08-091	NEW	84-16-067	251-18-150	REP-P	84-06-065	251-20-045	NEW-P	84-12-087
251-08-091	AMD-P	84-19-061	251-18-150	REP	84-10-056	251-20-045	NEW-E	84-14-079
251-08-093	NEW-P	84-12-087	251-18-155	REP-P	84-06-065	251-20-045	NEW	84-16-067
251-08-093	NEW-P	84-19-061	251-18-155	REP	84-10-056	251-20-050	AMD-P	84-12-087
251-09-040	AMD-P	84-09-068	251-18-160	REP	84-10-056	251-20-050	AMD-E	84-14-079
251-10-031	AMD-P	84-19-061	251-18-160	AMD-P	84-06-065	251-20-050	AMD	84-16-067
251-10-032	NEW-P	84-19-061	251-18-160	AMD	84-10-056	251-20-050	AMD-P	84-19-061
251-10-045	AMD-P	84-04-070	251-18-170	REP-P	84-06-065	251-20-050	AMD-P	84-19-061
251-10-045	AMD-E	84-04-071	251-18-170	REP	84-10-056	251-22-070	AMD-P	84-04-070
251-10-045	AMD	84-08-032	251-18-170	REP	84-10-056	251-22-070	AMD-E	84-04-071
251-10-055	AMD-P	84-04-070	251-18-175	REP-P	84-06-065	251-22-070	AMD	84-08-032
251-10-055	AMD-E	84-04-071	251-18-175	REP	84-10-056	251-22-090	AMD-P	84-09-068
251-10-055	AMD	84-08-032	251-18-180	AMD-P	84-04-070	251-22-090	AMD-E	84-10-018
251-10-112	NEW-P	84-06-065	251-18-180	AMD-E	84-04-071	251-22-090	AMD	84-12-047
251-10-112	NEW-C	84-10-055	251-18-180	AMD-P	84-06-065	251-22-091	REP-P	84-09-068
251-10-112	NEW-C	84-12-087	251-18-180	AMD	84-08-032	251-22-091	REP-E	84-10-018
251-10-112	NEW-C	84-18-059	251-18-180	AMD	84-10-056	251-22-091	REP	84-12-047
251-10-140	AMD-P	84-09-068	251-18-180	AMD	84-10-056	251-22-091	REP	84-12-047
251-10-140	AMD-E	84-10-018	251-18-181	AMD	84-10-056	251-22-091	REP	84-12-047
251-10-140	AMD	84-12-047	251-18-190	AMD-P	84-06-065	251-22-091	REP	84-12-047
251-10-160	AMD-P	84-12-087	251-18-190	AMD	84-10-056	251-22-091	REP	84-12-047
251-10-160	AMD-E	84-14-079	251-18-190	AMD	84-10-056	251-22-091	REP	84-12-047
251-10-160	AMD	84-16-067	251-18-200	AMD-P	84-06-065	251-22-091	REP	84-12-047
251-12-072	AMD-P	84-18-058	251-18-200	AMD	84-10-056	251-22-091	REP	84-12-047
			251-18-200	AMD	84-10-056	251-22-091	REP	84-12-047
			251-18-230	REP-P	84-06-065	251-22-091	REP	84-12-047
			251-18-230	REP	84-10-056	251-22-091	REP	84-12-047
						251-22-091	REP	84-12-047
						251-22-200	AMD-P	84-09-068
						251-22-200	AMD	84-12-047
						251-22-200	AMD	84-12-047
						253-02-010	NEW-E	84-18-040
						253-02-020	NEW-E	84-18-040
						253-02-030	NEW-E	84-18-040
						253-02-040	NEW-E	84-18-040
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253-12-060	NEW-E	84-18-040		261-40-020	AMD-P	84-17-138	275-18-190	REP-P	84-17-102
253-12-070	NEW-E	84-18-040		261-40-020	AMD	84-20-066	275-18-200	REP-P	84-17-102
253-12-080	NEW-E	84-18-040		261-40-150	AMD-P	84-17-138	275-19-010	AMD-P	84-17-102
253-12-090	NEW-E	84-18-040		261-40-150	AMD	84-20-066	275-19-020	AMD-P	84-17-102
253-12-100	NEW-E	84-18-040		261-40-315	AMD-P	84-17-138	275-19-030	AMD-P	84-17-102
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253-16-010	NEW-E	84-18-040		261-40-480	AMD-P	84-17-138	275-19-050	AMD-P	84-17-102
253-16-020	NEW-E	84-18-040		261-40-480	AMD	84-20-066	275-19-060	AMD-P	84-17-102
253-16-030	NEW-E	84-18-040		261-40-485	AMD-P	84-17-138	275-19-070	AMD-P	84-17-102
253-16-040	NEW-E	84-18-040		261-40-485	AMD	84-20-066	275-19-075	AMD-P	84-17-102
253-16-050	NEW-E	84-18-040		261-50	NEW-C	84-18-016	275-19-080	AMD-P	84-17-102
253-16-060	NEW-E	84-18-040		261-50-010	NEW-E	84-13-010	275-19-100	AMD-P	84-17-102
253-16-070	NEW-E	84-18-040		261-50-010	NEW-P	84-14-075	275-19-110	AMD-P	84-17-102
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253-16-100	NEW-E	84-18-040		261-50-010	NEW	84-20-067	275-19-135	NEW-P	84-17-102
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260-70-021	AMD	84-06-061		261-50-030	NEW-P	84-14-075	275-19-170	AMD-P	84-17-102
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260-70-027	NEW-P	84-04-061		261-50-040	NEW-E	84-18-035	275-19-210	AMD-P	84-17-102
260-70-027	NEW	84-06-061		261-50-040	NEW	84-20-067	275-19-220	AMD-P	84-17-102
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260-70-029	NEW-P	84-04-061		261-50-045	NEW-E	84-18-035	275-19-250	AMD-P	84-17-102
260-70-029	NEW	84-06-061		261-50-045	NEW	84-20-067	275-19-260	AMD-P	84-17-102
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260-70-090	AMD-P	84-04-061		261-50-060	NEW-E	84-13-010	275-19-320	AMD-P	84-17-102
260-70-090	AMD	84-06-061		261-50-060	NEW-P	84-14-075	275-19-400	AMD-P	84-17-102
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260-70-100	AMD	84-06-061		261-50-060	NEW	84-20-067	275-19-430	AMD-P	84-17-102
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261-02-030	AMD	84-20-066		261-50-065	NEW-E	84-18-035	275-19-530	AMD-P	84-17-102
261-02-040	AMD-P	84-17-138		261-50-065	NEW	84-20-067	275-19-550	AMD-P	84-17-102
261-02-040	AMD	84-20-066		261-50-070	NEW-E	84-13-010	275-19-560	NEW-P	84-17-102
261-06-030	AMD-P	84-17-138		261-50-070	NEW-P	84-14-075	275-19-570	NEW-P	84-17-102
261-06-030	AMD	84-20-066		261-50-070	NEW-E	84-18-035	275-19-600	AMD-P	84-17-102
261-06-040	AMD-P	84-17-138		261-50-070	NEW	84-20-067	275-19-610	AMD-P	84-17-102
261-06-040	AMD	84-20-066		262-01-010	NEW	84-04-042	275-19-630	REP-P	84-17-102
261-10-020	AMD-P	84-17-138		262-01-020	NEW	84-04-042	275-19-650	NEW-P	84-17-102
261-10-020	AMD	84-20-066		262-01-030	NEW	84-04-042	275-19-660	NEW-P	84-17-102
261-12-020	AMD-P	84-17-138		262-01-040	NEW	84-04-042	275-19-700	AMD-P	84-17-102
261-12-020	AMD	84-20-066		262-01-050	NEW	84-04-042	275-19-710	AMD-P	84-17-102
261-20	AMD-P	84-09-021		263-12-115	AMD-C	84-04-025	275-19-720	REP-P	84-17-102
261-20	AMD-C	84-10-013		263-12-115	AMD-C	84-04-058	275-19-750	AMD-P	84-17-102
261-20	AMD	84-13-009		263-12-115	AMD-E	84-04-059	275-19-770	AMD-P	84-17-102
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261-20	AMD	84-18-015		275-16-030	AMD-P	84-13-067	275-19-810	AMD-P	84-17-102
261-20-010	AMD-P	84-17-138		275-16-030	AMD-E	84-14-043	275-19-820	AMD-P	84-17-102
261-20-010	AMD	84-20-066		275-16-030	AMD	84-17-011	275-19-830	AMD-P	84-17-102
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261-20-020	AMD	84-20-066		275-18-020	REP-P	84-17-102	275-19-910	AMD-P	84-17-102
261-20-030	AMD-P	84-17-138		275-18-030	REP-P	84-17-102	275-19-920	AMD-P	84-17-102
261-20-030	AMD	84-20-066		275-18-040	REP-P	84-17-102	275-20-030	AMD-P	84-15-004
261-20-040	AMD-P	84-17-138		275-18-050	REP-P	84-17-102	275-20-030	AMD-E	84-15-005
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261-20-045	AMD-P	84-17-138		275-18-070	REP-P	84-17-102	275-27-020	AMD-P	84-12-036
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261-20-050	AMD-P	84-17-138		275-18-090	REP-P	84-17-102	275-27-030	AMD-P	84-12-036
261-20-050	AMD	84-20-066		275-18-100	REP-P	84-17-102	275-27-030	AMD	84-15-058
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275-27-230	AMD-P	84-12-036	275-38-868	NEW-P	84-15-020	275-88-025	REP-E	84-15-041
275-27-230	AMD	84-15-058	275-38-868	NEW-E	84-15-021	275-88-025	REP	84-17-058
275-27-240	AMD-P	84-12-036	275-38-868	NEW	84-19-042	275-88-030	REP-P	84-14-076
275-27-240	AMD	84-15-058	275-38-869	NEW-P	84-15-020	275-88-030	REP-E	84-15-041
275-27-250	AMD-P	84-12-036	275-38-869	NEW-E	84-15-021	275-88-030	REP	84-17-058
275-27-250	AMD	84-15-058	275-38-869	NEW	84-19-042	275-88-035	REP-P	84-14-076
275-27-300	AMD-P	84-12-036	275-38-870	AMD-P	84-15-020	275-88-035	REP-E	84-15-041
275-27-300	AMD	84-15-058	275-38-870	AMD-E	84-15-021	275-88-035	REP	84-17-058
275-27-400	AMD-P	84-12-036	275-38-870	AMD	84-19-042	275-88-040	REP-P	84-14-076
275-27-400	AMD	84-15-058	275-38-875	AMD-P	84-15-020	275-88-040	REP-E	84-15-041
275-27-500	AMD-P	84-08-015	275-38-875	AMD-E	84-15-021	275-88-040	REP	84-17-058
275-27-500	AMD-C	84-12-032	275-38-875	AMD	84-19-042	275-88-045	REP-P	84-14-076
275-27-500	AMD	84-15-038	275-38-880	AMD-P	84-15-020	275-88-045	REP-E	84-15-041
275-27-800	NEW-P	84-04-009	275-38-880	AMD-E	84-15-021	275-88-045	REP	84-17-058
275-27-800	NEW-E	84-04-010	275-38-880	AMD	84-19-042	275-88-050	REP-P	84-14-076
275-27-800	NEW	84-07-018	275-38-886	AMD-P	84-15-020	275-88-050	REP-E	84-15-041
275-27-810	NEW-P	84-04-009	275-38-886	AMD-E	84-15-021	275-88-050	REP	84-17-058
275-27-810	NEW-E	84-04-010	275-38-886	AMD	84-19-042	275-88-055	REP-P	84-14-076
275-27-810	NEW	84-07-018	275-38-890	NEW-P	84-15-020	275-88-055	REP-E	84-15-041
275-27-820	NEW-P	84-04-009	275-38-890	NEW-E	84-15-021	275-88-055	REP	84-17-058
275-27-820	NEW-E	84-04-010	275-38-890	NEW	84-19-042	275-88-060	REP-P	84-14-076
275-27-820	NEW	84-07-018	275-38-892	NEW-P	84-15-020	275-88-060	REP-E	84-15-041
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275-31-030	NEW	84-03-054	275-55-161	AMD	84-03-035	275-88-065	REP	84-17-058
275-31-040	NEW	84-03-054	275-55-263	AMD	84-03-035	275-88-070	REP-P	84-14-076
275-31-050	NEW	84-03-054	275-55-271	AMD	84-03-035	275-88-070	REP-E	84-15-041
275-31-070	NEW	84-03-054	275-55-281	AMD	84-03-035	275-88-070	REP	84-17-058
275-31-080	NEW	84-03-054	275-55-291	AMD	84-03-035	275-88-075	REP-P	84-14-076
275-31-090	NEW	84-03-054	275-55-293	AMD	84-03-035	275-88-075	REP-E	84-15-041
275-33-010	NEW-E	84-06-016	275-55-297	AMD	84-03-035	275-88-075	REP	84-17-058
275-33-010	NEW-P	84-06-025	275-55-301	AMD	84-03-035	275-88-080	REP-P	84-14-076
275-33-010	NEW	84-10-032	275-55-331	AMD	84-03-035	275-88-080	REP-E	84-15-041
275-33-020	NEW-E	84-06-016	275-55-371	AMD	84-03-035	275-88-080	REP	84-17-058
275-33-020	NEW-P	84-06-025	275-60-010	NEW-P	84-10-009	275-88-085	REP-P	84-14-076
275-33-020	NEW	84-10-032	275-60-010	NEW	84-13-029	275-88-085	REP-E	84-15-041
275-33-030	NEW-E	84-06-016	275-60-020	NEW-P	84-10-009	275-88-085	REP	84-17-058
275-33-030	NEW-P	84-06-025	275-60-020	NEW	84-13-029	275-88-090	REP-P	84-14-076
275-33-030	NEW	84-10-032	275-60-030	NEW-P	84-10-009	275-88-090	REP-E	84-15-041
275-33-040	NEW-E	84-06-016	275-60-030	NEW	84-13-029	275-88-090	REP	84-17-058
275-33-040	NEW-P	84-06-025	275-60-040	NEW-P	84-10-009	275-88-093	REP-P	84-14-076
275-33-040	NEW	84-10-032	275-60-040	NEW	84-13-029	275-88-093	REP-E	84-15-041
275-33-050	NEW-E	84-06-016	275-60-050	NEW-P	84-10-009	275-88-093	REP	84-17-058
275-33-050	NEW-P	84-06-025	275-60-050	NEW	84-13-029	275-88-095	REP-P	84-14-076
275-33-050	NEW	84-10-032	275-60-060	NEW-P	84-10-009	275-88-095	REP-E	84-15-041
275-33-060	NEW-E	84-06-016	275-60-060	NEW	84-13-029	275-88-095	REP	84-17-058
275-33-060	NEW-P	84-06-025	275-60-070	NEW-P	84-10-009	275-88-097	REP-P	84-14-076
275-33-060	NEW	84-10-032	275-60-070	NEW	84-13-029	275-88-097	REP-E	84-15-041
275-38-001	AMD-P	84-15-020	275-60-200	NEW-P	84-10-009	275-88-097	REP	84-17-058
275-38-001	AMD-E	84-15-021	275-60-200	NEW	84-13-029	275-88-100	REP-P	84-14-076
275-38-001	AMD	84-19-042	275-60-300	NEW-P	84-10-009	275-88-100	REP-E	84-15-041
275-38-535	AMD-P	84-15-020	275-60-300	NEW	84-13-029	275-88-100	REP	84-17-058
275-38-535	AMD-E	84-15-021	275-60-400	NEW-P	84-10-009	275-88-105	REP-P	84-14-076
275-38-535	AMD	84-19-042	275-60-400	NEW	84-13-029	275-88-105	REP-E	84-15-041
275-38-600	AMD-P	84-05-056	275-60-500	NEW-P	84-10-009	275-88-105	REP	84-17-058
275-38-600	AMD	84-09-018	275-60-500	NEW	84-13-029	275-88-110	REP-P	84-14-076
275-38-730	AMD-P	84-04-056	275-60-510	NEW-P	84-10-009	275-88-110	REP-E	84-15-041
275-38-730	AMD	84-09-032	275-60-510	NEW	84-13-029	275-88-110	REP	84-17-058
275-38-730	REP-P	84-15-020	275-60-520	NEW-P	84-10-009	275-88-115	REP-P	84-14-076
275-38-730	REP-E	84-15-021	275-60-520	NEW	84-13-029	275-88-115	REP-E	84-15-041
275-38-730	REP	84-19-042	275-88-005	REP-P	84-14-076	275-88-115	REP	84-17-058
275-38-740	REP-P	84-15-020	275-88-005	REP-E	84-15-041	275-88-120	REP-P	84-14-076
275-38-740	REP-E	84-15-021	275-88-005	REP	84-17-058	275-88-120	REP-E	84-15-041
275-38-740	REP	84-19-042	275-88-006	REP-P	84-14-076	275-88-120	REP	84-17-058
275-38-831	AMD-P	84-15-020	275-88-006	REP-E	84-15-041	275-88-130	REP-P	84-14-076
275-38-831	AMD-E	84-15-021	275-88-006	REP	84-17-058	275-88-130	REP-E	84-15-041
275-38-831	AMD	84-19-042	275-88-010	REP-P	84-14-076	275-88-130	REP	84-17-058
275-38-845	AMD-P	84-15-020	275-88-010	REP-E	84-15-041	275-88-130	REP-E	84-13-007
275-38-845	AMD-E	84-15-021	275-88-010	REP	84-17-058	275-91-011	REP-P	84-13-075
275-38-845	AMD	84-19-042	275-88-015	REP-P	84-14-076	275-91-011	REP	84-16-066
275-38-860	AMD-P	84-15-020	275-88-015	REP-E	84-15-041	275-91-021	REP-E	84-13-007
275-38-860	AMD-E	84-15-021	275-88-015	REP	84-17-058	275-91-021	REP-P	84-13-075
275-38-860	AMD	84-19-042	275-88-020	REP-P	84-14-076	275-91-021	REP	84-16-066
275-38-865	AMD-P	84-15-020	275-88-020	REP-E	84-15-041	275-91-031	REP-E	84-13-007

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
275-91-031	REP-P	84-13-075	289-10-530	NEW-P	84-17-139	296-13-010	AMD	84-18-009
275-91-031	REP	84-16-066	289-10-600	NEW-P	84-17-139	296-13-020	AMD-P	84-13-003
275-91-041	REP-E	84-13-007	289-15-130	AMD-P	84-09-066	296-13-020	AMD	84-18-009
275-91-041	REP-P	84-13-075	289-15-130	AMD	84-16-042	296-13-030	AMD-P	84-13-003
275-91-041	REP	84-16-066	289-15-210	AMD-P	84-16-045	296-13-030	AMD	84-18-009
275-91-050	REP-E	84-13-007	289-15-225	AMD-P	84-09-067	296-13-035	NEW-P	84-13-003
275-91-050	REP-P	84-13-075	289-15-225	AMD	84-16-041	296-13-035	NEW	84-18-009
275-91-050	REP	84-16-066	289-15-230	AMD-P	84-09-066	296-13-040	AMD-P	84-13-003
275-91-060	REP-E	84-13-007	289-15-230	AMD	84-16-042	296-13-040	AMD	84-18-009
275-91-060	REP-P	84-13-075	289-16-100	AMD-P	84-09-065	296-13-045	NEW-P	84-13-003
275-91-060	REP	84-16-066	289-16-200	AMD-P	84-16-043	296-13-045	NEW	84-18-009
275-91-070	REP-E	84-13-007	289-19-110	AMD-P	84-16-043	296-13-050	AMD-P	84-13-003
275-91-070	REP-P	84-13-075	289-19-220	AMD-P	84-16-043	296-13-050	AMD	84-18-009
275-91-070	REP	84-16-066	289-22-200	AMD-P	84-16-044	296-13-052	NEW-P	84-13-003
284-17-120	AMD-P	84-16-023	289-26-005	NEW-P	84-17-139	296-13-052	NEW	84-18-009
284-17-120	AMD	84-19-022	289-26-100	NEW-P	84-17-139	296-13-053	NEW-P	84-13-003
284-17-400	AMD-P	84-16-023	289-26-120	NEW-P	84-17-139	296-13-053	NEW	84-18-009
284-17-400	AMD	84-19-022	289-26-130	NEW-P	84-17-139	296-13-055	NEW-P	84-13-003
284-17-410	AMD-P	84-16-023	289-26-200	NEW-P	84-17-139	296-13-055	NEW	84-18-009
284-17-410	AMD	84-19-022	289-26-210	NEW-P	84-17-139	296-13-057	NEW-P	84-13-003
284-17-420	AMD-P	84-16-023	289-26-220	NEW-P	84-17-139	296-13-057	NEW	84-18-009
284-17-420	AMD	84-19-022	289-26-300	NEW-P	84-17-139	296-13-060	AMD-P	84-13-003
284-19-200	AMD-P	84-20-103	289-26-310	NEW-P	84-17-139	296-13-060	AMD	84-18-009
284-44-020	REP-P	84-04-032	289-26-320	NEW-P	84-17-139	296-13-070	REP-P	84-13-003
284-44-020	REP	84-08-001	289-26-400	NEW-P	84-17-139	296-13-070	REP	84-18-009
284-44-040	AMD-P	84-16-049	289-26-410	NEW-P	84-17-139	296-13-080	AMD-P	84-13-003
284-44-040	AMD	84-19-055	289-26-420	NEW-P	84-17-139	296-13-080	AMD	84-18-009
284-44-400	NEW-P	84-04-032	289-26-430	NEW-P	84-17-139	296-13-090	AMD-P	84-13-003
284-44-400	NEW	84-08-001	289-26-440	NEW-P	84-17-139	296-13-090	AMD	84-18-009
284-44-410	NEW-P	84-04-032	289-26-450	NEW-P	84-17-139	296-13-100	AMD-P	84-13-003
284-44-410	NEW	84-08-001	289-26-460	NEW-P	84-17-139	296-13-100	AMD	84-18-009
284-46-010	NEW-P	84-04-033	289-26-500	NEW-P	84-17-139	296-13-110	AMD-P	84-13-003
284-46-010	NEW	84-08-002	289-26-510	NEW-P	84-17-139	296-13-110	AMD	84-18-009
284-46-020	NEW-P	84-04-033	289-26-520	NEW-P	84-17-139	296-13-120	REP-P	84-13-003
284-46-020	NEW	84-08-002	289-26-600	NEW-P	84-17-139	296-13-120	REP	84-18-009
284-52-010	NEW-P	84-16-049	289-26-610	NEW-P	84-17-139	296-13-130	NEW-P	84-13-003
284-52-010	NEW	84-19-055	289-26-620	NEW-P	84-17-139	296-13-130	NEW	84-18-009
284-52-020	NEW-P	84-16-049	289-26-630	NEW-P	84-17-139	296-13-140	NEW-P	84-13-003
284-52-020	NEW	84-19-055	289-26-640	NEW-P	84-17-139	296-13-140	NEW	84-18-009
284-52-030	NEW-P	84-16-049	289-26-700	NEW-P	84-17-139	296-13-150	NEW-P	84-13-003
284-52-030	NEW	84-19-055	289-26-705	NEW-P	84-17-139	296-13-150	NEW	84-18-009
284-52-040	NEW-P	84-16-049	289-26-710	NEW-P	84-17-139	296-13-160	NEW-P	84-13-003
284-52-040	NEW	84-19-055	289-26-720	NEW-P	84-17-139	296-13-160	NEW	84-18-009
284-52-050	NEW-P	84-16-049	289-26-730	NEW-P	84-17-139	296-13-170	NEW-P	84-13-003
284-52-050	NEW	84-19-055	289-26-735	NEW-P	84-17-139	296-13-170	NEW	84-18-009
284-52-060	NEW-P	84-16-049	289-26-740	NEW-P	84-17-139	296-13-180	NEW-P	84-13-003
284-52-060	NEW	84-19-055	289-26-750	NEW-P	84-17-139	296-13-180	NEW	84-18-009
284-52-070	NEW-P	84-16-049	289-26-760	NEW-P	84-17-139	296-13-190	NEW-P	84-13-003
284-52-070	NEW	84-19-055	289-26-765	NEW-P	84-17-139	296-13-190	NEW	84-18-009
286-26-020	AMD-P	84-12-049	289-26-770	NEW-P	84-17-139	296-13-200	NEW-P	84-13-003
286-26-020	AMD	84-17-029	289-26-780	NEW-P	84-17-139	296-13-200	NEW	84-18-009
286-26-055	AMD-P	84-12-049	289-26-790	NEW-P	84-17-139	296-13-210	NEW-P	84-13-003
286-26-055	AMD	84-17-029	289-26-800	NEW-P	84-17-139	296-13-210	NEW	84-18-009
289-02-020	AMD-P	84-09-065	289-26-810	NEW-P	84-17-139	296-13-220	NEW-P	84-13-003
289-02-020	AMD-P	84-17-139	289-26-900	NEW-P	84-17-139	296-13-220	NEW	84-18-009
289-02-050	NEW-P	84-17-139	289-26-910	NEW-P	84-17-139	296-13-230	NEW-P	84-13-003
289-10-100	NEW-P	84-17-139	289-26-920	NEW-P	84-17-139	296-13-230	NEW	84-18-009
289-10-110	NEW-P	84-17-139	289-28-100	NEW-P	84-17-139	296-13-240	NEW-P	84-13-003
289-10-200	NEW-P	84-17-139	289-28-200	NEW-P	84-17-139	296-13-240	NEW	84-18-009
289-10-300	NEW-P	84-17-139	289-28-210	NEW-P	84-17-139	296-13-250	NEW-P	84-13-003
289-10-310	NEW-P	84-17-139	289-28-220	NEW-P	84-17-139	296-13-250	NEW	84-18-009
289-10-320	NEW-P	84-17-139	289-28-230	NEW-P	84-17-139	296-13-260	NEW-P	84-13-003
289-10-330	NEW-P	84-17-139	289-28-300	NEW-P	84-17-139	296-13-260	NEW	84-18-009
289-10-340	NEW-P	84-17-139	289-28-400	NEW-P	84-17-139	296-13-270	NEW-P	84-13-003
289-10-350	NEW-P	84-17-139	289-28-410	NEW-P	84-17-139	296-13-270	NEW	84-18-009
289-10-360	NEW-P	84-17-139	296-04-500	REP	84-04-024	296-13-280	NEW-P	84-13-003
289-10-370	NEW-P	84-17-139	296-04-501	REP	84-04-024	296-13-280	NEW	84-18-009
289-10-380	NEW-P	84-17-139	296-04-502	REP	84-04-024	296-13-290	NEW-P	84-13-003
289-10-390	NEW-P	84-17-139	296-04-503	REP	84-04-024	296-13-290	NEW	84-18-009
289-10-400	NEW-P	84-17-139	296-04-504	REP	84-04-024	296-13-300	NEW-P	84-13-003
289-10-410	NEW-P	84-17-139	296-04-505	REP	84-04-024	296-13-300	NEW	84-18-009
289-10-420	NEW-P	84-17-139	296-04-506	REP	84-04-024	296-13-310	NEW-P	84-13-003
289-10-430	NEW-P	84-17-139	296-13	AMD-P	84-13-003	296-13-310	NEW	84-18-009
289-10-440	NEW-P	84-17-139	296-13	AMD	84-18-009	296-13-320	NEW-P	84-13-003
289-10-500	NEW-P	84-17-139	296-13-001	AMD-P	84-13-003	296-13-320	NEW	84-18-009
289-10-510	NEW-P	84-17-139	296-13-001	AMD	84-18-009	296-13-330	NEW-P	84-13-003
289-10-520	NEW-P	84-17-139	296-13-010	AMD-P	84-13-003	296-13-330	NEW	84-18-009

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-13-340	NEW-P	84-13-003	296-24-073	AMD-E	84-17-098	296-46-420	AMD	84-15-051
296-13-340	NEW	84-18-009	296-24-073	AMD-P	84-20-107	296-46-424	REP-P	84-07-010
296-13-350	NEW-P	84-13-003	296-24-217	AMD-P	84-15-043	296-46-424	REP	84-15-051
296-13-350	NEW	84-18-009	296-24-217	AMD	84-17-099	296-46-426	REP-P	84-07-010
296-13-360	NEW-P	84-13-003	296-24-21701	AMD-P	84-15-043	296-46-426	REP	84-15-051
296-13-360	NEW	84-18-009	296-24-21701	AMD	84-17-099	296-46-480	AMD-P	84-07-010
296-13-370	NEW-P	84-13-003	296-24-21703	AMD-P	84-15-043	296-46-480	AMD	84-15-051
296-13-370	NEW	84-18-009	296-24-21703	AMD	84-17-099	296-46-490	AMD-P	84-07-010
296-13-380	NEW-P	84-13-003	296-24-21705	AMD-P	84-15-043	296-46-490	AMD	84-15-051
296-13-380	NEW	84-18-009	296-24-21705	AMD	84-17-099	296-46-495	REP-P	84-07-010
296-13-390	NEW-P	84-13-003	296-24-21707	AMD-P	84-15-043	296-46-500	REP-P	84-07-010
296-13-390	NEW	84-18-009	296-24-21707	AMD	84-17-099	296-46-500	REP	84-15-051
296-13-400	NEW-P	84-13-003	296-24-21709	AMD-P	84-15-043	296-46-501	REP-P	84-07-010
296-13-400	NEW	84-18-009	296-24-21709	AMD	84-17-099	296-46-501	REP	84-15-051
296-13-410	NEW-P	84-13-003	296-24-21711	AMD-P	84-15-043	296-46-535	REP-P	84-07-010
296-13-410	NEW	84-18-009	296-24-21711	AMD	84-17-099	296-46-535	REP	84-15-051
296-13-420	NEW-P	84-13-003	296-24-21713	NEW-P	84-15-043	296-46-540	REP-P	84-07-010
296-13-420	NEW	84-18-009	296-24-21713	NEW	84-17-099	296-46-540	REP	84-15-051
296-13-430	NEW-P	84-13-003	296-27-16009	AMD-P	84-20-060	296-46-545	REP-P	84-07-010
296-13-430	NEW	84-18-009	296-46-110	AMD-P	84-07-010	296-46-545	REP	84-15-051
296-13-440	NEW-P	84-13-003	296-46-110	AMD-E	84-08-006	296-46-550	REP-P	84-07-010
296-13-440	NEW	84-18-009	296-46-110	AMD-E	84-13-004	296-46-550	REP	84-15-051
296-14-010	AMD-P	84-02-059	296-46-110	AMD	84-15-051	296-46-555	REP-P	84-07-010
296-14-010	AMD	84-06-018	296-46-120	REP-P	84-07-010	296-46-555	REP	84-15-051
296-15-02601	AMD-P	84-06-031	296-46-120	REP	84-15-051	296-46-560	REP-P	84-07-010
296-15-02601	AMD	84-06-031	296-46-130	AMD-P	84-07-010	296-46-560	REP	84-15-051
296-15-21001	REP-P	84-02-078	296-46-130	AMD	84-15-051	296-46-565	REP-P	84-07-010
296-15-21001	REP	84-06-031	296-46-140	AMD-P	84-07-010	296-46-565	REP	84-15-051
296-17-330	AMD-P	84-20-104	296-46-140	AMD	84-15-051	296-46-590	REP-P	84-07-010
296-17-340	AMD-P	84-20-104	296-46-150	AMD-P	84-07-010	296-46-590	REP	84-15-051
296-17-345	NEW-P	84-15-055	296-46-150	AMD	84-15-051	296-46-59005	REP-P	84-07-010
296-17-345	NEW	84-19-024	296-46-160	AMD-P	84-07-010	296-46-59005	REP	84-15-051
296-17-350	AMD-P	84-08-077	296-46-160	AMD	84-15-051	296-46-59010	REP-P	84-07-010
296-17-350	AMD	84-11-034	296-46-170	REP-P	84-07-010	296-46-59010	REP	84-15-051
296-17-350	AMD-P	84-20-104	296-46-170	REP	84-15-051	296-46-900	REP-P	84-07-010
296-17-35101	NEW-P	84-02-059	296-46-180	AMD-P	84-07-010	296-46-900	REP	84-15-051
296-17-35101	NEW	84-06-018	296-46-180	AMD	84-15-051	296-46-905	REP-P	84-07-010
296-17-765	AMD-P	84-09-035	296-46-190	REP-P	84-07-010	296-46-905	REP	84-15-051
296-17-765	AMD-E	84-09-036	296-46-190	REP	84-15-051	296-52-030	AMD-P	84-20-060
296-17-765	AMD	84-12-048	296-46-200	AMD-P	84-07-010	296-52-040	AMD-P	84-20-060
296-17-779	NEW-P	84-08-077	296-46-200	AMD	84-15-051	296-52-043	AMD-P	84-20-060
296-17-779	NEW	84-11-034	296-46-210	REP-P	84-07-010	296-52-090	AMD-P	84-20-060
296-17-855	AMD-P	84-20-104	296-46-210	REP	84-15-051	296-52-095	AMD-P	84-20-060
296-17-875	AMD-P	84-20-104	296-46-220	AMD-P	84-07-010	296-52-160	AMD-P	84-20-060
296-17-880	AMD-P	84-20-104	296-46-220	AMD	84-15-051	296-52-400	AMD-P	84-20-060
296-17-885	AMD-P	84-20-104	296-46-230	REP-P	84-07-010	296-52-9001	REP-P	84-20-060
296-17-890	AMD-P	84-20-104	296-46-230	REP	84-15-051	296-52-9002	REP-P	84-20-060
296-17-895	AMD-P	84-09-035	296-46-240	AMD-P	84-07-010	296-52-9003	REP-P	84-20-060
296-17-895	AMD-E	84-09-036	296-46-240	AMD	84-15-051	296-52-9004	REP-P	84-20-060
296-17-895	AMD	84-12-048	296-46-242	REP-P	84-07-010	296-52-9005	REP-P	84-20-060
296-17-895	AMD-P	84-20-104	296-46-242	REP	84-15-051	296-52-9006	REP-P	84-20-060
296-17-905	AMD-P	84-02-060	296-46-244	REP-P	84-07-010	296-52-9007	REP-P	84-20-060
296-17-905	AMD	84-06-024	296-46-244	REP	84-15-051	296-56-401	REP-P	84-20-060
296-17-910	AMD-P	84-02-060	296-46-270	REP-P	84-07-010	296-56-405	REP-P	84-20-060
296-17-910	AMD	84-06-024	296-46-270	REP	84-15-051	296-56-410	REP-P	84-20-060
296-17-911	AMD-P	84-02-060	296-46-280	REP-P	84-07-010	296-56-412	REP-P	84-20-060
296-17-911	AMD	84-06-024	296-46-280	REP	84-15-051	296-56-415	REP-P	84-20-060
296-17-913	AMD-P	84-02-060	296-46-290	REP-P	84-07-010	296-56-420	REP-P	84-20-060
296-17-913	AMD	84-06-024	296-46-290	REP	84-15-051	296-56-430	REP-P	84-20-060
296-17-914	AMD-P	84-02-060	296-46-300	REP-P	84-07-010	296-56-432	REP-P	84-20-060
296-17-914	AMD	84-06-024	296-46-300	REP	84-15-051	296-56-435	REP-P	84-20-060
296-17-916	AMD-P	84-02-060	296-46-335	REP-P	84-07-010	296-56-436	REP-P	84-20-060
296-17-916	AMD	84-06-024	296-46-335	REP	84-15-051	296-56-43801	REP-P	84-20-060
296-17-917	AMD-P	84-02-060	296-46-336	NEW-P	84-07-010	296-56-43803	REP-P	84-20-060
296-17-917	AMD	84-06-024	296-46-350	AMD-P	84-07-010	296-56-43805	REP-P	84-20-060
296-17-918	NEW-P	84-02-060	296-46-350	AMD	84-15-051	296-56-43807	REP-P	84-20-060
296-17-918	NEW	84-06-018	296-46-355	REP-P	84-07-010	296-56-43809	REP-P	84-20-060
296-17-919	AMD-P	84-02-060	296-46-355	REP	84-15-051	296-56-43811	REP-P	84-20-060
296-17-919	AMD	84-06-024	296-46-360	AMD-P	84-07-010	296-56-43813	REP-P	84-20-060
296-17-91901	AMD-P	84-02-060	296-46-360	AMD	84-15-051	296-56-43815	REP-P	84-20-060
296-17-91901	AMD	84-06-024	296-46-370	AMD-P	84-07-010	296-56-440	REP-P	84-20-060
296-17-91902	AMD-P	84-02-060	296-46-370	AMD	84-15-051	296-56-442	REP-P	84-20-060
296-17-91902	AMD	84-06-024	296-46-380	REP-P	84-07-010	296-56-44201	REP-P	84-20-060
296-19-010	REP-P	84-02-059	296-46-380	REP	84-15-051	296-56-44203	REP-P	84-20-060
296-19-010	REP	84-06-018	296-46-390	REP-P	84-07-010	296-56-44205	REP-P	84-20-060
296-20-12503	NEW-E	84-15-031	296-46-390	REP	84-15-051	296-56-44207	REP-P	84-20-060
296-24-073	AMD-E	84-10-016	296-46-420	AMD-P	84-07-010	296-56-44209	REP-P	84-20-060

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-62-09001	AMD-P	84-20-060	296-93-180	NEW	84-10-025	308-12-050	AMD	84-04-028
296-62-09004	AMD-P	84-20-060	296-93-190	NEW-P	84-05-032	308-12-110	AMD	84-04-028
296-62-09005	AMD-P	84-20-060	296-93-190	NEW	84-10-025	308-16-010	REP-P	84-15-066
296-80-010	REP-P	84-18-029	296-93-200	NEW-P	84-05-032	308-16-010	REP	84-19-020
296-80-020	REP-P	84-18-029	296-93-200	NEW	84-10-025	308-16-020	REP-P	84-15-066
296-80-030	REP-P	84-18-029	296-93-210	NEW-P	84-05-032	308-16-020	REP	84-19-020
296-80-040	REP-P	84-18-029	296-93-210	NEW	84-10-025	308-16-030	REP-P	84-15-066
296-80-050	REP-P	84-18-029	296-93-220	NEW-P	84-05-032	308-16-030	REP	84-19-020
296-80-060	REP-P	84-18-029	296-93-220	NEW	84-10-025	308-16-040	REP-P	84-15-066
296-80-070	REP-P	84-18-029	296-93-230	NEW-P	84-05-032	308-16-040	REP	84-19-020
296-80-080	REP-P	84-18-029	296-93-230	NEW	84-10-025	308-16-050	REP-P	84-15-066
296-80-090	REP-P	84-18-029	296-93-240	NEW-P	84-05-032	308-16-050	REP	84-19-020
296-80-100	REP-P	84-18-029	296-93-240	NEW	84-10-025	308-16-060	REP-P	84-15-066
296-80-110	REP-P	84-18-029	296-93-250	NEW-P	84-05-032	308-16-060	REP	84-19-020
296-80-120	REP-P	84-18-029	296-93-250	NEW	84-10-025	308-16-070	REP-P	84-15-066
296-80-130	REP-P	84-18-029	296-93-260	NEW-P	84-05-032	308-16-070	REP	84-19-020
296-80-140	REP-P	84-18-029	296-93-260	NEW	84-10-025	308-16-080	REP-P	84-15-066
296-80-150	REP-P	84-18-029	296-93-270	NEW-P	84-05-032	308-16-080	REP	84-19-020
296-80-160	REP-P	84-18-029	296-93-270	NEW	84-10-025	308-16-090	REP-P	84-15-066
296-80-170	REP-P	84-18-029	296-93-280	NEW-P	84-05-032	308-16-090	REP	84-19-020
296-80-180	REP-P	84-18-029	296-93-280	NEW	84-10-025	308-16-100	REP-P	84-15-066
296-80-190	REP-P	84-18-029	296-93-290	NEW-P	84-05-032	308-16-100	REP	84-19-020
296-80-200	REP-P	84-18-029	296-93-290	NEW	84-10-025	308-16-110	REP-P	84-15-066
296-80-210	REP-P	84-18-029	296-93-300	NEW-P	84-05-032	308-16-110	REP	84-19-020
296-80-220	REP-P	84-18-029	296-93-300	NEW	84-10-025	308-16-120	REP-P	84-15-066
296-80-230	REP-P	84-18-029	296-93-320	NEW-P	84-05-032	308-16-120	REP	84-19-020
296-80-240	REP-P	84-18-029	296-93-320	NEW	84-10-025	308-16-130	REP-P	84-15-066
296-80-250	REP-P	84-18-029	296-93-330	NEW-P	84-05-032	308-16-130	REP	84-19-020
296-80-260	REP-P	84-18-029	296-93-330	NEW	84-10-025	308-16-140	REP-P	84-15-066
296-80-270	REP-P	84-18-029	296-104-200	AMD-P	84-06-010	308-16-140	REP	84-19-020
296-80-280	REP-P	84-18-029	296-104-200	AMD	84-11-016	308-16-150	REP-P	84-15-066
296-80-290	REP-P	84-18-029	296-104-500	AMD-P	84-17-020	308-16-150	REP	84-19-020
296-81-007	AMD-C	84-03-008	296-104-515	AMD-P	84-17-020	308-16-160	REP-P	84-15-066
296-81-007	AMD	84-05-005	296-104-700	AMD-P	84-06-010	308-16-160	REP	84-19-020
296-81-007	AMD-P	84-18-029	296-104-700	AMD	84-11-016	308-16-170	REP-P	84-15-066
296-81-340	AMD-C	84-03-008	296-104-700	AMD-P	84-17-020	308-16-170	REP	84-19-020
296-81-340	AMD	84-05-005	296-116-070	AMD-P	84-07-027	308-16-180	REP-P	84-15-066
296-81-360	AMD-C	84-03-008	296-116-070	AMD	84-11-056	308-16-180	REP	84-19-020
296-81-360	AMD	84-05-005	296-116-300	AMD	84-04-006	308-16-190	REP-P	84-15-066
296-81-991	NEW-C	84-03-008	296-116-300	AMD-E	84-04-007	308-16-190	REP	84-19-020
296-81-991	NEW	84-05-005	296-116-330	REP-P	84-07-028	308-16-200	REP-P	84-15-066
296-81-991	AMD-P	84-18-029	296-116-330	REP-E	84-08-013	308-16-200	REP	84-19-020
296-93-010	NEW-P	84-05-032	296-116-330	REP	84-11-041	308-16-205	REP-P	84-15-066
296-93-010	NEW	84-10-025	296-155-140	AMD-P	84-20-060	308-16-205	REP	84-19-020
296-93-020	NEW-P	84-05-032	296-155-145	AMD-P	84-20-060	308-16-213	REP-P	84-15-066
296-93-020	NEW	84-10-025	296-155-155	AMD-P	84-20-060	308-16-213	REP	84-19-020
296-93-030	NEW-P	84-05-032	296-155-215	AMD-P	84-20-060	308-16-214	REP-P	84-15-066
296-93-030	NEW	84-10-025	296-200-300	NEW-E	84-03-003	308-16-214	REP	84-19-020
296-93-040	NEW-P	84-05-032	296-200-300	NEW-P	84-04-072	308-16-215	REP-P	84-15-066
296-93-040	NEW	84-10-025	296-200-300	NEW-C	84-07-021	308-16-215	REP	84-19-020
296-93-050	NEW-P	84-05-032	296-200-300	NEW	84-12-018	308-16-216	REP-P	84-15-066
296-93-050	NEW	84-10-025	296-200-310	NEW-E	84-03-003	308-16-216	REP	84-19-020
296-93-060	NEW-P	84-05-032	296-200-310	NEW-P	84-04-072	308-16-218	REP-P	84-15-066
296-93-060	NEW	84-10-025	296-200-310	NEW-C	84-07-021	308-16-218	REP	84-19-020
296-93-070	NEW-P	84-05-032	296-200-310	NEW	84-12-018	308-16-240	REP-P	84-15-066
296-93-070	NEW	84-10-025	296-200-320	NEW-E	84-03-003	308-16-240	REP	84-19-020
296-93-080	NEW-P	84-05-032	296-200-320	NEW-P	84-04-072	308-16-250	REP-P	84-15-066
296-93-080	NEW	84-10-025	296-200-320	NEW-C	84-07-021	308-16-250	REP	84-19-020
296-93-090	NEW-P	84-05-032	296-200-320	NEW	84-12-018	308-16-260	REP-P	84-15-066
296-93-090	NEW	84-10-025	296-400-300	NEW-P	84-04-072	308-16-260	REP	84-19-020
296-93-100	NEW-P	84-05-032	296-400-300	NEW-C	84-07-021	308-16-270	REP-P	84-15-066
296-93-100	NEW	84-10-025	304-12-015	REP-P	84-04-089	308-16-270	REP	84-19-020
296-93-110	NEW-P	84-05-032	304-12-015	REP	84-07-020	308-16-290	REP-P	84-15-066
296-93-110	NEW	84-10-025	304-12-020	NEW-P	84-04-089	308-16-300	REP	84-19-020
296-93-120	NEW-P	84-05-032	304-12-020	NEW	84-07-020	308-16-300	REP	84-15-066
296-93-120	NEW	84-10-025	304-12-025	NEW-P	84-04-089	308-16-310	REP-P	84-19-020
296-93-130	NEW-P	84-05-032	304-12-025	NEW	84-07-020	308-16-310	REP	84-15-066
296-93-130	NEW	84-10-025	304-12-125	AMD-P	84-04-089	308-16-320	REP-P	84-19-020
296-93-140	NEW-P	84-05-032	304-12-125	AMD	84-07-020	308-16-320	REP	84-15-066
296-93-140	NEW	84-10-025	304-25-040	AMD-P	84-04-089	308-16-350	REP-P	84-19-020
296-93-150	NEW-P	84-05-032	304-25-040	AMD	84-07-020	308-16-350	REP	84-15-066
296-93-150	NEW	84-10-025	304-25-090	REP-P	84-04-089	308-16-360	REP-P	84-19-020
296-93-160	NEW-P	84-05-032	304-25-090	REP	84-07-020	308-16-360	REP	84-15-066
296-93-160	NEW	84-10-025	304-25-100	REP-P	84-04-089	308-16-380	REP-P	84-19-020
296-93-170	NEW-P	84-05-032	304-25-100	REP	84-07-020	308-16-380	REP	84-15-066
296-93-170	NEW	84-10-025	308-12-031	AMD	84-04-028	308-16-390	REP-P	84-19-020
296-93-180	NEW-P	84-05-032						84-15-066

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-16-390	REP	84-19-020	308-20-200	NEW	84-19-020	308-26-030	NEW-P	84-17-116
308-16-400	REP-P	84-15-066	308-20-205	NEW-P	84-15-066	308-31-015	NEW	84-02-077
308-16-400	REP	84-19-020	308-20-205	NEW	84-19-020	308-31-020	AMD	84-02-077
308-16-430	REP-P	84-15-066	308-24-300	REP-P	84-15-066	308-31-100	NEW	84-02-077
308-16-430	REP	84-19-020	308-24-300	REP	84-19-020	308-31-110	NEW	84-02-077
308-16-440	REP-P	84-15-066	308-24-305	REP-P	84-15-066	308-31-120	NEW	84-02-077
308-16-440	REP	84-19-020	308-24-305	REP	84-19-020	308-31-500	NEW	84-02-077
308-16-450	REP-P	84-15-066	308-24-315	REP-P	84-15-066	308-31-510	NEW	84-02-077
308-16-450	REP	84-19-020	308-24-315	REP	84-19-020	308-31-520	NEW	84-02-077
308-16-460	REP-P	84-15-066	308-24-320	REP-P	84-15-066	308-31-530	NEW	84-02-077
308-16-460	REP	84-19-020	308-24-320	REP	84-19-020	308-31-540	NEW	84-02-077
308-16-470	REP-P	84-15-066	308-24-330	REP-P	84-15-066	308-31-550	NEW	84-02-077
308-16-470	REP	84-19-020	308-24-330	REP	84-19-020	308-31-560	NEW	84-02-077
308-16-500	REP-P	84-15-066	308-24-335	REP-P	84-15-066	308-31-570	NEW	84-02-077
308-16-500	REP	84-19-020	308-24-335	REP	84-19-020	308-34-080	AMD-P	84-20-076
308-20-010	NEW-E	84-14-063	308-24-340	REP-P	84-15-066	308-34-100	NEW-P	84-17-113
308-20-010	NEW-P	84-15-066	308-24-340	REP	84-19-020	308-37-150	NEW-P	84-02-076
308-20-010	NEW	84-19-020	308-24-345	REP-P	84-15-066	308-37-150	NEW	84-05-070
308-20-020	NEW-E	84-14-063	308-24-345	REP	84-19-020	308-37-150	AMD-P	84-18-070
308-20-020	NEW-P	84-15-066	308-24-350	REP-P	84-15-066	308-37-160	NEW-P	84-18-071
308-20-020	NEW	84-19-020	308-24-350	REP	84-19-020	308-40-102	AMD-P	84-04-087
308-20-030	NEW-E	84-14-063	308-24-355	REP-P	84-15-066	308-40-102	AMD	84-07-050
308-20-030	NEW-P	84-15-066	308-24-355	REP	84-19-020	308-40-104	AMD-P	84-07-048
308-20-030	NEW	84-19-020	308-24-360	REP-P	84-15-066	308-40-104	AMD	84-11-025
308-20-040	NEW-E	84-14-063	308-24-360	REP	84-19-020	308-40-110	AMD-P	84-20-116
308-20-040	NEW-P	84-15-066	308-24-370	REP-P	84-15-066	308-40-140	NEW-P	84-20-116
308-20-040	NEW	84-19-020	308-24-370	REP	84-19-020	308-42-010	AMD-P	84-10-060
308-20-050	NEW-E	84-14-063	308-24-382	REP-P	84-15-066	308-42-010	AMD	84-13-057
308-20-050	NEW-P	84-15-066	308-24-382	REP	84-19-020	308-42-020	REP	84-03-055
308-20-050	NEW	84-19-020	308-24-384	REP-P	84-15-066	308-42-030	REP	84-03-055
308-20-060	NEW-E	84-14-063	308-24-384	REP	84-19-020	308-42-035	REP	84-03-055
308-20-060	NEW-P	84-15-066	308-24-390	REP-P	84-15-066	308-42-040	AMD	84-03-055
308-20-060	NEW-P	84-17-141	308-24-390	REP	84-19-020	308-42-045	AMD-P	84-10-060
308-20-070	NEW-E	84-14-063	308-24-395	REP-P	84-15-066	308-42-045	AMD-P	84-13-058
308-20-070	NEW-P	84-15-066	308-24-395	REP	84-19-020	308-42-045	AMD	84-17-032
308-20-070	NEW	84-19-020	308-24-400	REP-P	84-15-066	308-42-050	REP	84-03-055
308-20-080	NEW-E	84-14-063	308-24-400	REP	84-19-020	308-42-055	REP	84-03-055
308-20-080	NEW-P	84-15-066	308-24-403	REP-P	84-15-066	308-42-060	AMD-P	84-10-060
308-20-080	NEW	84-19-020	308-24-403	REP	84-19-020	308-42-060	AMD-P	84-13-058
308-20-090	NEW-E	84-14-063	308-24-404	REP-P	84-15-066	308-42-060	AMD	84-17-032
308-20-090	NEW-P	84-15-066	308-24-404	REP	84-19-020	308-42-070	AMD	84-03-055
308-20-090	NEW	84-19-020	308-24-420	REP-P	84-15-066	308-42-120	AMD	84-03-055
308-20-100	NEW-E	84-14-063	308-24-420	REP	84-19-020	308-42-125	NEW-P	84-10-060
308-20-100	NEW-P	84-15-066	308-24-430	REP-P	84-15-066	308-42-125	NEW	84-13-057
308-20-100	NEW	84-19-020	308-24-430	REP	84-19-020	308-42-130	NEW-P	84-10-060
308-20-105	NEW-P	84-15-066	308-24-440	REP-P	84-15-066	308-42-130	NEW	84-13-057
308-20-105	NEW	84-19-020	308-24-440	REP	84-19-020	308-42-135	NEW-P	84-10-060
308-20-110	NEW-E	84-14-063	308-24-440	REP-P	84-15-066	308-42-135	NEW-P	84-13-058
308-20-110	NEW-P	84-15-066	308-24-450	REP	84-19-020	308-42-135	NEW	84-17-032
308-20-110	NEW	84-19-020	308-24-460	REP-P	84-15-066	308-42-140	NEW-P	84-10-060
308-20-120	NEW-E	84-14-063	308-24-460	REP	84-19-020	308-42-140	NEW	84-13-057
308-20-120	NEW-P	84-15-066	308-24-470	REP-P	84-15-066	308-42-145	NEW-P	84-10-060
308-20-120	NEW	84-19-020	308-24-470	REP	84-19-020	308-42-145	NEW-P	84-13-058
308-20-130	NEW-E	84-14-063	308-24-485	REP-P	84-15-066	308-42-145	AMD	84-17-032
308-20-130	NEW-P	84-15-066	308-24-485	REP	84-19-020	308-42-150	NEW-P	84-10-060
308-20-130	NEW	84-19-020	308-24-500	REP-P	84-15-066	308-42-150	NEW	84-13-057
308-20-140	NEW-E	84-14-063	308-24-500	REP	84-19-020	308-42-155	NEW-P	84-10-060
308-20-140	NEW-P	84-15-066	308-24-510	REP-P	84-15-066	308-42-155	NEW	84-13-057
308-20-140	NEW	84-19-020	308-24-510	REP	84-19-020	308-42-160	NEW-P	84-10-060
308-20-150	NEW-E	84-14-063	308-24-520	REP-P	84-15-066	308-42-160	NEW-P	84-13-058
308-20-150	NEW-P	84-15-066	308-24-520	REP	84-19-020	308-42-160	AMD	84-17-032
308-20-150	NEW	84-19-020	308-24-530	REP-P	84-15-066	308-42-200	NEW-P	84-13-083
308-20-160	NEW-E	84-14-063	308-24-530	REP	84-19-020	308-42-200	NEW	84-17-031
308-20-160	NEW-P	84-15-066	308-24-540	REP-P	84-15-066	308-48-145	NEW-P	84-08-061
308-20-160	NEW	84-19-020	308-24-540	REP	84-19-020	308-48-145	NEW	84-11-059
308-20-170	NEW-E	84-16-010	308-25-020	REP	84-04-088	308-48-320	NEW-P	84-18-067
308-20-170	NEW-P	84-17-141	308-25-025	NEW	84-04-088	308-50-010	AMD-E	84-03-018
308-20-170	REP-E	84-20-019	308-25-025	AMD-P	84-07-049	308-50-010	AMD-P	84-04-048
308-20-171	NEW-E	84-20-019	308-25-025	AMD	84-10-063	308-50-010	AMD	84-08-062
308-20-180	NEW-E	84-14-063	308-25-030	AMD	84-04-088	308-50-020	AMD-E	84-03-018
308-20-180	NEW-P	84-15-066	308-25-040	REP	84-04-088	308-50-020	AMD-P	84-04-048
308-20-180	NEW	84-19-020	308-25-070	AMD	84-04-088	308-50-020	AMD-P	84-10-059
308-20-190	NEW-E	84-14-063	308-25-200	NEW-P	84-17-112	308-50-020	AMD-P	84-14-097
308-20-190	NEW-P	84-15-066	308-26-015	AMD-P	84-04-085	308-50-020	AMD	84-19-019
308-20-190	NEW	84-19-020	308-26-015	AMD	84-08-019	308-50-050	REP-P	84-04-048
308-20-200	NEW-E	84-14-063	308-26-017	AMD-P	84-04-085	308-50-050	REP	84-08-062
308-20-200	NEW-P	84-15-066	308-26-017	AMD	84-08-019	308-50-090	AMD-E	84-03-018

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308-50-090	AMD	84-19-018	308-78-050	AMD-P	84-06-066
308-50-100	AMD-P	84-04-048	308-78-050	AMD-P	84-20-018
308-50-100	AMD	84-08-062	308-78-070	AMD-P	84-06-066
308-50-110	AMD-P	84-04-048	308-78-070	AMD-P	84-20-018
308-50-110	AMD-P	84-10-059	308-78-080	AMD-P	84-20-018
308-50-110	AMD-P	84-14-097	308-93-010	AMD-P	84-10-081
308-50-110	AMD	84-19-019	308-93-010	AMD-P	84-13-082
308-50-120	AMD-P	84-04-048	308-93-010	AMD-E	84-13-087
308-50-120	AMD	84-08-062	308-93-010	AMD	84-19-026
308-50-130	AMD-P	84-14-096	308-93-020	AMD-P	84-10-081
308-50-130	AMD	84-19-018	308-93-020	AMD	84-13-086
308-50-140		84-10-062	308-93-020	AMD-E	84-13-087
308-50-140	READOPT	84-14-100	308-93-030	AMD-P	84-10-081
308-50-150		84-14-096	308-93-030	AMD-P	84-13-082
308-50-150	AMD	84-19-018	308-93-030	AMD-E	84-13-087
308-50-160		84-10-062	308-93-030	AMD	84-19-026
308-50-160	READOPT	84-14-100	308-93-040	AMD-P	84-10-081
308-50-170		84-10-062	308-93-040	AMD-P	84-13-082
308-50-170	READOPT	84-14-100	308-93-040	AMD-E	84-13-087
308-50-180		84-10-062	308-93-040	AMD	84-19-026
308-50-180	READOPT	84-14-100	308-93-050	AMD-P	84-10-081
308-50-190		84-10-062	308-93-050	AMD-P	84-13-082
308-50-190	READOPT	84-14-100	308-93-050	AMD-E	84-13-087
308-50-200		84-10-062	308-93-050	AMD	84-19-026
308-50-200	READOPT	84-14-100	308-93-060	AMD-P	84-10-081
308-50-210		84-10-062	308-93-060	AMD-P	84-13-082
308-50-210	READOPT	84-14-100	308-93-060	AMD-E	84-13-087
308-50-220	AMD-P	84-10-062	308-93-060	AMD	84-19-026
308-50-220	AMD	84-14-100	308-93-070	AMD-P	84-10-081
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308-50-250		84-10-062	308-93-075	NEW-E	84-13-087
308-50-250	READOPT	84-14-100	308-93-080	AMD-P	84-10-081
308-50-260		84-10-062	308-93-080	AMD	84-13-086
308-50-260	READOPT	84-14-100	308-93-080	AMD-E	84-13-087
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308-50-280		84-10-062	308-93-085	NEW-E	84-13-087
308-50-280	READOPT	84-14-100	308-93-090	AMD-P	84-10-081
308-50-290		84-10-062	308-93-090	AMD-P	84-13-082
308-50-290	READOPT	84-14-100	308-93-090	AMD-E	84-13-087
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308-50-295	READOPT	84-14-100	308-93-110	AMD-P	84-10-081
308-50-375	AMD-P	84-18-068	308-93-110	AMD	84-13-086
308-51-190	NEW-P	84-17-111	308-93-110	AMD-E	84-13-087
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308-52-100	AMD	84-15-068	308-93-135	NEW	84-13-086
308-52-138	AMD-P	84-15-067	308-93-135	NEW-E	84-13-087
308-52-254	NEW-P	84-15-067	308-93-140	AMD-P	84-10-081
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308-52-255	AMD-P	84-15-067	308-93-140	AMD-E	84-13-087
308-52-255	AMD	84-15-068	308-93-140	AMD-P	84-17-140
308-52-255	AMD	84-19-021	308-93-145	NEW-P	84-10-081
308-52-502	AMD-P	84-15-067	308-93-145	NEW	84-13-086
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308-53-120	AMD-P	84-05-069	308-93-150	AMD	84-13-086
308-53-120	AMD	84-09-082	308-93-150	AMD-E	84-13-087
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308-54-140	AMD	84-07-051	308-93-160	AMD-E	84-13-087
308-54-150	AMD-P	84-04-086	308-93-165	NEW-P	84-10-081
308-54-150	AMD	84-07-051	308-93-165	NEW	84-13-086
308-55-005	NEW-P	84-17-115	308-93-165	NEW-E	84-13-087
308-78-010	AMD-P	84-06-066	308-93-215	NEW-P	84-10-081
308-78-010	AMD-P	84-20-018	308-93-215	NEW	84-13-086
308-78-040	AMD-P	84-06-066	308-93-215	NEW-E	84-13-087
308-78-040	AMD-P	84-20-018	308-93-225	NEW-P	84-10-081
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308-93-260	AMD	84-13-086			
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308-93-270	AMD-P	84-10-081			
308-93-270	AMD	84-13-086			
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308-93-350	AMD	84-13-086			
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308-93-360	AMD	84-13-086			
308-93-360	AMD-E	84-13-087			
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308-93-500	AMD-E	84-13-087			
308-93-560	AMD-P	84-10-081			
308-93-560	AMD	84-13-086			
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308-93-610	REP	84-13-086			
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308-93-640	AMD-P	84-13-082			
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308-93-650	NEW	84-11-060			
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308-96A-065	AMD-P	84-18-069			
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308-96A-310	NEW-P	84-13-065			
308-96A-310	NEW	84-17-073			
308-96A-315	NEW-E	84-13-063			
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308-96A-315	NEW	84-17-073			
308-96A-320	NEW-E	84-13-063			
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308-96A-325	NEW-E	84-13-063			
308-96A-325	NEW-P	84-13-065			
308-96A-325	NEW	84-17-073			
308-96A-330	NEW-E	84-13-063			
308-96A-330	NEW-P	84-13-065			
308-96A-330	NEW	84-17-073			
308-96A-335	NEW-E	84-13-063			
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308-96A-350	NEW-E	84-13-062			
308-96A-350	NEW-P	84-13-064			
308-96A-350	NEW	84-17-074			
308-96A-355	NEW-E	84-13-062			
308-96A-355	NEW-P	84-13-064			
308-96A-355	NEW	84-17-074			
308-96A-360	NEW-E	84-13-062			
308-96A-360	NEW-P	84-13-064			
308-96A-360	NEW	84-17-074			
308-96A-365	NEW-E	84-13-062			
308-96A-365	NEW-P	84-13-064			
308-96A-365	NEW	84-17-074			
308-96A-370	NEW-E	84-13-062			
308-96A-370	NEW-P	84-13-064			
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308-115-300	NEW-P	84-17-114	315-11-101	AMD-E	84-03-026	316-02-001	NEW-P	84-04-081
308-138-200	AMD	84-05-011	315-11-101	AMD-P	84-05-051	316-02-001	NEW	84-07-037
308-138A-025	AMD	84-05-011	315-11-101	AMD	84-09-008	316-02-003	NEW-P	84-04-081
308-138B-120	REP	84-05-011	315-11-110	NEW-P	84-05-052	316-02-003	NEW	84-07-037
308-138B-165	NEW	84-05-011	315-11-110	NEW-E	84-05-053	316-02-007	NEW-P	84-04-081
308-138B-170	AMD	84-05-011	315-11-110	NEW	84-09-008	316-02-007	NEW	84-07-037
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314-12-140	AMD-P	84-20-022	315-11-111	NEW-E	84-05-053	316-02-010	NEW	84-07-037
314-12-160	REP-P	84-09-062	315-11-111	NEW	84-09-008	316-02-020	NEW-P	84-04-081
314-12-160	REP-E	84-09-063	315-11-112	NEW-P	84-05-052	316-02-020	NEW	84-07-037
314-12-160	REP	84-11-093	315-11-112	NEW-E	84-05-053	316-02-030	NEW-P	84-04-081
314-12-170	NEW-P	84-15-028	315-11-112	NEW	84-09-008	316-02-030	NEW	84-07-037
314-12-170	NEW	84-17-117	315-11-120	NEW-P	84-07-053	316-02-040	NEW-P	84-04-081
314-16-040	AMD-P	84-09-022	315-11-120	NEW-E	84-09-009	316-02-040	NEW	84-07-037
314-16-040	AMD	84-11-092	315-11-120	NEW-P	84-09-085	316-02-100	NEW-P	84-04-081
314-16-110	AMD	84-02-066	315-11-120	NEW	84-12-057	316-02-100	NEW	84-07-037
314-16-110	AMD-P	84-12-075	315-11-121	NEW-P	84-07-053	316-02-103	NEW-P	84-04-081
314-16-110	AMD	84-15-061	315-11-121	NEW-E	84-09-009	316-02-103	NEW	84-07-037
314-16-200	AMD-W	84-03-019	315-11-121	NEW-P	84-09-085	316-02-105	NEW-P	84-04-081
314-16-200	AMD-P	84-07-052	315-11-121	NEW	84-12-057	316-02-105	NEW	84-07-037
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314-24-110	AMD	84-09-023	315-11-132	NEW-E	84-12-070	316-02-160	NEW	84-07-037
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314-38-020	AMD	84-14-028	315-11-134	NEW-P	84-19-062	316-02-170	NEW	84-07-037
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315-04-120	AMD-P	84-09-085	315-30-030	AMD-E	84-15-042	316-02-230	NEW	84-07-037
315-04-120	AMD-E	84-11-012	315-30-030	AMD-P	84-16-058	316-02-300	NEW-P	84-04-081
315-04-120	AMD	84-12-057	315-30-030	AMD	84-19-045	316-02-300	NEW	84-07-037
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315-04-132	NEW-P	84-09-085	315-30-040	AMD-P	84-16-058	316-02-310	NEW	84-07-037
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315-04-133	NEW-E	84-06-045	315-30-080	AMD-P	84-17-143	316-02-330	NEW-P	84-04-081
315-04-133	NEW-P	84-09-085	315-30-080	AMD-E	84-19-044	316-02-330	NEW	84-07-037
315-04-133	NEW-E	84-11-012	315-30-090	NEW	84-05-008	316-02-340	NEW-P	84-04-081
315-04-133	NEW	84-12-057	315-31-020	AMD-E	84-15-042	316-02-340	NEW	84-07-037
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315-04-160	AMD-P	84-19-062	315-32-020	NEW-P	84-09-084	316-02-400	NEW-P	84-04-081
315-04-180	AMD	84-05-008	315-32-020	NEW-E	84-12-070	316-02-400	NEW	84-07-037
315-04-190	AMD-P	84-17-143	315-32-020	NEW	84-17-018	316-02-410	NEW-P	84-04-081
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315-06-080	AMD-P	84-19-062	315-32-030	NEW-E	84-12-070	316-02-420	NEW-P	84-04-081
315-06-120	AMD-P	84-05-050	315-32-030	NEW	84-17-018	316-02-420	NEW	84-07-037
315-06-120	AMD	84-09-008	315-32-040	NEW-P	84-09-084	316-02-450	NEW-P	84-04-081
315-06-120	AMD-E	84-15-042	315-32-040	NEW-E	84-12-070	316-02-450	NEW	84-07-037
315-06-120	AMD-P	84-16-058	315-32-040	NEW	84-17-018	316-02-460	NEW-P	84-04-081
315-06-120	AMD	84-19-045	315-32-040	AMD-E	84-17-030	316-02-460	NEW	84-07-037
315-06-130	AMD	84-05-008	315-32-040	AMD-P	84-17-143	316-02-470	NEW-P	84-04-081
315-10-020	AMD	84-05-008	315-32-050	NEW-P	84-09-084	316-02-470	NEW	84-07-037
315-10-030	AMD	84-05-008	315-32-050	NEW-E	84-12-070	316-02-490	NEW-P	84-04-081
315-10-060	AMD	84-05-008	315-32-050	NEW	84-17-018	316-02-490	NEW	84-07-037
315-10-070	NEW-P	84-19-062	315-32-060	NEW-P	84-09-084	316-02-500	NEW-P	84-04-081

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
316-55-020	NEW-P 84-04-081	316-75-030	NEW 84-07-037	326-06-130	NEW 84-09-002
316-55-020	NEW 84-07-037	316-75-050	NEW-P 84-04-081	326-06-140	NEW-P 84-05-033
316-55-030	NEW-P 84-04-081	316-75-050	NEW 84-07-037	326-06-140	NEW-E 84-05-034
316-55-030	NEW 84-07-037	316-75-070	NEW-P 84-04-081	326-06-140	NEW 84-09-002
316-55-050	NEW-P 84-04-081	316-75-070	NEW 84-07-037	326-06-160	NEW-P 84-05-033
316-55-050	NEW 84-07-037	316-75-090	NEW-P 84-04-081	326-06-160	NEW-E 84-05-034
316-55-070	NEW-P 84-04-081	316-75-090	NEW 84-07-037	326-06-160	NEW 84-09-002
316-55-070	NEW 84-07-037	316-75-110	NEW-P 84-04-081	326-08-010	NEW-P 84-05-033
316-55-090	NEW-P 84-04-081	316-75-110	NEW 84-07-037	326-08-010	NEW-E 84-05-034
316-55-090	NEW 84-07-037	316-75-130	NEW-P 84-04-081	326-08-010	NEW 84-09-002
316-55-110	NEW-P 84-04-081	316-75-130	NEW 84-07-037	326-08-020	NEW-P 84-05-033
316-55-110	NEW 84-07-037	316-75-150	NEW-P 84-04-081	326-08-020	NEW-E 84-05-034
316-55-130	NEW-P 84-04-081	316-75-150	NEW 84-07-037	326-08-020	NEW 84-09-002
316-55-130	NEW 84-07-037	316-75-170	NEW-P 84-04-081	326-08-030	NEW-P 84-05-033
316-55-150	NEW-P 84-04-081	316-75-170	NEW 84-07-037	326-08-030	NEW-E 84-05-034
316-55-150	NEW 84-07-037	316-75-190	NEW-P 84-04-081	326-08-030	NEW 84-09-002
316-55-160	NEW-P 84-04-081	316-75-190	NEW 84-07-037	326-08-040	NEW-P 84-05-033
316-55-160	NEW 84-07-037	316-75-210	NEW-P 84-04-081	326-08-040	NEW-E 84-05-034
316-55-170	NEW-P 84-04-081	316-75-210	NEW 84-07-037	326-08-040	NEW 84-09-002
316-55-170	NEW 84-07-037	316-75-230	NEW-P 84-04-081	326-08-050	NEW-P 84-05-033
316-55-500	NEW-P 84-04-081	316-75-230	NEW 84-07-037	326-08-050	NEW-E 84-05-034
316-55-500	NEW 84-07-037	316-75-250	NEW-P 84-04-081	326-08-050	NEW 84-09-002
316-55-505	NEW-P 84-04-081	316-75-250	NEW 84-07-037	326-08-060	NEW-P 84-05-033
316-55-505	NEW 84-07-037	316-75-270	NEW-P 84-04-081	326-08-060	NEW-E 84-05-034
316-55-510	NEW-P 84-04-081	316-75-270	NEW 84-07-037	326-08-060	NEW 84-09-002
316-55-510	NEW 84-07-037	316-75-290	NEW-P 84-04-081	326-08-070	NEW-P 84-05-033
316-55-515	NEW-P 84-04-081	316-75-290	NEW 84-07-037	326-08-070	NEW-E 84-05-034
316-55-515	NEW 84-07-037	316-75-310	NEW-P 84-04-081	326-08-070	NEW 84-09-002
316-55-520	NEW-P 84-04-081	316-75-310	NEW 84-07-037	326-08-080	NEW-P 84-05-033
316-55-520	NEW 84-07-037	320-18-010	AMD-P 84-20-075	326-08-080	NEW-E 84-05-034
316-55-525	NEW-P 84-04-081	320-20-020	AMD-P 84-20-075	326-08-080	NEW 84-09-002
316-55-525	NEW 84-07-037	320-20-025	NEW-P 84-20-075	326-08-090	NEW-P 84-05-033
316-55-600	NEW-P 84-04-081	320-20-030	AMD-P 84-20-075	326-08-090	NEW-E 84-05-034
316-55-600	NEW 84-07-037	320-20-040	AMD-P 84-20-075	326-08-090	NEW 84-09-002
316-65-001	NEW-P 84-04-081	320-20-050	AMD-P 84-20-075	326-08-100	NEW-P 84-05-033
316-65-001	NEW 84-07-037	320-20-080	AMD-P 84-20-075	326-08-100	NEW-E 84-05-034
316-65-010	NEW-P 84-04-081	326-02-030	AMD-P 84-05-033	326-08-100	NEW 84-09-002
316-65-010	NEW 84-07-037	326-02-030	AMD-E 84-05-034	326-08-110	NEW-P 84-05-033
316-65-030	NEW-P 84-04-081	326-02-030	AMD 84-09-002	326-08-110	NEW-E 84-05-034
316-65-030	NEW 84-07-037	326-06-010	NEW-P 84-05-033	326-08-110	NEW 84-09-002
316-65-050	NEW-P 84-04-081	326-06-010	NEW-E 84-05-034	326-08-120	NEW-P 84-05-033
316-65-050	NEW 84-07-037	326-06-010	NEW 84-09-002	326-08-120	NEW-E 84-05-034
316-65-090	NEW-P 84-04-081	326-06-020	NEW-P 84-05-033	326-08-120	NEW 84-09-002
316-65-090	NEW 84-07-037	326-06-020	NEW-E 84-05-034	326-08-130	NEW-P 84-05-033
316-65-110	NEW-P 84-04-081	326-06-020	NEW 84-09-002	326-08-130	NEW-E 84-05-034
316-65-110	NEW 84-07-037	326-06-030	NEW-P 84-05-033	326-08-130	NEW 84-09-002
316-65-130	NEW-P 84-04-081	326-06-030	NEW-E 84-05-034	326-20-050	AMD-P 84-05-033
316-65-130	NEW 84-07-037	326-06-030	NEW 84-09-002	326-20-050	AMD-E 84-05-034
316-65-150	NEW-P 84-04-081	326-06-040	NEW-P 84-05-033	326-20-050	AMD 84-09-002
316-65-150	NEW 84-07-037	326-06-040	NEW-E 84-05-034	326-20-060	AMD-P 84-05-033
316-65-500	NEW-P 84-04-081	326-06-040	NEW 84-09-002	326-20-060	AMD-E 84-05-034
316-65-500	NEW 84-07-037	326-06-050	NEW-P 84-05-033	326-20-060	AMD 84-09-002
316-65-510	NEW-P 84-04-081	326-06-050	NEW-E 84-05-034	326-20-180	AMD-P 84-05-033
316-65-510	NEW 84-07-037	326-06-050	NEW 84-09-002	326-20-180	AMD-E 84-05-034
316-65-515	NEW-P 84-04-081	326-06-060	NEW-P 84-05-033	326-20-180	AMD 84-09-002
316-65-515	NEW 84-07-037	326-06-060	NEW-E 84-05-034	326-20-210	AMD-P 84-05-033
316-65-525	NEW-P 84-04-081	326-06-060	NEW 84-09-002	326-20-210	AMD-E 84-05-034
316-65-525	NEW 84-07-037	326-06-070	NEW-P 84-05-033	326-20-210	AMD 84-09-002
316-65-530	NEW-P 84-04-081	326-06-070	NEW-E 84-05-034	326-30-010	NEW 84-03-005
316-65-530	NEW 84-07-037	326-06-070	NEW 84-09-002	326-30-020	NEW 84-03-005
316-65-535	NEW-P 84-04-081	326-06-080	NEW-P 84-05-033	326-30-030	NEW 84-03-005
316-65-535	NEW 84-07-037	326-06-080	NEW-E 84-05-034	326-30-035	NEW 84-03-005
316-65-540	NEW-P 84-04-081	326-06-080	NEW 84-09-002	326-30-036	NEW-P 84-14-002
316-65-540	NEW 84-07-037	326-06-090	NEW-P 84-05-033	326-30-036	NEW-E 84-14-003
316-65-545	NEW-P 84-04-081	326-06-090	NEW-E 84-05-034	326-30-036	NEW 84-17-049
316-65-545	NEW 84-07-037	326-06-090	NEW 84-09-002	326-30-040	NEW 84-03-005
316-65-550	NEW-P 84-04-081	326-06-100	NEW-P 84-05-033	326-30-050	NEW 84-03-005
316-65-550	NEW 84-07-037	326-06-100	NEW-E 84-05-034	326-30-060	NEW 84-03-005
316-65-555	NEW-P 84-04-081	326-06-100	NEW 84-09-002	326-30-070	NEW 84-03-005
316-65-555	NEW 84-07-037	326-06-110	NEW-P 84-05-033	326-30-080	NEW 84-03-005
316-65-560	NEW-P 84-04-081	326-06-110	NEW-E 84-05-034	326-30-090	NEW 84-03-005
316-65-560	NEW 84-07-037	326-06-110	NEW 84-09-002	326-30-090	AMD-E 84-18-037
316-75-001	NEW-P 84-04-081	326-06-120	NEW-P 84-05-033	326-30-100	NEW 84-03-005
316-75-001	NEW 84-07-037	326-06-120	NEW-E 84-05-034	326-30-100	AMD-P 84-03-048
316-75-010	NEW-P 84-04-081	326-06-120	NEW 84-09-002	326-30-100	AMD-E 84-03-049
316-75-010	NEW 84-07-037	326-06-130	NEW-P 84-05-033	326-30-100	AMD-P 84-05-033
316-75-030	NEW-P 84-04-081	326-06-130	NEW-E 84-05-034	326-30-100	AMD-E 84-05-034

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
326-30-100	AMD	84-06-017	332-22-120	AMD	84-19-007
326-30-100	AMD	84-09-002	332-22-130	AMD-P	84-13-040
326-30-100	AMD-P	84-14-002	332-22-130	AMD	84-19-007
326-30-100	AMD-E	84-14-003	332-22-140	AMD-P	84-13-040
326-30-100	AMD	84-17-049	332-22-140	AMD	84-19-007
326-30-110	NEW	84-03-005	332-22-150	AMD-P	84-13-040
326-40	NEW-C	84-03-002	332-26-010	NEW-E	84-09-014
326-40-010	NEW-E	84-05-034	332-26-015	NEW-E	84-11-053
326-40-010	NEW	84-05-054	332-26-015	NEW-E	84-18-038
326-40-020	NEW-E	84-05-034	332-26-020	NEW-E	84-15-011
326-40-020	NEW	84-05-054	332-26-021	NEW-E	84-16-025
326-40-100	NEW-P	84-05-033	332-26-021	AMD-E	84-16-037
326-40-100	NEW-E	84-05-034	332-26-022	NEW-E	84-16-050
326-40-100	NEW	84-09-002	332-26-022	AMD-E	84-16-063
330-01	NEW-C	84-07-008	332-26-022	AMD-E	84-16-085
330-01-010	NEW-P	84-03-041	332-26-030	NEW-E	84-15-011
330-01-010	NEW-E	84-03-042	332-26-040	NEW-E	84-15-011
330-01-010	NEW	84-07-034	332-26-050	NEW-E	84-15-011
330-01-020	NEW-P	84-03-041	332-26-051	NEW-E	84-16-021
330-01-020	NEW-E	84-03-042	332-26-052	NEW-E	84-16-037
330-01-020	NEW	84-07-034	332-26-052	AMD-E	84-16-063
330-01-030	NEW-P	84-03-041	332-26-052	AMD-E	84-16-085
330-01-030	NEW-E	84-03-042	332-26-060	NEW-E	84-15-011
330-01-030	NEW	84-07-034	332-26-061	NEW-E	84-16-024
330-01-040	NEW-P	84-03-041	332-26-080	NEW-E	84-16-068
330-01-040	NEW-E	84-03-042	332-26-081	NEW-E	84-16-085
330-01-040	NEW	84-07-034	332-26-082	NEW-E	84-17-001
330-01-050	NEW-P	84-03-041	332-26-083	NEW-E	84-17-007
330-01-050	NEW-E	84-03-042	332-26-083	AMD-E	84-17-023
330-01-050	NEW	84-07-034	332-26-083	AMD-E	84-17-038
330-01-060	NEW-P	84-03-041	332-26-083	AMD-E	84-17-048
330-01-060	NEW-E	84-03-042	332-26-083	AMD-E	84-17-080
330-01-060	NEW	84-07-034	332-26-083	AMD-E	84-17-096
330-01-070	NEW-P	84-03-041	332-26-083	AMD-E	84-18-001
330-01-070	NEW-E	84-03-042	332-26-100	NEW-E	84-17-056
330-01-070	NEW	84-07-034	332-26-100	AMD-E	84-18-039
330-01-080	NEW-P	84-03-041	332-30-106	AMD-P	84-15-070
330-01-080	NEW-E	84-03-042	332-30-106	AMD-E	84-20-051
330-01-080	NEW	84-07-034	332-30-108	NEW-P	84-06-068
330-01-090	NEW-P	84-03-041	332-30-108	NEW-C	84-11-027
330-01-090	NEW-E	84-03-042	332-30-114	NEW-P	84-15-070
330-01-090	NEW	84-07-034	332-30-114	NEW-E	84-20-051
332-21-010	NEW-P	84-13-039	332-30-122	NEW-P	84-15-070
332-21-010	NEW	84-19-008	332-30-122	NEW-E	84-20-051
332-21-020	NEW-P	84-13-039	332-30-123	NEW-P	84-15-070
332-21-020	NEW	84-19-008	332-30-123	NEW-E	84-20-051
332-21-030	NEW-P	84-13-039	332-30-124	REP-P	84-15-070
332-21-030	NEW	84-19-008	332-30-124	REP-E	84-20-051
332-21-040	NEW-P	84-13-039	332-30-125	AMD-P	84-15-070
332-21-040	NEW	84-19-008	332-30-125	AMD-E	84-20-051
332-21-050	NEW-P	84-13-039	332-30-145	AMD-P	84-15-070
332-21-050	NEW	84-19-008	332-30-145	AMD-E	84-20-051
332-22-010	AMD-P	84-13-040	332-40-010	REP-P	84-13-066
332-22-010	AMD	84-19-007	332-40-010	REP	84-18-052
332-22-020	AMD-P	84-13-040	332-40-020	REP-P	84-13-066
332-22-020	AMD	84-19-007	332-40-020	REP	84-18-052
332-22-025	NEW	84-19-007	332-40-025	REP-P	84-13-066
332-22-030	AMD-P	84-13-040	332-40-025	REP	84-18-052
332-22-030	AMD	84-19-007	332-40-030	REP-P	84-13-066
332-22-040	AMD-P	84-13-040	332-40-030	REP	84-18-052
332-22-040	AMD	84-19-007	332-40-035	REP-P	84-13-066
332-22-050	AMD-P	84-13-040	332-40-035	REP	84-18-052
332-22-050	AMD	84-19-007	332-40-037	REP-P	84-13-066
332-22-060	AMD-P	84-13-040	332-40-037	REP	84-18-052
332-22-060	AMD	84-19-007	332-40-040	REP-P	84-13-066
332-22-070	AMD-P	84-13-040	332-40-040	REP	84-18-052
332-22-070	AMD	84-19-007	332-40-045	REP-P	84-13-066
332-22-080	AMD-P	84-13-040	332-40-045	REP	84-18-052
332-22-090	AMD-P	84-13-040	332-40-050	REP-P	84-13-066
332-22-100	AMD-P	84-13-040	332-40-050	REP	84-18-052
332-22-100	AMD	84-19-007	332-40-055	REP-P	84-13-066
332-22-103	NEW-P	84-13-040	332-40-055	REP	84-18-052
332-22-105	NEW-P	84-13-040	332-40-060	REP-P	84-13-066
332-22-105	NEW	84-19-007	332-40-060	REP	84-18-052
332-22-110	AMD-P	84-13-040	332-40-100	REP-P	84-13-066
332-22-110	AMD	84-19-007	332-40-100	REP	84-18-052
332-22-120	AMD-P	84-13-040	332-40-160	REP-P	84-13-066
332-40-160	REP	84-18-052			
332-40-170	REP-P	84-13-066			
332-40-170	REP	84-18-052			
332-40-175	REP-P	84-13-066			
332-40-175	REP	84-18-052			
332-40-177	REP-P	84-13-066			
332-40-177	REP	84-18-052			
332-40-180	REP-P	84-13-066			
332-40-180	REP	84-18-052			
332-40-190	REP-P	84-13-066			
332-40-190	REP	84-18-052			
332-40-200	REP-P	84-13-066			
332-40-200	REP	84-18-052			
332-40-203	REP-P	84-13-066			
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332-40-205	REP	84-18-052			
332-40-210	REP-P	84-13-066			
332-40-210	REP	84-18-052			
332-40-215	REP-P	84-13-066			
332-40-215	REP	84-18-052			
332-40-220	REP-P	84-13-066			
332-40-220	REP	84-18-052			
332-40-225	REP-P	84-13-066			
332-40-225	REP	84-18-052			
332-40-230	REP-P	84-13-066			
332-40-230	REP	84-18-052			
332-40-240	REP-P	84-13-066			
332-40-240	REP	84-18-052			
332-40-245	REP-P	84-13-066			
332-40-245	REP	84-18-052			
332-40-260	REP-P	84-13-066			
332-40-260	REP	84-18-052			
332-40-300	REP-P	84-13-066			
332-40-300	REP	84-18-052			
332-40-305	REP-P	84-13-066			
332-40-305	REP	84-18-052			
332-40-310	REP-P	84-13-066			
332-40-310	REP	84-18-052			
332-40-315	REP-P	84-13-066			
332-40-315	REP	84-18-052			
332-40-320	REP-P	84-13-066			
332-40-320	REP	84-18-052			
332-40-330	REP-P	84-13-066			
332-40-330	REP	84-18-052			
332-40-340	REP-P	84-13-066			
332-40-340	REP	84-18-052			
332-40-345	REP-P	84-13-066			
332-40-345	REP	84-18-052			
332-40-350	REP-P	84-13-066			
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332-40-355	REP-P	84-13-066			
332-40-355	REP	84-18-052			
332-40-360	REP-P	84-13-066			
332-40-360	REP	84-18-052			
332-40-365	REP-P	84-13-066			
332-40-365	REP	84-18-052			
332-40-370	REP-P	84-13-066			
332-40-370	REP	84-18-052			
332-40-375	REP-P	84-13-066			
332-40-375	REP	84-18-052			
332-40-400	REP-P	84-13-066			
332-40-400	REP	84-18-052			
332-40-405	REP-P	84-13-066			
332-40-405	REP	84-18-052			
332-40-410	REP-P	84-13-066			
332-40-410	REP	84-18-052			
332-40-420	REP-P	84-13-066			
332-40-420	REP	84-18-052			
332-40-425	REP-P	84-13-066			
332-40-425	REP	84-18-052			
332-40-440	REP-P	84-13-066			
332-40-440	REP	84-18-052			
332-40-442	REP-P	84-13-066			
332-40-442	REP	84-18-052			
332-40-444	REP-P	84-13-066			
332-40-444	REP	84-18-052			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-40-446	REP-P	84-13-066	332-41-504	NEW	84-18-052	352-10-055	REP-P	84-16-089
332-40-446	REP	84-18-052	332-41-508	NEW-P	84-13-066	352-10-055	REP	84-20-112
332-40-450	REP-P	84-13-066	332-41-508	NEW	84-18-052	352-10-060	REP-P	84-16-089
332-40-450	REP	84-18-052	332-41-510	NEW-P	84-13-066	352-10-060	REP	84-20-112
332-40-455	REP-P	84-13-066	332-41-510	NEW	84-18-052	352-10-100	REP-P	84-16-089
332-40-455	REP	84-18-052	332-41-665	NEW-P	84-13-066	352-10-100	REP	84-20-112
332-40-460	REP-P	84-13-066	332-41-665	NEW	84-18-052	352-10-150	REP-P	84-16-089
332-40-460	REP	84-18-052	332-41-833	NEW-P	84-13-066	352-10-150	REP	84-20-112
332-40-465	REP-P	84-13-066	332-41-833	NEW	84-18-052	352-10-160	REP-P	84-16-089
332-40-465	REP	84-18-052	332-41-910	NEW-P	84-13-066	352-10-160	REP	84-20-112
332-40-470	REP-P	84-13-066	332-41-910	NEW	84-18-052	352-10-170	REP-P	84-16-089
332-40-470	REP	84-18-052	332-41-920	NEW-P	84-13-066	352-10-170	REP	84-20-112
332-40-480	REP-P	84-13-066	332-41-920	NEW	84-18-052	352-10-175	REP-P	84-16-089
332-40-480	REP	84-18-052	332-41-950	NEW-P	84-13-066	352-10-175	REP	84-20-112
332-40-485	REP-P	84-13-066	332-41-950	NEW	84-18-052	352-10-177	REP-P	84-16-089
332-40-485	REP	84-18-052	332-41-960	NEW-P	84-13-066	352-10-177	REP	84-20-112
332-40-490	REP-P	84-13-066	332-41-970	NEW-P	84-13-066	352-10-180	REP-P	84-16-089
332-40-490	REP	84-18-052	332-41-980	NEW-P	84-13-066	352-10-180	REP	84-20-112
332-40-495	REP-P	84-13-066	332-41-985	NEW-P	84-13-066	352-10-190	REP-P	84-16-089
332-40-495	REP	84-18-052	332-41-990	NEW-P	84-13-066	352-10-190	REP	84-20-112
332-40-500	REP-P	84-13-066	332-52-010	AMD-P	84-16-084	352-10-200	REP-P	84-16-089
332-40-500	REP	84-18-052	332-52-020	AMD-P	84-16-084	352-10-200	REP	84-20-112
332-40-520	REP-P	84-13-066	332-52-060	AMD-P	84-16-084	352-10-203	REP-P	84-16-089
332-40-520	REP	84-18-052	332-52-065	NEW-P	84-16-084	352-10-203	REP	84-20-112
332-40-530	REP-P	84-13-066	332-52-066	NEW-P	84-16-084	352-10-205	REP-P	84-16-089
332-40-530	REP	84-18-052	332-52-067	NEW-P	84-16-084	352-10-205	REP	84-20-112
332-40-535	REP-P	84-13-066	332-52-068	NEW-P	84-16-084	352-10-210	REP-P	84-16-089
332-40-535	REP	84-18-052	332-52-069	NEW-P	84-16-084	352-10-210	REP	84-20-112
332-40-540	REP-P	84-13-066	332-54-010	NEW-E	84-13-034	352-10-215	REP-P	84-16-089
332-40-540	REP	84-18-052	332-54-020	NEW-E	84-13-034	352-10-215	REP	84-20-112
332-40-545	REP-P	84-13-066	332-54-030	NEW-E	84-13-034	352-10-220	REP-P	84-16-089
332-40-545	REP	84-18-052	332-140-300	NEW-E	84-19-060	352-10-220	REP	84-20-112
332-40-570	REP-P	84-13-066	335-06	NEW-C	84-11-073	352-10-225	REP-P	84-16-089
332-40-570	REP	84-18-052	335-06-010	NEW-P	84-10-035	352-10-225	REP	84-20-112
332-40-580	REP-P	84-13-066	335-06-010	NEW-E	84-10-036	352-10-230	REP-P	84-16-089
332-40-580	REP	84-18-052	335-06-010	NEW	84-14-001	352-10-230	REP	84-20-112
332-40-600	REP-P	84-13-066	335-06-020	NEW-P	84-10-035	352-10-235	REP-P	84-16-089
332-40-600	REP	84-18-052	335-06-020	NEW-E	84-10-036	352-10-235	REP	84-20-112
332-40-650	REP-P	84-13-066	335-06-020	NEW	84-14-001	352-10-240	REP-P	84-16-089
332-40-650	REP	84-18-052	335-06-030	NEW-P	84-10-035	352-10-240	REP	84-20-112
332-40-652	REP-P	84-13-066	335-06-030	NEW-E	84-10-036	352-10-245	REP-P	84-16-089
332-40-652	REP	84-18-052	335-06-030	NEW	84-14-001	352-10-245	REP	84-20-112
332-40-660	REP-P	84-13-066	335-06-040	NEW-P	84-10-035	352-10-260	REP-P	84-16-089
332-40-660	REP	84-18-052	335-06-040	NEW-E	84-10-036	352-10-260	REP	84-20-112
332-40-690	REP-P	84-13-066	335-06-040	NEW	84-14-001	352-10-270	REP-P	84-16-089
332-40-690	REP	84-18-052	335-06-050	NEW-P	84-10-035	352-10-270	REP	84-20-112
332-40-695	REP-P	84-13-066	335-06-050	NEW-E	84-10-036	352-10-300	REP-P	84-16-089
332-40-695	REP	84-18-052	335-06-050	NEW	84-14-001	352-10-300	REP	84-20-112
332-40-700	REP-P	84-13-066	335-06-060	NEW-P	84-10-035	352-10-305	REP-P	84-16-089
332-40-700	REP	84-18-052	335-06-060	NEW-E	84-10-036	352-10-305	REP	84-20-112
332-40-710	REP-P	84-13-066	335-06-060	NEW	84-14-001	352-10-310	REP-P	84-16-089
332-40-710	REP	84-18-052	335-06-070	NEW-P	84-10-035	352-10-310	REP	84-20-112
332-40-800	REP-P	84-13-066	335-06-070	NEW-E	84-10-036	352-10-320	REP-P	84-16-089
332-40-800	REP	84-18-052	335-06-070	NEW	84-14-001	352-10-320	REP	84-20-112
332-40-830	REP-P	84-13-066	335-06-080	NEW-P	84-10-035	352-10-330	REP-P	84-16-089
332-40-830	REP	84-18-052	335-06-080	NEW-E	84-10-036	352-10-330	REP	84-20-112
332-40-840	REP-P	84-13-066	335-06-080	NEW	84-14-001	352-10-340	REP-P	84-16-089
332-40-840	REP	84-18-052	335-06-090	NEW-P	84-10-035	352-10-340	REP	84-20-112
332-40-910	REP-P	84-13-066	335-06-090	NEW-E	84-10-036	352-10-345	REP-P	84-16-089
332-40-910	REP	84-18-052	335-06-090	NEW	84-14-001	352-10-345	REP	84-20-112
332-41-010	NEW-P	84-13-066	335-06-100	NEW-P	84-10-035	352-10-350	REP-P	84-16-089
332-41-010	NEW	84-18-052	335-06-100	NEW-E	84-10-036	352-10-350	REP	84-20-112
332-41-020	NEW-P	84-13-066	335-06-100	NEW	84-14-001	352-10-355	REP-P	84-16-089
332-41-020	NEW	84-18-052	335-07-010	NEW-P	84-17-110	352-10-355	REP	84-20-112
332-41-030	NEW-P	84-13-066	352-04-010	AMD	84-04-035	352-10-360	REP-P	84-16-089
332-41-030	NEW	84-18-052	352-10-010	REP-P	84-16-089	352-10-360	REP	84-20-112
332-41-040	NEW-P	84-13-066	352-10-010	REP	84-20-112	352-10-365	REP-P	84-16-089
332-41-040	NEW	84-18-052	352-10-020	REP-P	84-16-089	352-10-365	REP	84-20-112
332-41-055	NEW-P	84-13-066	352-10-020	REP	84-20-112	352-10-370	REP-P	84-16-089
332-41-055	NEW	84-18-052	352-10-025	REP-P	84-16-089	352-10-370	REP	84-20-112
332-41-310	NEW-P	84-13-066	352-10-025	REP	84-20-112	352-10-375	REP-P	84-16-089
332-41-310	NEW	84-18-052	352-10-030	REP-P	84-16-089	352-10-375	REP	84-20-112
332-41-350	NEW-P	84-13-066	352-10-030	REP	84-20-112	352-10-380	REP-P	84-16-089
332-41-350	NEW	84-18-052	352-10-040	REP-P	84-16-089	352-10-380	REP	84-20-112
332-41-420	NEW-P	84-13-066	352-10-040	REP	84-20-112	352-10-390	REP-P	84-16-089
332-41-420	NEW	84-18-052	352-10-050	REP-P	84-16-089	352-10-390	REP	84-20-112
332-41-504	NEW-P	84-13-066	352-10-050	REP	84-20-112	352-10-400	REP-P	84-16-089

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
352-10-400	REP	84-20-112	352-10-830	REP-P	84-16-089	352-60-030	NEW	84-11-057
352-10-405	REP-P	84-16-089	352-10-830	REP	84-20-112	352-60-040	NEW-E	84-07-030
352-10-405	REP	84-20-112	352-10-840	REP-P	84-16-089	352-60-040	NEW-P	84-08-063
352-10-410	REP-P	84-16-089	352-10-840	REP	84-20-112	352-60-040	NEW	84-11-057
352-10-410	REP	84-20-112	352-10-860	REP-P	84-16-089	352-60-050	NEW-E	84-07-030
352-10-420	REP-P	84-16-089	352-10-860	REP	84-20-112	352-60-050	NEW-P	84-08-063
352-10-420	REP	84-20-112	352-10-910	REP-P	84-16-089	352-60-050	NEW	84-11-057
352-10-425	REP-P	84-16-089	352-10-910	REP	84-20-112	352-60-060	NEW-E	84-07-030
352-10-425	REP	84-20-112	352-10-920	REP-P	84-16-089	352-60-060	NEW-P	84-08-063
352-10-440	REP-P	84-16-089	352-10-920	REP	84-20-112	352-60-060	NEW	84-11-057
352-10-440	REP	84-20-112	352-11-010	NEW-P	84-16-089	352-60-070	NEW-E	84-07-030
352-10-442	REP-P	84-16-089	352-11-010	NEW	84-20-112	352-60-070	NEW-P	84-08-063
352-10-442	REP	84-20-112	352-11-020	NEW-P	84-16-089	352-60-070	NEW	84-11-057
352-10-444	REP-P	84-16-089	352-11-020	NEW	84-20-112	352-60-080	NEW-E	84-07-030
352-10-444	REP	84-20-112	352-11-030	NEW-P	84-16-089	352-60-080	NEW-P	84-08-063
352-10-446	REP-P	84-16-089	352-11-030	NEW	84-20-112	352-60-080	NEW	84-11-057
352-10-446	REP	84-20-112	352-11-040	NEW-P	84-16-089	352-60-090	NEW-E	84-07-030
352-10-450	REP-P	84-16-089	352-11-040	NEW	84-20-112	352-60-090	NEW-P	84-08-063
352-10-450	REP	84-20-112	352-11-055	NEW-P	84-16-089	352-60-090	NEW	84-11-057
352-10-455	REP-P	84-16-089	352-11-055	NEW	84-20-112	352-60-100	NEW-E	84-07-030
352-10-455	REP	84-20-112	352-11-310	NEW-P	84-16-089	352-60-100	NEW-P	84-08-063
352-10-460	REP-P	84-16-089	352-11-310	NEW	84-20-112	352-60-100	NEW	84-11-057
352-10-460	REP	84-20-112	352-11-350	NEW-P	84-16-089	352-60-110	NEW-E	84-07-030
352-10-465	REP-P	84-16-089	352-11-350	NEW	84-20-112	352-60-110	NEW-P	84-08-063
352-10-465	REP	84-20-112	352-11-420	NEW-P	84-16-089	352-60-110	NEW	84-11-057
352-10-470	REP-P	84-16-089	352-11-420	NEW	84-20-112	352-74	NEW-C	84-13-073
352-10-470	REP	84-20-112	352-11-504	NEW-P	84-16-089	352-74-010	NEW-P	84-12-073
352-10-480	REP-P	84-16-089	352-11-504	NEW	84-20-112	352-74-010	NEW	84-20-070
352-10-480	REP	84-20-112	352-11-508	NEW-P	84-16-089	352-74-020	NEW-P	84-12-073
352-10-485	REP-P	84-16-089	352-11-508	NEW	84-20-112	352-74-020	NEW	84-20-070
352-10-485	REP	84-20-112	352-11-510	NEW-P	84-16-089	352-74-030	NEW-P	84-12-073
352-10-490	REP-P	84-16-089	352-11-510	NEW	84-20-112	352-74-030	NEW	84-20-070
352-10-490	REP	84-20-112	352-11-615	NEW-P	84-16-089	352-74-040	NEW-P	84-12-073
352-10-495	REP-P	84-16-089	352-11-615	NEW	84-20-112	352-74-040	NEW	84-20-070
352-10-495	REP	84-20-112	352-11-665	NEW-P	84-16-089	352-74-050	NEW-P	84-12-073
352-10-500	REP-P	84-16-089	352-11-665	NEW	84-20-112	352-74-050	NEW	84-20-070
352-10-500	REP	84-20-112	352-11-800	NEW-P	84-16-089	352-74-060	NEW-P	84-12-073
352-10-510	REP-P	84-16-089	352-11-800	NEW	84-20-112	352-74-060	NEW	84-20-070
352-10-510	REP	84-20-112	352-11-905	NEW-P	84-16-089	352-74-070	NEW-P	84-12-073
352-10-520	REP-P	84-16-089	352-11-905	NEW	84-20-112	352-74-070	NEW	84-20-070
352-10-520	REP	84-20-112	352-11-908	NEW-P	84-16-089	356-05-001	NEW-P	84-14-081
352-10-530	REP-P	84-16-089	352-11-908	NEW	84-20-112	356-05-001	NEW	84-17-042
352-10-530	REP	84-20-112	352-11-910	NEW-P	84-16-089	356-05-005	NEW-P	84-14-081
352-10-535	REP-P	84-16-089	352-11-910	NEW	84-20-112	356-05-005	NEW	84-17-042
352-10-535	REP	84-20-112	352-11-950	NEW-P	84-16-089	356-05-010	NEW-P	84-14-081
352-10-540	REP-P	84-16-089	352-11-950	NEW	84-20-112	356-05-010	NEW	84-17-042
352-10-540	REP	84-20-112	352-12-020	AMD-P	84-04-082	356-05-015	NEW-P	84-14-081
352-10-545	REP-P	84-16-089	352-12-020	AMD	84-09-045	356-05-015	NEW	84-17-042
352-10-545	REP	84-20-112	352-16-020	AMD-C	84-04-036	356-05-020	NEW-P	84-14-081
352-10-550	REP-P	84-16-089	352-16-020	AMD	84-08-016	356-05-020	NEW	84-17-042
352-10-550	REP	84-20-112	352-28	AMD-C	84-04-037	356-05-025	NEW-P	84-14-081
352-10-570	REP-P	84-16-089	352-28-005	NEW	84-08-017	356-05-025	NEW	84-17-042
352-10-570	REP	84-20-112	352-28-010	AMD	84-08-017	356-05-030	NEW-P	84-14-081
352-10-580	REP-P	84-16-089	352-28-020	AMD	84-08-017	356-05-030	NEW	84-17-042
352-10-580	REP	84-20-112	352-32-035	AMD-P	84-04-082	356-05-035	NEW-P	84-14-081
352-10-600	REP-P	84-16-089	352-32-035	AMD	84-09-045	356-05-035	NEW	84-17-042
352-10-600	REP	84-20-112	352-32-250	AMD-P	84-04-082	356-05-040	NEW-P	84-14-081
352-10-650	REP-P	84-16-089	352-32-250	AMD	84-09-045	356-05-040	NEW	84-17-042
352-10-650	REP	84-20-112	352-32-25001	NEW-P	84-20-111	356-05-045	NEW-P	84-14-081
352-10-652	REP-P	84-16-089	352-32-290	NEW-P	84-12-074	356-05-045	NEW	84-17-042
352-10-652	REP	84-20-112	352-32-290	NEW-C	84-13-074	356-05-050	NEW-P	84-14-081
352-10-660	REP-P	84-16-089	352-32-290	NEW	84-20-071	356-05-050	NEW	84-17-042
352-10-660	REP	84-20-112	352-32-295	NEW-P	84-12-071	356-05-055	NEW-P	84-14-081
352-10-690	REP-P	84-16-089	352-32-295	NEW-C	84-13-071	356-05-055	NEW	84-17-042
352-10-690	REP	84-20-112	352-32-295	NEW	84-20-068	356-05-060	NEW-P	84-14-081
352-10-695	REP-P	84-16-089	352-32-300	NEW-P	84-12-072	356-05-060	NEW	84-17-042
352-10-695	REP	84-20-112	352-32-300	NEW-C	84-13-072	356-05-065	NEW-P	84-14-081
352-10-700	REP-P	84-16-089	352-32-300	NEW	84-20-069	356-05-065	NEW	84-17-042
352-10-700	REP	84-20-112	352-44	REVIEW	84-09-046	356-05-070	NEW-P	84-14-081
352-10-710	REP-P	84-16-089	352-60-010	NEW-E	84-07-030	356-05-070	NEW	84-17-042
352-10-710	REP	84-20-112	352-60-010	NEW-P	84-08-063	356-05-075	NEW-P	84-14-081
352-10-810	REP-P	84-16-089	352-60-010	NEW	84-11-057	356-05-075	NEW	84-17-042
352-10-810	REP	84-20-112	352-60-020	NEW-E	84-07-030	356-05-080	NEW-P	84-14-081
352-10-820	REP-P	84-16-089	352-60-020	NEW-P	84-08-063	356-05-080	NEW	84-17-042
352-10-820	REP	84-20-112	352-60-020	NEW	84-11-057	356-05-085	NEW-P	84-14-081
352-10-825	REP-P	84-16-089	352-60-030	NEW-E	84-07-030	356-05-085	NEW	84-17-042
352-10-825	REP	84-20-112	352-60-030	NEW-P	84-08-063	356-05-090	NEW-P	84-14-081

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
356-05-090	NEW	84-17-042	356-05-315	NEW	84-17-042	356-05-505	NEW-P	84-14-081
356-05-095	NEW-P	84-14-081	356-05-320	NEW-P	84-14-081	356-05-505	NEW	84-17-042
356-05-095	NEW	84-17-042	356-05-320	NEW	84-17-042	356-06-010	AMD-E	84-04-021
356-05-100	NEW-P	84-14-081	356-05-325	NEW-P	84-14-081	356-06-010	AMD-P	84-04-073
356-05-100	NEW	84-17-042	356-05-325	NEW	84-17-042	356-06-010	AMD-P	84-06-049
356-05-105	NEW-P	84-14-081	356-05-330	NEW-P	84-14-081	356-06-010	AMD-C	84-07-003
356-05-105	NEW	84-17-042	356-05-330	NEW	84-17-042	356-06-010	AMD-C	84-09-049
356-05-110	NEW-P	84-14-081	356-05-335	NEW-P	84-14-081	356-06-010	AMD-E	84-10-007
356-05-110	NEW	84-17-042	356-05-335	NEW	84-17-042	356-06-010	AMD-P	84-10-038
356-05-115	NEW-P	84-14-081	356-05-340	NEW-P	84-14-081	356-06-010	AMD	84-11-003
356-05-115	NEW	84-17-042	356-05-340	NEW	84-17-042	356-06-010	AMD	84-12-079
356-05-120	NEW-P	84-14-081	356-05-345	NEW-P	84-14-081	356-06-010	AMD	84-14-006
356-05-120	NEW	84-17-042	356-05-345	NEW	84-17-042	356-06-010	AMD-E	84-14-062
356-05-120	AMD-P	84-20-058	356-05-350	NEW-P	84-14-081	356-06-010	REP-P	84-14-081
356-05-125	NEW-P	84-14-081	356-05-350	NEW	84-17-042	356-06-010	REP	84-17-042
356-05-125	NEW	84-17-042	356-05-355	NEW-P	84-14-081	356-06-020	AMD-E	84-14-062
356-05-130	NEW-P	84-14-081	356-05-355	NEW	84-17-042	356-06-020	AMD-P	84-14-082
356-05-130	NEW	84-17-042	356-05-360	NEW-P	84-14-081	356-06-020	AMD	84-17-042
356-05-135	NEW-P	84-14-081	356-05-360	NEW	84-17-042	356-06-050	AMD-P	84-06-049
356-05-135	NEW	84-17-042	356-05-365	NEW-P	84-14-081	356-06-050	AMD-C	84-09-049
356-05-140	NEW-P	84-14-081	356-05-365	NEW	84-17-042	356-06-050	AMD	84-11-091
356-05-140	NEW	84-17-042	356-05-370	NEW-P	84-14-081	356-06-055	AMD-P	84-06-049
356-05-145	NEW-P	84-14-081	356-05-370	NEW	84-17-042	356-06-055	AMD-C	84-09-049
356-05-145	NEW	84-17-042	356-05-375	NEW-P	84-14-081	356-06-055	AMD	84-11-091
356-05-150	NEW-P	84-14-081	356-05-375	NEW	84-17-042	356-07-020	AMD	84-04-022
356-05-150	NEW	84-17-042	356-05-380	NEW-P	84-14-081	356-10-040	AMD-P	84-08-035
356-05-155	NEW-P	84-14-081	356-05-380	NEW	84-17-042	356-10-040	AMD-P	84-12-080
356-05-155	NEW	84-17-042	356-05-385	NEW-P	84-14-081	356-10-040	AMD-C	84-15-037
356-05-160	NEW-P	84-14-081	356-05-385	NEW	84-17-042	356-10-040	AMD	84-17-042
356-05-160	NEW	84-17-042	356-05-387	NEW-P	84-14-081	356-10-045	NEW-P	84-12-080
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356-05-170	NEW	84-17-042	356-05-395	NEW-P	84-14-081	356-10-050	AMD-C	84-15-037
356-05-175	NEW-P	84-14-081	356-05-395	NEW	84-17-042	356-10-050	AMD	84-17-042
356-05-175	NEW	84-17-042	356-05-400	NEW-P	84-14-081	356-14-110	AMD-E	84-14-062
356-05-180	NEW-P	84-14-081	356-05-400	NEW	84-17-042	356-14-110	AMD-P	84-14-082
356-05-180	NEW	84-17-042	356-05-405	NEW-P	84-14-081	356-14-110	AMD	84-17-042
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356-05-185	NEW	84-17-042	356-05-410	NEW-P	84-14-081	356-14-120	AMD-P	84-14-082
356-05-190	NEW-P	84-14-081	356-05-410	NEW	84-17-042	356-14-120	AMD	84-17-042
356-05-190	NEW	84-17-042	356-05-415	NEW-P	84-14-081	356-14-125	NEW-E	84-14-062
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356-05-210	NEW-P	84-14-081	356-05-430	NEW	84-17-042	356-15-020	AMD-C	84-19-050
356-05-210	NEW	84-17-042	356-05-435	NEW-P	84-14-081	356-15-060	AMD-E	84-04-020
356-05-213	NEW-P	84-14-081	356-05-435	NEW	84-17-042	356-15-060	AMD	84-05-024
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356-05-245	NEW-P	84-14-081	356-05-475	NEW	84-17-042	356-18-070	AMD-C	84-07-003
356-05-245	NEW	84-17-042	356-05-480	NEW-P	84-14-081	356-18-070	AMD-C	84-09-049
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356-05-310	NEW	84-17-042	356-05-500	NEW-P	84-14-081	356-18-100	AMD-P	84-10-038
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356-22-070	AMD-E	84-10-053	360-16-025	NEW-E	84-08-082	388-08-050	REP	84-05-040
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356-22-220	AMD	84-14-006	360-16-150	AMD	84-12-020	388-08-083	REP	84-05-040
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356-26-030	AMD-C	84-09-049	360-16-240	AMD-P	84-08-080	388-08-160	REP	84-05-040
356-26-030	AMD-P	84-10-038	360-16-240	AMD-E	84-08-082	388-08-170	REP	84-05-040
356-26-030	AMD-E	84-10-053	360-16-240	AMD	84-12-019	388-08-180	REP	84-05-040
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356-26-030	AMD	84-14-006	360-16-260	REP	84-03-016	388-08-200	REP	84-05-040
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356-26-060	AMD-C	84-15-037	360-18-020	AMD	84-04-030	388-08-220	REP	84-05-040
356-26-060	AMD-C	84-17-041	360-18-020	AMD-P	84-14-098	388-08-230	REP	84-05-040
356-26-060	AMD-C	84-19-050	360-18-020	AMD-E	84-14-099	388-08-235	REP	84-05-040
356-26-070	AMD-P	84-06-049	360-18-020	AMD	84-17-142	388-08-375	REP	84-05-040
356-26-070	AMD-C	84-09-049	360-19-010	NEW	84-03-016	388-08-390	REP	84-05-040
356-26-070	AMD	84-11-091	360-19-020	NEW	84-03-016	388-08-400	REP	84-05-040
356-30-065	NEW-C	84-04-019	360-19-030	NEW	84-03-016	388-08-405	AMD	84-05-040
356-30-065	NEW-C	84-07-003	360-19-040	NEW	84-03-016	388-08-406	AMD	84-05-040
356-30-065	NEW-C	84-09-049	360-19-050	NEW	84-03-016	388-08-407	REP	84-05-040
356-30-065	NEW	84-12-079	360-19-060	NEW	84-03-016	388-08-408	REP	84-05-040
356-30-065	AMD-P	84-18-012	360-19-070	NEW	84-03-016	388-08-409	AMD	84-05-040
356-30-080	AMD-P	84-04-073	360-19-080	NEW	84-03-016	388-08-413	AMD	84-05-040
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356-30-080	AMD-C	84-09-049	360-19-100	NEW	84-03-016	388-08-416	AMD	84-05-040
356-30-080	AMD	84-12-079	360-36-400	NEW-P	84-06-067	388-08-420	REP	84-05-040
356-30-130	AMD-E	84-04-021	360-36-400	NEW-C	84-10-064	388-08-430	REP	84-05-040
356-30-130	AMD-P	84-04-073	360-36-400	NEW-C	84-12-021	388-08-440	REP	84-05-040
356-30-130	AMD-C	84-07-003	360-36-400	NEW-P	84-18-066	388-08-450	REP	84-05-040
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356-30-130	AMD	84-10-054	360-36-410	NEW-C	84-10-064	388-08-480	REP	84-05-040
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356-30-145	AMD-C	84-12-026	360-36-410	NEW-P	84-18-066	388-08-500	REP	84-05-040
356-30-145	AMD-C	84-14-005	360-36-420	NEW-P	84-06-067	388-08-503	REP	84-05-040
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356-30-230	AMD	84-10-054	360-36-420	NEW-C	84-12-021	388-08-520	REP	84-05-040
356-30-260	AMD-P	84-06-048	360-36-420	NEW-P	84-18-066	388-08-600	REP	84-05-040
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356-30-300	AMD	84-17-042	360-36-440	NEW-P	84-18-066	388-14-302	AMD-P	84-12-051
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356-30-320	AMD-P	84-06-049	365-04	REAFF	84-14-064	388-14-320	AMD-E	84-12-053
356-30-320	AMD-C	84-09-049	365-06	REAFF	84-14-064	388-14-320	AMD	84-15-057
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356-30-330	AMD-P	84-14-081	365-12	REAFF	84-14-064	388-14-325	AMD-E	84-12-053
356-30-330	AMD	84-17-042	365-14	REAFF	84-14-064	388-14-325	AMD	84-15-057
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392-122-140	NEW-P	84-17-120	392-122-905	NEW	84-13-020	392-126-230	NEW-E	84-14-051
392-122-140	NEW	84-20-078	392-123	AMD-C	84-11-078	392-126-230	NEW-P	84-14-055
392-122-145	NEW-P	84-17-120	392-123-054	AMD-P	84-10-066	392-126-230	NEW	84-17-053
392-122-145	NEW	84-20-078	392-123-054	AMD	84-13-021	392-126-235	NEW-E	84-14-051
392-122-150	NEW-P	84-17-120	392-123-071	AMD-P	84-10-066	392-126-235	NEW-P	84-14-055
392-122-150	NEW	84-20-078	392-123-071	AMD	84-13-021	392-126-235	NEW	84-17-053
392-122-155	NEW-P	84-17-120	392-123-072	AMD-P	84-10-066	392-126-240	NEW-E	84-14-051
392-122-155	NEW	84-20-078	392-123-072	AMD	84-13-021	392-126-240	NEW-P	84-14-055
392-122-160	NEW-P	84-17-120	392-125	AMD-C	84-11-079	392-126-240	NEW	84-17-053
392-122-160	NEW	84-20-078	392-125-003	NEW-P	84-10-067	392-126-245	NEW-E	84-14-051
392-122-200	NEW-P	84-17-120	392-125-003	NEW	84-13-022	392-126-245	NEW-P	84-14-055
392-122-200	NEW	84-20-078	392-125-011	AMD-P	84-10-067	392-126-245	NEW	84-17-053
392-122-205	NEW-P	84-17-120	392-125-011	AMD	84-13-022	392-126-250	NEW-E	84-14-051
392-122-205	NEW	84-20-078	392-125-012	NEW-P	84-10-067	392-126-250	NEW-P	84-14-055
392-122-210	NEW-P	84-17-120	392-125-012	NEW	84-13-022	392-126-250	NEW	84-17-053
392-122-210	NEW	84-20-078	392-125-020	AMD-P	84-10-067	392-126-255	NEW-E	84-14-051
392-122-215	NEW-P	84-17-120	392-125-020	AMD	84-13-022	392-126-255	NEW-P	84-14-055
392-122-215	NEW	84-20-078	392-125-025	AMD-P	84-10-067	392-126-255	NEW	84-17-053
392-122-230	NEW-P	84-17-120	392-125-025	AMD	84-13-022	392-126-260	NEW-E	84-14-051
392-122-230	NEW	84-20-078	392-125-030	AMD-P	84-10-067	392-126-260	NEW-P	84-14-055
392-122-235	NEW-P	84-17-120	392-125-030	AMD	84-13-022	392-126-260	NEW	84-17-053

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-127-360	NEW-E	84-14-050	392-127-600	NEW	84-17-052	392-138	AMD-C	84-11-082
392-127-360	NEW-P	84-14-054	392-127-605	NEW-E	84-14-050	392-138-003	NEW-P	84-10-070
392-127-360	NEW	84-17-052	392-127-605	NEW-P	84-14-054	392-138-003	NEW	84-13-025
392-127-365	NEW-E	84-14-050	392-127-605	NEW	84-17-052	392-138-010	AMD-P	84-10-070
392-127-365	NEW-P	84-14-054	392-127-610	NEW-E	84-14-050	392-138-010	AMD	84-13-025
392-127-365	NEW	84-17-052	392-127-610	NEW-P	84-14-054	392-138-012	NEW-P	84-10-070
392-127-370	NEW-E	84-14-050	392-127-610	NEW	84-17-052	392-138-012	NEW	84-13-025
392-127-370	NEW-P	84-14-054	392-127-615	NEW-E	84-14-050	392-138-015	REP-P	84-10-070
392-127-370	NEW	84-17-052	392-127-615	NEW-P	84-14-054	392-138-015	REP	84-13-025
392-127-375	NEW-E	84-14-050	392-127-615	NEW	84-17-052	392-138-016	NEW-P	84-10-070
392-127-375	NEW-P	84-14-054	392-127-620	NEW-E	84-14-050	392-138-016	NEW	84-13-025
392-127-375	NEW	84-17-052	392-127-620	NEW-P	84-14-054	392-138-020	REP-P	84-10-070
392-127-380	NEW-E	84-14-050	392-127-620	NEW	84-17-052	392-138-020	REP	84-13-025
392-127-380	NEW-P	84-14-054	392-127-625	NEW-E	84-14-050	392-138-025	AMD-P	84-10-070
392-127-380	NEW	84-17-052	392-127-625	NEW-P	84-14-054	392-138-025	AMD	84-13-025
392-127-385	NEW-E	84-14-050	392-127-625	NEW	84-17-052	392-138-030	AMD-P	84-10-070
392-127-385	NEW-P	84-14-054	392-127-630	NEW-E	84-14-050	392-138-030	AMD	84-13-025
392-127-385	NEW	84-17-052	392-127-630	NEW-P	84-14-054	392-138-035	AMD-P	84-10-070
392-127-390	NEW-E	84-14-050	392-127-630	NEW	84-17-052	392-138-035	AMD	84-13-025
392-127-390	NEW-P	84-14-054	392-127-635	NEW-E	84-14-050	392-138-047	NEW-P	84-10-070
392-127-390	NEW	84-17-052	392-127-635	NEW-P	84-14-054	392-138-047	NEW	84-13-025
392-127-395	NEW-E	84-14-050	392-127-635	NEW	84-17-052	392-138-050	AMD-P	84-10-070
392-127-395	NEW-P	84-14-054	392-127-640	NEW-E	84-14-050	392-138-050	AMD	84-13-025
392-127-395	NEW	84-17-052	392-127-640	NEW-P	84-14-054	392-138-071	NEW-P	84-10-070
392-127-396	NEW-E	84-14-050	392-127-640	NEW	84-17-052	392-138-071	NEW	84-13-025
392-127-396	NEW-P	84-14-054	392-127-645	NEW-E	84-14-050	392-138-075	AMD-P	84-10-070
392-127-396	NEW	84-17-052	392-127-645	NEW-P	84-14-054	392-138-075	AMD	84-13-025
392-127-500	NEW-E	84-14-050	392-127-645	NEW	84-17-052	392-138-100	NEW-P	84-10-070
392-127-500	NEW-P	84-14-054	392-127-650	NEW-E	84-14-050	392-138-100	NEW	84-13-025
392-127-500	NEW	84-17-052	392-127-650	NEW-P	84-14-054	392-139-001	AMD	84-05-017
392-127-505	NEW-E	84-14-050	392-127-650	NEW	84-17-052	392-140	AMD-C	84-20-026
392-127-505	NEW-P	84-14-054	392-127-655	NEW-E	84-14-050	392-140	AMD-C	84-20-027
392-127-505	NEW	84-17-052	392-127-655	NEW-P	84-14-054	392-140-010	REP-E	84-14-053
392-127-510	NEW-E	84-14-050	392-127-655	NEW	84-17-052	392-140-010	REP-P	84-14-057
392-127-510	NEW-P	84-14-054	392-127-660	NEW-E	84-14-050	392-140-010	REP	84-17-050
392-127-510	NEW	84-17-052	392-127-660	NEW-P	84-14-054	392-140-011	REP-E	84-14-053
392-127-515	NEW-E	84-14-050	392-127-660	NEW	84-17-052	392-140-011	REP-P	84-14-057
392-127-515	NEW-P	84-14-054	392-127-665	NEW-E	84-14-050	392-140-011	REP	84-17-050
392-127-515	NEW	84-17-052	392-127-665	NEW-P	84-14-054	392-140-012	REP-E	84-14-053
392-127-520	NEW-E	84-14-050	392-127-665	NEW	84-17-052	392-140-012	REP-P	84-14-057
392-127-520	NEW-P	84-14-054	392-127-670	NEW-E	84-14-050	392-140-012	REP	84-17-050
392-127-520	NEW	84-17-052	392-127-670	NEW-P	84-14-054	392-140-013	REP-E	84-14-053
392-127-525	NEW-E	84-14-050	392-127-670	NEW	84-17-052	392-140-013	REP-P	84-14-057
392-127-525	NEW-P	84-14-054	392-127-675	NEW-E	84-14-050	392-140-013	REP	84-17-050
392-127-525	NEW	84-17-052	392-127-675	NEW-P	84-14-054	392-140-014	REP-E	84-14-053
392-127-530	NEW-E	84-14-050	392-127-675	NEW	84-17-052	392-140-014	REP-P	84-14-057
392-127-530	NEW-P	84-14-054	392-129	AMD-C	84-11-080	392-140-014	REP	84-17-050
392-127-530	NEW	84-17-052	392-129-013	NEW-P	84-10-068	392-140-015	REP-E	84-14-053
392-127-535	NEW-E	84-14-050	392-129-013	NEW	84-13-023	392-140-015	REP-P	84-14-057
392-127-535	NEW-P	84-14-054	392-132	NEW-C	84-11-081	392-140-015	REP	84-17-050
392-127-535	NEW	84-17-052	392-132-010	NEW-P	84-10-069	392-140-016	REP-E	84-14-053
392-127-540	NEW-E	84-14-050	392-132-010	NEW	84-13-024	392-140-016	REP-P	84-14-057
392-127-540	NEW-P	84-14-054	392-132-020	NEW-P	84-10-069	392-140-016	REP	84-17-050
392-127-540	NEW	84-17-052	392-132-020	NEW	84-13-024	392-140-017	REP-E	84-14-053
392-127-545	NEW-E	84-14-050	392-132-030	NEW-P	84-10-069	392-140-017	REP-P	84-14-057
392-127-545	NEW-P	84-14-054	392-132-030	NEW	84-13-024	392-140-017	REP	84-17-050
392-127-545	NEW	84-17-052	392-132-040	NEW-P	84-10-069	392-140-018	REP-E	84-14-053
392-127-550	NEW-E	84-14-050	392-132-040	NEW	84-13-024	392-140-018	REP-P	84-14-057
392-127-550	NEW-P	84-14-054	392-132-050	NEW-P	84-10-069	392-140-018	REP	84-17-050
392-127-550	NEW	84-17-052	392-132-050	NEW	84-13-024	392-140-019	REP-E	84-14-053
392-127-555	NEW-E	84-14-050	392-132-060	NEW-P	84-10-069	392-140-019	REP-P	84-14-057
392-127-555	NEW-P	84-14-054	392-132-060	NEW	84-13-024	392-140-019	REP	84-17-050
392-127-555	NEW	84-17-052	392-132-070	NEW-P	84-10-069	392-140-020	REP-E	84-14-053
392-127-560	NEW-E	84-14-050	392-132-070	NEW	84-13-024	392-140-020	REP-P	84-14-057
392-127-560	NEW-P	84-14-054	392-136-003	NEW	84-04-034	392-140-020	REP	84-17-050
392-127-560	NEW	84-17-052	392-136-005	AMD	84-04-034	392-140-021	REP-E	84-14-053
392-127-565	NEW-E	84-14-050	392-136-010	AMD	84-04-034	392-140-021	REP-P	84-14-057
392-127-565	NEW-P	84-14-054	392-136-015	AMD	84-04-034	392-140-021	REP	84-17-050
392-127-565	NEW	84-17-052	392-136-020	AMD	84-04-034	392-140-022	REP-E	84-14-053
392-127-570	NEW-E	84-14-050	392-136-060	NEW	84-04-034	392-140-022	REP-P	84-14-057
392-127-570	NEW-P	84-14-054	392-136-065	NEW	84-04-034	392-140-022	REP	84-17-050
392-127-570	NEW	84-17-052	392-136-070	NEW	84-04-034	392-140-023	REP-E	84-14-053
392-127-575	NEW-E	84-14-050	392-136-075	NEW	84-04-034	392-140-023	REP-P	84-14-057
392-127-575	NEW-P	84-14-054	392-136-085	NEW	84-04-034	392-140-023	REP	84-17-050
392-127-575	NEW	84-17-052	392-137	AMD-C	84-20-025	392-140-025	REP-P	84-17-122
392-127-600	NEW-E	84-14-050	392-137-020	AMD-P	84-17-121	392-140-025	REP	84-20-087
392-127-600	NEW-P	84-14-054	392-137-020	AMD	84-20-079	392-140-026	REP-P	84-17-122

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-140-026	REP	84-20-087	392-141-028	REP-P	84-16-026	392-145-020	AMD-P	84-17-125
392-140-027	REP-P	84-17-122	392-141-028	REP	84-19-002	392-145-020	AMD	84-20-082
392-140-027	REP	84-20-087	392-141-037	REP-P	84-16-026	392-145-025	AMD-P	84-17-125
392-140-028	REP-P	84-17-122	392-141-037	REP	84-19-002	392-145-025	AMD	84-20-082
392-140-028	REP	84-20-087	392-141-038	REP-P	84-16-026	392-145-030	AMD-P	84-17-125
392-140-029	REP-P	84-17-122	392-141-038	REP	84-19-002	392-145-030	AMD	84-20-082
392-140-029	REP	84-20-087	392-141-042	REP-P	84-16-026	392-145-035	AMD-P	84-17-125
392-140-030	REP-P	84-17-122	392-141-042	REP	84-19-002	392-145-035	AMD	84-20-082
392-140-030	REP	84-20-087	392-141-043	REP-P	84-16-026	392-145-040	AMD-P	84-17-125
392-140-031	REP-P	84-17-122	392-141-043	REP	84-19-002	392-145-040	AMD	84-20-082
392-140-031	REP	84-20-087	392-141-105	NEW-P	84-12-002	392-160	AMD-P	84-10-072
392-140-032	REP-P	84-17-122	392-141-105	NEW	84-15-025	392-160	AMD-C	84-11-085
392-140-032	REP	84-20-087	392-141-110	NEW-P	84-12-002	392-160	AMD	84-13-027
392-140-033	REP-P	84-17-122	392-141-110	NEW	84-15-025	392-160	AMD-P	84-17-126
392-140-033	REP	84-20-087	392-141-115	NEW-P	84-12-002	392-160	AMD-C	84-20-030
392-140-034	REP-P	84-17-122	392-141-115	NEW	84-15-025	392-160	AMD	84-20-083
392-140-034	REP	84-20-087	392-141-120	NEW-P	84-12-002	392-160-001	REP-P	84-10-072
392-140-035	REP-P	84-17-122	392-141-120	NEW	84-15-025	392-160-001	REP	84-13-027
392-140-035	REP	84-20-087	392-141-125	NEW-P	84-12-002	392-160-003	NEW-P	84-10-072
392-140-040	REP-P	84-17-122	392-141-125	NEW	84-15-025	392-160-003	NEW	84-13-027
392-140-040	REP	84-20-087	392-141-130	NEW-P	84-12-002	392-160-004	NEW-P	84-10-072
392-140-041	REP-P	84-17-122	392-141-130	NEW	84-15-025	392-160-004	NEW	84-13-027
392-140-041	REP	84-20-087	392-141-140	NEW-P	84-12-002	392-160-005	AMD-P	84-10-072
392-140-045	NEW-P	84-17-123	392-141-140	NEW	84-15-025	392-160-005	AMD	84-13-027
392-140-045	NEW	84-20-080	392-141-145	NEW-P	84-12-002	392-160-005	AMD-P	84-17-126
392-140-046	NEW-P	84-17-123	392-141-145	NEW	84-15-025	392-160-005	AMD	84-20-083
392-140-046	NEW	84-20-080	392-141-150	NEW-P	84-12-002	392-160-010	AMD-P	84-10-072
392-140-047	NEW-P	84-17-123	392-141-150	NEW	84-15-025	392-160-010	AMD	84-13-027
392-140-047	NEW	84-20-080	392-141-155	NEW-P	84-12-002	392-160-010	AMD-P	84-17-126
392-140-048	NEW-P	84-17-123	392-141-155	NEW	84-15-025	392-160-010	AMD	84-20-083
392-140-048	NEW	84-20-080	392-141-160	NEW-P	84-12-002	392-160-015	AMD-P	84-10-072
392-140-049	NEW-P	84-17-123	392-141-160	NEW	84-15-025	392-160-015	AMD	84-13-027
392-140-049	NEW	84-20-080	392-141-165	NEW-P	84-12-002	392-160-015	AMD-P	84-17-126
392-140-050	NEW-P	84-17-123	392-141-165	NEW	84-15-025	392-160-015	AMD	84-20-083
392-140-050	NEW	84-20-080	392-141-170	NEW-P	84-12-002	392-160-020	AMD-P	84-10-072
392-140-051	NEW-P	84-17-123	392-141-170	NEW	84-15-025	392-160-020	AMD	84-13-027
392-140-051	NEW	84-20-080	392-141-175	NEW-P	84-12-002	392-160-020	AMD-P	84-17-126
392-140-052	NEW-P	84-17-123	392-141-175	NEW	84-15-025	392-160-020	AMD	84-20-083
392-140-052	NEW	84-20-080	392-141-180	NEW-P	84-12-002	392-160-026	NEW-P	84-10-072
392-140-053	NEW-P	84-17-123	392-141-180	NEW	84-15-025	392-160-026	NEW	84-13-027
392-140-053	NEW	84-20-080	392-141-185	NEW-P	84-12-002	392-160-026	AMD-P	84-17-126
392-140-054	NEW-P	84-17-123	392-141-185	NEW	84-15-025	392-160-026	AMD	84-20-083
392-140-054	NEW	84-20-080	392-141-190	NEW-P	84-12-002	392-160-027	NEW-P	84-10-072
392-140-055	NEW-P	84-17-123	392-141-190	NEW	84-15-025	392-160-027	NEW	84-13-027
392-140-055	NEW	84-20-080	392-141-195	NEW-P	84-12-002	392-160-028	NEW-P	84-10-072
392-140-056	NEW-P	84-17-123	392-141-195	NEW	84-15-025	392-160-028	NEW	84-13-027
392-140-056	NEW	84-20-080	392-142	AMD-C	84-11-083	392-160-028	AMD-P	84-17-126
392-140-057	NEW-P	84-17-123	392-142-020	AMD-P	84-10-071	392-160-028	AMD	84-20-083
392-140-057	NEW	84-20-080	392-142-020	AMD	84-13-026	392-160-029	NEW-P	84-10-072
392-140-058	NEW-P	84-17-123	392-143	AMD-C	84-20-028	392-160-029	NEW	84-13-027
392-140-058	NEW	84-20-080	392-143-001	AMD-P	84-17-124	392-160-035	AMD-P	84-10-072
392-140-059	NEW-P	84-17-123	392-143-001	AMD	84-20-081	392-160-035	AMD	84-13-027
392-140-059	NEW	84-20-080	392-143-010	AMD-P	84-17-124	392-160-035	AMD-P	84-17-126
392-140-060	NEW-P	84-17-123	392-143-010	AMD	84-20-081	392-160-035	AMD	84-20-083
392-140-060	NEW	84-20-080	392-143-015	AMD-P	84-17-124	392-160-040	AMD-P	84-10-072
392-140-061	NEW-P	84-17-123	392-143-015	AMD	84-20-081	392-160-040	AMD	84-13-027
392-140-061	NEW	84-20-080	392-143-030	AMD	84-03-001	392-160-040	AMD-P	84-17-126
392-140-062	NEW-P	84-17-123	392-143-030	AMD-P	84-17-124	392-160-040	AMD	84-20-083
392-140-062	NEW	84-20-080	392-143-030	AMD	84-20-081	392-160-045	AMD-P	84-17-126
392-140-063	NEW-P	84-17-123	392-143-035	AMD-P	84-17-124	392-160-045	AMD	84-20-083
392-140-063	NEW	84-20-080	392-143-035	AMD	84-20-081	392-162	NEW-C	84-11-084
392-140-064	NEW-P	84-17-123	392-143-040	AMD-P	84-17-124	392-162	NEW-C	84-13-016
392-140-064	NEW	84-20-080	392-143-040	AMD	84-20-081	392-162	NEW-C	84-14-016
392-141	AMD-P	84-12-002	392-143-050	AMD-P	84-17-124	392-162	AMD-C	84-20-031
392-141	AMD	84-15-025	392-143-050	AMD	84-20-081	392-162-005	NEW-P	84-10-073
392-141-005	REP-P	84-16-026	392-143-060	AMD-P	84-17-124	392-162-005	NEW	84-14-038
392-141-005	REP	84-19-002	392-143-060	AMD	84-20-081	392-162-010	NEW-P	84-10-073
392-141-007	REP-P	84-16-026	392-143-065	AMD-P	84-17-124	392-162-010	NEW	84-14-038
392-141-007	REP	84-19-002	392-143-065	AMD	84-20-081	392-162-015	NEW-P	84-10-073
392-141-008	REP-P	84-16-026	392-143-070	AMD	84-03-001	392-162-015	NEW	84-14-038
392-141-008	REP	84-19-002	392-143-070	AMD-P	84-17-124	392-162-020	NEW-P	84-10-073
392-141-017	REP-P	84-16-026	392-143-070	AMD	84-20-081	392-162-020	NEW	84-14-038
392-141-017	REP	84-19-002	392-145	AMD-C	84-20-029	392-162-025	NEW-P	84-10-073
392-141-018	REP-P	84-16-026	392-145-005	AMD-P	84-17-125	392-162-025	NEW	84-14-038
392-141-018	REP	84-19-002	392-145-005	AMD	84-20-082	392-162-030	NEW-P	84-10-073
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392-162-045	NEW-P	84-10-073	392-163-306	NEW-P	84-17-128	392-170-015	NEW	84-14-037
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392-162-060	NEW	84-14-038	392-163-360	AMD	84-20-089	392-170-040	NEW-P	84-10-074
392-162-065	NEW-P	84-10-073	392-163-362	NEW-P	84-17-128	392-170-040	NEW	84-14-037
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392-163-125	AMD	84-20-089	392-165-260	NEW	84-06-019	392-171-331	AMD-W	84-09-001
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437-06-020	NEW-P	84-19-065	437-06-120	NEW-P	84-19-065
437-06-030	NEW-P	84-19-065	437-10-010	NEW-P	84-19-065
437-06-040	NEW-P	84-19-065	437-10-020	NEW-P	84-19-065
437-06-050	NEW-P	84-19-065	437-10-030	NEW-P	84-19-065
437-06-060	NEW-P	84-19-065	437-10-040	NEW-P	84-19-065
437-06-070	NEW-P	84-19-065	437-10-050	NEW-P	84-19-065
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437-06-090	NEW-P	84-19-065			
437-06-100	NEW-P	84-19-065			
437-06-110	NEW-P	84-19-065			
437-06-120	NEW-P	84-19-065			
437-10-010	NEW-P	84-19-065			
437-10-020	NEW-P	84-19-065			
437-10-030	NEW-P	84-19-065			
437-10-040	NEW-P	84-19-065			
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437-10-080	NEW-P	84-19-065	458-40-18713	NEW	84-14-049	463-46-025	REP-P	84-16-048
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440-44-030	AMD-E	84-14-040	458-40-18714	NEW	84-14-049	463-46-040	REP	84-19-031
440-44-040	AMD-P	84-09-080	458-40-19005	NEW-P	84-05-041	463-46-050	REP-P	84-16-048
440-44-040	AMD	84-13-006	458-40-19005	NEW	84-08-021	463-46-050	REP	84-19-031
440-44-040	AMD-E	84-14-040	458-53-020	AMD-P	84-11-065	463-46-055	REP-P	84-16-048
440-44-045	AMD-P	84-09-080	458-53-030	AMD-P	84-11-065	463-46-055	REP	84-19-031
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440-44-050	AMD-P	84-09-080	458-53-060	REP-P	84-11-065	463-46-060	REP	84-19-031
440-44-050	AMD-P	84-15-019	458-53-060	REP	84-14-039	463-46-100	REP-P	84-16-048
440-44-057	AMD-P	84-09-080	458-53-070	AMD-P	84-11-065	463-46-100	REP	84-19-031
440-44-057	AMD-P	84-15-019	458-53-080	AMD-P	84-11-065	463-46-150	REP-P	84-16-048
440-44-065	AMD-P	84-09-080	458-53-080	AMD	84-14-039	463-46-150	REP	84-19-031
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440-44-065	AMD-E	84-14-040	458-53-090	AMD	84-14-039	463-46-160	REP	84-19-031
440-44-070	AMD-P	84-09-080	458-53-100	AMD-P	84-11-065	463-46-170	REP-P	84-16-048
446-50-080	AMD-P	84-02-069	458-53-100	AMD	84-14-039	463-46-170	REP	84-19-031
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458-16-110	AMD-P	84-17-079	458-53-130	AMD-P	84-11-065	463-46-177	REP-P	84-16-048
458-16-111	AMD-P	84-17-079	458-53-130	AMD	84-14-039	463-46-177	REP	84-19-031
458-16-130	AMD-P	84-17-079	458-53-140	AMD-P	84-11-065	463-46-180	REP-P	84-16-048
458-16-150	AMD-P	84-17-079	458-53-140	AMD	84-14-039	463-46-180	REP	84-19-031
458-16-210	AMD-P	84-17-079	458-53-141	AMD-P	84-11-065	463-46-190	REP-P	84-16-048
458-16-220	AMD-P	84-17-079	458-53-141	AMD	84-14-039	463-46-190	REP	84-19-031
458-16-230	AMD-P	84-17-079	458-53-150	AMD-P	84-11-065	463-46-200	REP-P	84-16-048
458-16-240	AMD-P	84-17-079	458-53-150	AMD	84-14-039	463-46-200	REP	84-19-031
458-16-260	AMD-P	84-17-079	458-53-160	AMD-P	84-11-065	463-46-203	REP-P	84-16-048
458-16-270	AMD-P	84-17-079	458-53-160	AMD	84-14-039	463-46-203	REP	84-19-031
458-16-280	AMD-P	84-17-079	458-53-163	NEW-P	84-11-065	463-46-205	REP-P	84-16-048
458-16-282	AMD-P	84-17-079	458-53-163	NEW	84-14-039	463-46-205	REP	84-19-031
458-18-010	AMD-P	84-17-078	458-53-165	AMD-P	84-11-065	463-46-210	REP-P	84-16-048
458-18-020	AMD-P	84-17-078	458-53-165	AMD	84-14-039	463-46-210	REP	84-19-031
458-18-030	AMD-P	84-17-078	458-53-170	REP-P	84-11-065	463-46-215	REP-P	84-16-048
458-18-050	AMD-P	84-17-078	458-53-170	REP	84-14-039	463-46-215	REP	84-19-031
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458-18-070	AMD-P	84-17-078	458-53-180	AMD	84-14-039	463-46-220	REP	84-19-031
458-18-080	AMD-P	84-17-078	458-53-190	REP-P	84-11-065	463-46-225	REP-P	84-16-048
458-18-100	AMD-P	84-17-078	458-53-190	REP	84-14-039	463-46-225	REP	84-19-031
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458-20-114	AMD-C	84-05-027	458-53-200	AMD	84-14-039	463-46-230	REP	84-19-031
458-20-114	AMD-C	84-05-067	458-53-210	AMD-P	84-11-065	463-46-240	REP-P	84-16-048
458-20-114	AMD	84-08-012	458-53-210	AMD	84-14-039	463-46-240	REP	84-19-031
458-20-183	AMD-P	84-05-068	458-61-030	AMD-P	84-11-040	463-46-245	REP-P	84-16-048
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458-40-18600	AMD-E	84-14-048	458-61-080	AMD	84-17-002	463-46-270	REP	84-19-031
458-40-18600	AMD	84-14-049	458-61-100	AMD-P	84-11-040	463-46-300	REP-P	84-16-048
458-40-18700	AMD-P	84-10-052	458-61-100	AMD	84-17-002	463-46-300	REP	84-19-031
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458-40-18700	AMD	84-14-049	458-61-210	AMD	84-17-002	463-46-305	REP	84-19-031
458-40-18701	REP-P	84-10-052	458-61-220	AMD-P	84-11-040	463-46-310	REP-P	84-16-048
458-40-18701	REP-E	84-14-048	458-61-220	AMD	84-17-002	463-46-310	REP	84-19-031
458-40-18701	REP	84-14-049	458-61-230	AMD-P	84-11-040	463-46-320	REP-P	84-16-048
458-40-18702	REP-P	84-10-052	458-61-230	AMD	84-17-002	463-46-320	REP	84-19-031
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458-40-18702	REP	84-14-049	458-61-320	AMD	84-17-002	463-46-330	REP	84-19-031
458-40-18703	REP-P	84-10-052	458-61-400	AMD-P	84-11-040	463-46-340	REP-P	84-16-048
458-40-18703	REP-E	84-14-048	458-61-400	AMD	84-17-002	463-46-340	REP	84-19-031
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458-40-18704	AMD-P	84-10-052	458-61-510	AMD	84-17-002	463-46-345	REP	84-19-031
458-40-18704	AMD-E	84-14-048	458-61-570	AMD-P	84-11-040	463-46-350	REP-P	84-16-048
458-40-18704	AMD	84-14-049	458-61-590	AMD-P	84-11-040	463-46-350	REP	84-19-031
458-40-18705	AMD-P	84-10-052	458-61-590	AMD	84-17-002	463-46-355	REP-P	84-16-048
458-40-18705	AMD-E	84-14-048	458-61-680	AMD-P	84-11-040	463-46-355	REP	84-19-031
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458-40-18706	AMD	84-14-049	463-06-040	AMD-P	84-03-046	463-46-365	REP	84-19-031
458-40-18711	AMD-P	84-05-022	463-06-040	AMD	84-07-042	463-46-370	REP-P	84-16-048
458-40-18711	AMD-E	84-05-023	463-46-010	REP-P	84-16-048	463-46-370	REP	84-19-031
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463-46-400	REP-P	84-16-048	463-47-020	NEW	84-19-031	468-300-010	AMD	84-10-002
463-46-400	REP	84-19-031	463-47-030	NEW-P	84-16-048	468-300-010	AMD	84-11-052
463-46-405	REP-P	84-16-048	463-47-030	NEW	84-19-031	468-300-020	AMD-P	84-06-050
463-46-405	REP	84-19-031	463-47-040	NEW-P	84-16-048	468-300-020	AMD-C	84-10-001
463-46-410	REP-P	84-16-048	463-47-040	NEW	84-19-031	468-300-020	AMD	84-10-002
463-46-410	REP	84-19-031	463-47-050	NEW-P	84-16-048	468-300-020	AMD	84-11-052
463-46-420	REP-P	84-16-048	463-47-050	NEW	84-19-031	468-300-030	AMD-P	84-06-050
463-46-420	REP	84-19-031	463-47-051	NEW-P	84-16-048	468-300-030	AMD-C	84-10-001
463-46-425	REP-P	84-16-048	463-47-051	NEW	84-19-031	468-300-030	AMD	84-10-002
463-46-425	REP	84-19-031	463-47-060	NEW-P	84-16-048	468-300-030	AMD	84-11-052
463-46-440	REP-P	84-16-048	463-47-060	NEW	84-19-031	468-300-040	AMD-P	84-06-050
463-46-440	REP	84-19-031	463-47-070	NEW-P	84-16-048	468-300-040	AMD-C	84-10-001
463-46-442	REP-P	84-16-048	463-47-070	NEW	84-19-031	468-300-040	AMD	84-11-052
463-46-442	REP	84-19-031	463-47-080	NEW-P	84-16-048	468-300-070	AMD-P	84-06-050
463-46-444	REP-P	84-16-048	463-47-080	NEW	84-19-031	468-300-070	AMD-C	84-10-001
463-46-444	REP	84-19-031	463-47-090	NEW-P	84-16-048	468-300-070	AMD	84-11-052
463-46-450	REP-P	84-16-048	463-47-090	NEW	84-19-031	478-116-010	AMD-P	84-06-046
463-46-450	REP	84-19-031	463-47-100	NEW-P	84-16-048	478-116-010	AMD	84-10-030
463-46-455	REP-P	84-16-048	463-47-100	NEW	84-19-031	478-116-240	AMD-P	84-06-046
463-46-455	REP	84-19-031	463-47-110	NEW-P	84-16-048	478-116-240	AMD	84-10-030
463-46-460	REP-P	84-16-048	463-47-110	NEW	84-19-031	478-116-440	AMD-P	84-06-046
463-46-460	REP	84-19-031	463-47-120	NEW-P	84-16-048	478-116-511	NEW-P	84-06-046
463-46-465	REP-P	84-16-048	463-47-120	NEW	84-19-031	478-116-511	NEW	84-10-030
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463-46-470	REP-P	84-16-048	463-47-130	NEW	84-19-031	478-116-600	AMD-P	84-06-046
463-46-470	REP	84-19-031	463-47-140	NEW-P	84-16-048	478-116-600	AMD-E	84-04-090
463-46-480	REP-P	84-16-048	463-47-140	NEW	84-19-031	478-116-600	AMD-E	84-08-052
463-46-480	REP	84-19-031	463-47-150	NEW-P	84-16-048	478-116-600	AMD	84-10-030
463-46-485	REP-P	84-16-048	463-47-150	NEW	84-19-031	478-116-600	AMD-P	84-11-062
463-46-485	REP	84-19-031	463-47-190	NEW-P	84-16-048	478-116-600	AMD	84-16-028
463-46-490	REP-P	84-16-048	463-47-190	NEW	84-19-031	478-210-010	NEW	84-09-020
463-46-490	REP	84-19-031	468-12-010	AMD-P	84-16-004	478-210-020	NEW	84-09-020
463-46-495	REP-P	84-16-048	468-12-010	AMD	84-19-030	478-324-010	NEW-P	84-16-078
463-46-495	REP	84-19-031	468-12-020	AMD-P	84-16-004	478-324-010	NEW	84-20-074
463-46-500	REP-P	84-16-048	468-12-020	AMD	84-19-030	478-324-020	NEW-P	84-16-078
463-46-500	REP	84-19-031	468-12-025	REP-P	84-16-004	478-324-020	NEW	84-20-074
463-46-510	REP-P	84-16-048	468-12-025	REP	84-19-030	478-324-030	NEW-P	84-16-078
463-46-510	REP	84-19-031	468-12-055	AMD-P	84-16-004	478-324-030	NEW	84-20-074
463-46-520	REP-P	84-16-048	468-12-055	AMD	84-19-030	478-324-040	NEW-P	84-16-078
463-46-520	REP	84-19-031	468-12-060	AMD-P	84-16-004	478-324-040	NEW	84-20-074
463-46-530	REP-P	84-16-048	468-12-060	AMD	84-19-030	478-324-050	NEW-P	84-16-078
463-46-530	REP	84-19-031	468-12-455	NEW-P	84-16-004	478-324-050	NEW	84-20-074
463-46-535	REP-P	84-16-048	468-12-455	NEW	84-19-030	478-324-060	NEW-P	84-16-078
463-46-535	REP	84-19-031	468-12-460	AMD-P	84-16-004	478-324-060	NEW	84-20-074
463-46-540	REP-P	84-16-048	468-12-460	AMD	84-19-030	478-324-070	NEW-P	84-16-078
463-46-540	REP	84-19-031	468-12-510	NEW-P	84-16-004	478-324-070	NEW	84-20-074
463-46-545	REP-P	84-16-048	468-12-510	NEW	84-19-030	478-324-080	NEW-P	84-16-078
463-46-545	REP	84-19-031	468-12-660	NEW-P	84-16-004	478-324-090	NEW-P	84-16-078
463-46-550	REP-P	84-16-048	468-12-660	NEW	84-19-030	478-324-090	NEW	84-20-074
463-46-550	REP	84-19-031	468-12-680	NEW-P	84-16-004	478-324-100	NEW-P	84-16-078
463-46-570	REP-P	84-16-048	468-12-680	NEW	84-19-030	478-324-100	NEW	84-20-074
463-46-570	REP	84-19-031	468-12-704	NEW-P	84-16-004	478-324-110	NEW-P	84-16-078
463-46-580	REP-P	84-16-048	468-12-704	NEW	84-19-030	478-324-110	NEW	84-20-074
463-46-580	REP	84-19-031	468-12-800	NEW-P	84-16-004	478-324-120	NEW-P	84-16-078
463-46-600	REP-P	84-16-048	468-12-800	NEW	84-19-030	478-324-120	NEW	84-20-074
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463-46-650	REP-P	84-16-048	468-12-880	NEW	84-19-030	478-324-130	NEW	84-20-074
463-46-650	REP	84-19-031	468-12-904	NEW-P	84-16-004	478-324-140	NEW-P	84-16-078
463-46-652	REP-P	84-16-048	468-12-904	NEW	84-19-030	478-324-140	NEW	84-20-074
463-46-652	REP	84-19-031	468-12-910	NEW-P	84-16-004	478-324-150	NEW-P	84-16-078
463-46-660	REP-P	84-16-048	468-12-910	NEW	84-19-030	478-324-150	NEW	84-20-074
463-46-660	REP	84-19-031	468-12-912	NEW-P	84-16-004	478-324-160	NEW-P	84-16-078
463-46-690	REP-P	84-16-048	468-12-912	NEW	84-19-030	478-324-160	NEW	84-20-074
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463-46-695	REP-P	84-16-048	468-38-135	NEW-E	84-03-034	478-324-170	NEW	84-20-074
463-46-695	REP	84-19-031	468-38-135	NEW	84-05-045	478-324-180	NEW-P	84-16-078
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478-325-025	REP-P	84-16-078	480-10-455	REP-P	84-18-053	480-95	RESCIND	84-07-046
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