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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.

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DENNIS W. COOPER
Code Reviser

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1985

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		
<i>For Inclusion in—</i>	<i>File no later than—</i>			<i>Count 20 days from—</i>	<i>For hearing/adoption on or after</i>
85-01	Nov 21	Dec 5	Dec 19, 1984	Jan 2, 1985	Jan 22
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85-08	Mar 6	Mar 20	Apr 3	Apr 17	May 7
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85-11	Apr 24	May 8	May 22	Jun 5	Jun 25
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85-13	May 22	Jun 5	Jun 19	Jul 3	Jul 23
85-14	Jun 5	Jun 19	Jul 3	Jul 17	Aug 6
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85-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
85-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
85-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1986

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 85-10-001
ADOPTED RULES
BOARD OF HEALTH
 [Order 283—Filed April 18, 1985]

Be it resolved by the Washington State Board of Health, acting at Everett, Washington, that it does adopt the annexed rules relating to general design requirements, amending WAC 248-18-718.

This action is taken pursuant to Notice No. WSR 85-05-004 filed with the code reviser on February 8, 1985. 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 70.41.030 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Washington State Board of Health as authorized in RCW 43.20.050.

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 April 10, 1985.

By John A. Beare, MD, MPH
 Secretary

AMENDATORY SECTION (Amending Order 252, filed 1/14/83)

WAC 248-18-718 GENERAL DESIGN REQUIREMENTS. (REQUIREMENTS ARE SHOWN IN CAPITAL LETTERS. SEE WAC 248-18-515.)

(1) VECTOR CONTROL. CONSTRUCTION OF THE BUILDING SHALL BE SUCH AS TO PREVENT THE ENTRANCE AND HARBORAGE OF RODENTS AND INSECTS.

(2) ELEVATORS.

(a) AT LEAST ONE ELEVATOR CONVENIENTLY ACCESSIBLE FROM GROUND LEVEL IN ALL HOSPITALS WITH PATIENT CARE AND/OR DIAGNOSTIC AREAS ON OTHER THAN GROUND LEVEL OR ON MORE THAN ONE LEVEL. IF ELEVATOR REQUIRED,

(i) AT LEAST TWO ELEVATORS IN ALL HOSPITALS WITH A CAPACITY OF MORE THAN SIXTY BEDS;

(ii) AT LEAST THREE ELEVATORS IN ALL HOSPITALS WITH A CAPACITY OF OVER TWO HUNDRED BEDS ON OTHER THAN THE GROUND LEVEL.

(b) A GREATER NUMBER OF ELEVATORS MAY BE REQUIRED BECAUSE OF THE HOSPITAL PLAN, VOLUME OF VISITOR TRAFFIC, AND FOOD AND SUPPLY DISTRIBUTION SYSTEM.²⁴

(c) SIZE OF REQUIRED PATIENT TRANSPORT ELEVATORS: AT LEAST ONE ELEVATOR OF FIVE FOOT FOUR INCH WIDTH BY EIGHT FEET SIX INCHES LENGTH INSIDE DIMENSIONS

WITH DOOR OPENING OF FOUR FEET. In alteration projects where the elevator shaft is existing, elevators of lesser inside dimensions may be permitted.

(3) STAIRWAYS, RAMPS, CORRIDORS, AND AISLES.

(a) STAIRWAYS AND RAMPS.

(i) NONSKID SURFACES.

(ii) HANDRAILS ON BOTH SIDES.

(iii) ADEQUATE GUARDRAILS AND OTHER SAFETY DEVICES ON ALL STAIRWELLS AND RAMPS.

(iv) SLOPE OF RAMPS USED FOR PATIENTS NOT TO EXCEED ONE IN TWELVE.

SLOPE OF RAMPS IN SERVICE AREAS NOT TO EXCEED ONE IN TEN.

(b) CORRIDORS.

(i) A CORRIDOR SYSTEM ESTABLISHED THROUGHOUT HOSPITAL. CORRIDORS SHALL PROVIDE A METHOD OF TRAFFIC CIRCULATION DESIGNED FOR PATIENT PRIVACY, TO PREVENT THROUGH TRAFFIC IN EXAMINATION, OBSERVATION, TREATMENT, AND DIAGNOSTIC AREAS.

(ii) CORRIDORS AT LEAST EIGHT FOOT ZERO INCHES WIDE WITH NO RESTRICTION MORE THAN SEVEN INCH TOTAL. EXISTING SEVEN FOOT ZERO INCH CORRIDORS ACCEPTABLE FOR ALTERATION PROJECTS. FIVE FOOT ZERO INCH MINIMUM CORRIDOR WIDTH FOR AMBULATORY PATIENT TRAFFIC WITHIN A SINGLE DEPARTMENT; FOUR FOOT ZERO INCH MINIMUM CORRIDOR FOR NON-PATIENT AREAS AND DEPARTMENTS PROVIDED THERE IS A FIVE-BY-FIVE FOOT TURNAROUND AT LEAST EVERY SEVENTY-FIVE FEET.

(iii) HANDRAILS BOTH SIDES OF CORRIDORS USED BY PATIENTS ON REHABILITATION NURSING UNITS, NURSING HOME UNITS, AND OTHER LONG-TERM CARE NURSING UNITS.

(iv) DOORS, EXCEPT THOSE TO SMALL UNOCCUPIED SPACES, SHALL NOT SWING INTO REQUIRED CORRIDOR WIDTH.

(c) AISLES.

SUFFICIENTLY WIDE TO ALLOW FOR UNIMPEDED MOVEMENT OF EQUIPMENT AND PERSONNEL.

(4) DOORS, WINDOWS, AND SCREENS.

(a) DOORS.

(i) FOUR FOOT ZERO INCH MINIMUM WIDTH IN OPERATING ROOM, DELIVERY ROOM, BIRTHING ROOM, RECOVERY ROOM, MAJOR EMERGENCY TREATMENT ROOM, FRACTURE ROOM, X-RAY ROOM, COMPUTERIZED AXIAL TOMOGRAPHY ROOMS, TO ALL TYPES OF INTENSIVE CARE UNITS AND TREATMENT ROOMS IN INTENSIVE CARE.

(ii) THREE FOOT TEN INCH MINIMUM WIDTH FOR PATIENT ROOMS, NEWBORN NURSERIES, ULTRASOUND ROOMS, NUCLEAR MEDICINE TREATMENT ROOMS, PHYSICAL

THERAPY TREATMENT ROOMS, HORIZONTAL EXITS, AND OTHER DOORS THROUGH WHICH PATIENTS ARE TRANSPORTED IN STRETCHERS OR BEDS. Four foot zero inch doors recommended.

(iii) EXISTING THREE FOOT EIGHT INCH DOORS ACCEPTABLE IN ALTERATIONS EXCEPT IN ALTERATIONS OF OPERATING ROOMS, MAJOR EMERGENCY TREATMENT ROOMS, DELIVERY ROOMS, RECOVERY ROOMS, INTENSIVE CARE ROOMS, FRACTURE ROOMS OR X-RAY.

(iv) THREE FOOT ZERO INCH MINIMUM WIDTH FOR ALL DOORS WHICH MAY BE USED BY PERSONS IN WHEELCHAIRS INCLUDING PATIENT TOILETS AND BATHROOMS EXCEPT DOORS TO TOILETS AND BATHROOMS WHICH OPEN INTO PATIENT ROOMS SHALL BE NOT LESS THAN TWO FOOT SIX INCHES IN WIDTH.

(v) Doors to toilets adjoining patient rooms should not swing into toilet rooms.

(vi) Adequate width for receiving entrance doors, ((store room)) storeroom doors, and other doors through which large carts or bulk goods are transported.

(vii) VISION PANELS IN ALL DOUBLE-ACTING DOORS. Four inches wide by twenty-four inches high recommended.

(b) WINDOWS.

(i) REQUIRED IN PATIENT ROOMS EXCEPT LABOR ROOMS AND NURSERIES.

(ii) REQUIRED WINDOWS TO HAVE CLEAR GLASS AREA OF AT LEAST ONE-TENTH FLOOR AREA.

(iii) REQUIRED WINDOWS TO BE LOCATED IN OUTSIDE WALLS PERMITTING A SATISFACTORY AMOUNT OF UNOBSTRUCTED NATURAL LIGHT. No required windows should be located within twenty feet of another building or the opposite wall of a court or within ten feet of a property line except a street.

(iv) WINDOW SILLS OF REQUIRED WINDOWS IN PATIENT ROOMS NO HIGHER THAN THREE FOOT ZERO INCHES FROM THE FLOOR. GRADE³⁷ ADJACENT TO REQUIRED WINDOWS IN PATIENT ROOMS TO BE BELOW WINDOW SILL.

(c) SCREENS.

SIXTEEN MESH SCREEN OR EQUAL ON WINDOW OPENINGS WHICH SERVE FOR REQUIRED VENTILATION.

(5) FLOOR FINISHES, WALL SURFACES, AND CEILINGS.

(a) FLOOR FINISHES:

(i) EASILY CLEANED AND SUITABLE TO THE FUNCTIONS OF EACH AREA.

(ii) NONSLIP AT ENTRANCES AND OTHER AREAS SUBJECT TO TRAFFIC OR USE WHILE WET.

(iii) COVED BASES INTEGRAL WITH FLOORS OR TOPSET BASE TIGHT TO FLOORS AND WALLS.

(iv) ELECTRICALLY CONDUCTIVE IN AREAS WHERE FLAMMABLE ANESTHETIC GASES ARE TO BE USED PER NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) ((STANDARD 56A)), 99. SEE WAC 248-18-99902(1).

(v) SPECIFICATIONS FOR CARPETING IN NONPATIENT-OCCUPIED AREAS:

(A) PILE YARN FIBER: FIBER WHICH MEETS THE STANDARDS OF THE STATE FIRE MARSHAL (See RCW 70.41.080) SHALL BE ACCEPTABLE PROVIDED THE FIBER IS EASILY CLEANABLE.

(B) PILE TUFTS PER SQUARE INCH: MINIMUM SIXTY-FOUR OR EQUIVALENT DENSITY.

(C) PILE HEIGHT: FROM A MINIMUM OF .125 INCHES TO A MAXIMUM OF .312 INCHES.

(D) PAD: MAY BE SEPARATE PAD.

(vi) SPECIFICATIONS FOR CARPETING IN PATIENT-OCCUPIED AREAS:

(A) PILE YARN FIBER: FIBERS WHICH MEET THE STANDARDS OF THE STATE FIRE MARSHAL (See RCW 70.41.080) SHALL BE ACCEPTABLE PROVIDED THE FIBER IS EASILY CLEANABLE.

(B) PILE TYPE: ROUND LOOP.

(C) PILE TUFTS PER SQUARE INCH: MINIMUM SIXTY-FOUR OR EQUIVALENT DENSITY.

(D) PILE HEIGHT: LEVEL PILE, FROM A MINIMUM OF .125 INCHES TO A MAXIMUM OF .255 INCHES.

(E) BACKING: SHALL BE WATER IMPERVIOUS OR A WATER IMPERVIOUS PAD SHALL BE PERMANENTLY BONDED TO THE BACKING.

(vii) INSTALLATION OF CARPET MATERIAL:

(A) BONDED PAD CARPET MUST BE CEMENTED TO THE FLOOR WITH WATERPROOF CEMENT.

(B) EDGES OF CARPET MUST BE COVERED AND COVE OR BASE SHOE USED AT ALL WALL JUNCTURES. IF BROADLOOM CARPET IS USED, SEAMS ARE TO BE BONDED TOGETHER WITH MANUFACTURER RECOMMENDED CEMENT.

(C) SAFETY OF PATIENTS OR OCCUPANTS IS TO BE ASSURED DURING INSTALLATION. ROOMS MUST BE WELL-VENTILATED AND NOT BE USED BY RESIDENT OCCUPANTS OR PATIENTS DURING INSTALLATION. THE ROOM MAY NOT BE RETURNED TO USE UNTIL THE ROOM IS FREE OF VOLATILE FUMES AND ODORS FROM ADHESIVES.

(b) WALL SURFACES:

(i) EASILY CLEANED AND SUITABLE TO THE FUNCTIONS OF EACH AREA.

(ii) SMOOTH AND WASHABLE FINISH, (e.g., washable paint on smooth finish plaster or gypsum board as opposed to rough or exposed masonry finishes) IN ROOMS USED FOR PATIENT CARE OR TREATMENT AND ROOMS IN WHICH SUPPLIES AND EQUIPMENT FOR PATIENT CARE OR TREATMENT ARE STORED, ASSEMBLED OR PROCESSED, AND IN CLINICAL LABORATORIES.

(iii) A FINISH WHICH WILL MINIMIZE GLARE IN PATIENT ROOMS AND LABOR ROOMS.

(iv) A WATERPROOF PAINTED, GLAZED, OR SIMILAR WATERPROOF FINISH EXTENDING ABOVE THE SPLASH LINE IN ALL ROOMS OR AREAS THAT ARE SUBJECT TO SPLASH OR SPRAY.

(v) Wainscot of five feet minimum height of a durable surface in operating rooms, delivery rooms, emergency rooms, treatment rooms, and corridors.

(vi) External angles protected by corner guards to resist impact in areas of heavy traffic.

(c) CEILINGS:

(i) EIGHT FOOT MINIMUM HEIGHT, EXCEPTIONS MAY BE PERMITTED IN MINOR AUXILIARY ROOMS.

(ii) NINE FOOT MINIMUM HEIGHT IN OPERATING ROOMS, DELIVERY ROOMS, AND SIMILAR ROOMS HAVING SPECIAL CEILING-MOUNTED LIGHT FIXTURES. Higher ceilings may be needed for some types of equipment.

(iii) EASILY CLEANED AND SUITABLE TO THE FUNCTIONS OF EACH AREA.

(iv) SMOOTH AND WASHABLE FINISH, (e.g., washable paint on smooth finish plaster or gypsum board as opposed to fissured tile or rough finishes) IN ROOMS USED FOR PATIENT CARE OR TREATMENT, AND IN ROOMS IN WHICH SUPPLIES AND EQUIPMENT FOR PATIENT CARE OR TREATMENT ARE STORED, ASSEMBLED OR PROCESSED, AND CLINICAL LABORATORIES. NO EXPOSED DUCTWORK AND PIPING.

(v) SMOOTH AND WASHABLE FINISH WITHOUT VISIBLE JOINTS OR CREVICES IN AREAS WHERE SURGICAL ASEPSIS MUST BE ASSURED SUCH AS OPERATING ROOMS, DELIVERY ROOMS, AND EMERGENCY TREATMENT ROOMS.

(vi) A FINISH WHICH WILL MINIMIZE GLARE IN PATIENT ROOMS, LABOR ROOMS, AND BIRTHING ROOMS.

(vii) FINISH THAT MINIMIZES REFLECTION OF ((~~ULTRA-VIOLET~~)) ULTRAVIOLET RADIATION IN TUBERCULOSIS ISOLATION ROOMS.

(viii) CEILINGS OF PATIENT ROOMS IN PSYCHIATRIC NURSING UNITS, SECURITY, AND SECLUSION ROOMS SHALL BE OF MONOLITHIC OR BONDED CONSTRUCTION.

(ix) Sound-absorptive treatment in corridors of patient areas, nurses' stations, dining rooms, and hydrotherapy rooms.

(6) PLUMBING AND SEWERAGE.

(a) PLUMBING AND SEWERAGE. CONSTRUCTED IN ACCORDANCE WITH THE UNIFORM PLUMBING CODE, OR EQUIVALENT LOCAL CODE. SEE WAC 248-18-99902(3).

(b) WATER SUPPLY.

(i) AN ADEQUATE WATER SUPPLY WHICH CONFORMS TO THE QUALITY STANDARDS OF CHAPTER 248-54 WAC.

(ii) TEMPERATURE OF HOT WATER AT BATHING FIXTURES THERMOSTATICALLY CONTROLLED NOT TO EXCEED ONE HUNDRED TWENTY DEGREES FAHRENHEIT.

(iii) THERMOSTATICALLY CONTROLLED HOT WATER HEATING EQUIPMENT OF SUFFICIENT CAPACITY TO SUPPLY SIX AND ONE-HALF GALLONS OF ONE HUNDRED TWENTY DEGREE FAHRENHEIT WATER PER HOUR PER BED FOR GENERAL USE, MEASURED AT POINT OF USE. AN ADEQUATE AMOUNT OF WATER AT NOT LESS THAN ONE HUNDRED SIXTY DEGREES FAHRENHEIT FOR LAUNDRY, MECHANICAL DISHWASHERS, AND OTHER SPECIAL MECHANICAL WASHERS. TEMPERATURE MEASURED AT POINT OF USE.

(iv) CIRCULATING SYSTEMS AS NECESSARY TO ENSURE A READY SUPPLY OF HOT WATER AT FIXTURES.

(c) INSULATION.

(i) HOT WATER PIPING INSULATED AS REQUIRED TO CONTROL EXCESSIVE HEAT TRANSFER AND TO PROVIDE FOR SAFETY.

(ii) COLD WATER AND DRAINAGE PIPING INSULATED AS REQUIRED TO CONTROL CONDENSATION.

(iii) AVOID EXPOSING PIPING TO FREEZING TEMPERATURES. IF UNAVOIDABLE, DESIGN TO PREVENT FREEZING.

(d) SEWERAGE.

(i) SEWAGE DISPOSAL SYSTEM IN CONFORMANCE WITH WAC 248-50-100 AND CHAPTER 248-92 OR 248-96 WAC CODIFIED RULES, REGULATIONS AND STANDARDS OF THE STATE BOARD OF HEALTH.

(ii) FLOOR DRAINS IN AREAS WITHOUT DAILY ((~~WASH-DOWN~~)) WASHDOWN SHALL HAVE TRAP PRIMERS.²⁴

(e) PLUMBING FIXTURES.

(i) Bedpan lugs or slot fixtures on water closets not recommended.

(ii) DESIGNED AND INSTALLED TO BE EASILY CLEANED, MAINTAINED, AND SUITABLE TO THE INTENDED USE.²⁴ ADEQUATE SUPPORT FOR FIXTURES.

(iii) LAVATORIES PROVIDED IN EACH TOILET ROOM EXCEPT WHERE PROVIDED IN CONNECTING PATIENT ROOM, DRESSING ROOM, OR LOCKER ROOM.

(iv) DRINKING FOUNTAINS OR EQUIVALENT AT SUITABLE LOCATIONS.²⁴

(v) SINKS IN WHICH UTENSILS AND EQUIPMENT ARE TERMINALLY CLEANED TO BE DOUBLE COMPARTMENT OF ADEQUATE SIZE AND DEPTH (Recommended each compartment 20 x 22 x 14 or similar) WITH ADEQUATE COUNTER SPACE ON BOTH SIDES.²⁴

(vi) EACH FIXTURE, EXCEPT WATER CLOSETS AND SPECIAL USE FIXTURES, PROVIDED WITH HOT AND COLD WATER THROUGH A MIXING OUTLET.

(vii) DEVICES TO PREVENT BACKFLOW ON WATER SUPPLY TO FIXTURES OR GROUP OF FIXTURES WHERE THE USE OF EXTENSION HOSES AND TUBE CLEANING EQUIPMENT IS ANTICIPATED, (e.g., sinks in laboratory, central service, garbage can wash area, and housekeeping facilities and mechanical areas). Also refer to chapter 248-54 WAC.

(viii) NONSKID FLOOR SURFACES IN TUBS AND SHOWERS.

(f) FITTINGS.

(i) WRIST, KNEE, OR FOOT FAUCET CONTROLS AND GOOSENECK SPOUTS OR THE EQUIVALENT ON LAVATORIES IN PATIENT ROOMS AND IN TOILETS ADJOINING PATIENT ROOMS EXCEPT THOSE FOR PSYCHIATRIC PATIENTS TO BE IN ACCORDANCE WITH PROGRAM REQUIREMENTS.

(ii) WRIST, KNEE, OR FOOT FAUCET CONTROLS AND GOOSENECK SPOUTS OR THE EQUIVALENT⁴¹ ON ALL LAVATORIES AND SINKS FOR PERSONNEL USE WHERE REQUIRED TO CONTROL CROSS INFECTION, (e.g., nursing service areas including isolation rooms, laboratory, and physical therapy), UNLESS THE FIXTURE IS USED FOR SOILED FUNCTIONS ONLY AND ANOTHER SINK OR LAVATORY WITH WRIST, KNEE, OR FOOT CONTROLS OR EQUIVALENT⁴¹ IS LOCATED IN THE SAME AREA OF THE ROOM. FAUCET CONTROLS ON LAVATORIES IN NEWBORN NURSERY UNITS, NEONATAL INTENSIVE CARE UNITS, BIRTHING ROOMS, AND ALL SCRUB SINKS TO BE KNEE OR FOOT CONTROLS OR EQUIVALENT.⁴¹ Wrist blades permitted at lavatory when handwashing facility with foot, knee, or equivalent faucet control is located close to birthing ((room(s))) room or rooms.

(iii) WRIST CONTROLS TO HAVE A MINIMUM OF FOUR INCH SPACE BETWEEN BACK SPLASH AND ENDS OF CONTROLS AT FULL CLOSED POSITION AND A MINIMUM OF FOUR INCH SPACE BETWEEN THE END OF CONTROLS AND THE WATER SPOUT IN THE FULL OPEN POSITION.

(g) ACCESSORIES.

(i) BACKING FOR MOUNTING TO SUPPORT THE INTENDED USE OF ALL ACCESSORIES.

(ii) SUITABLE SHELF OR EQUIVALENT, AND MIRROR AT EACH LAVATORY IN TOILET ROOMS, PATIENT ROOMS, BIRTHING ROOMS, DRESSING ROOMS, AND LOCKER ROOMS.

(iii) TOWEL BAR OR HOOK AT EACH BATHING FACILITY. Optional in psychiatric unit.²⁴

(iv) ROBE HOOK AT EACH BATHING FACILITY, WATER CLOSET, DRESSING ROOM, AND EXAMINATION ROOM. Optional in psychiatric unit.²⁴

(v) TOILET PAPER HOLDER PROPERLY LOCATED AT EACH WATER CLOSET.

(vi) WHEN PROGRAM INCLUDES BEDPAN BRUSHES, PROVISION FOR KEEPING BEDPAN BRUSH OFF THE FLOOR.

(vii) PROVISION FOR OFF THE FLOOR PLACEMENT OF SUPPLIES AND EQUIPMENT IN PATIENT TOILETS. THIS PROVISION SHALL BE SEPARATE AND DISTINCT FROM LAVATORY SHELF.

(viii) AT LEAST ONE GRAB BAR OF SUITABLE STRENGTH, EASILY CLEANABLE, RESISTANT TO CORROSION, AND FUNCTIONAL DESIGN SECURELY MOUNTED AND PROPERLY LOCATED AT EACH ISLAND TUB AND WATER CLOSET FOR PATIENTS. Horizontal grab bars should extend at least eighteen inches in front of water closet. WHEN A LAVATORY IS LOCATED ADJACENT TO A WATER CLOSET AND WITHIN EIGHTEEN INCHES OF THE CENTER LINE OF THE WATER CLOSET, IT SHALL BE MOUNTED TO SUPPORT A THREE HUNDRED POUND LIVE LOAD WITHOUT PERMANENT DEFLECTION. GRAB BAR OR BARS OF SUITABLE STRENGTH, EASILY CLEANABLE, RESISTANT TO CORROSION, OF FUNCTIONAL DESIGN, SECURELY MOUNTED, AND PROPERLY LOCATED AT EACH STANDARD BATHTUB AND SHOWER ON TWO SIDES. May be omitted at water closets and bathing facilities for seclusion and security rooms.

(ix) DISPENSERS FOR SINGLE USE TOWELS AT ALL LAVATORIES AND SINKS MOUNTED TO AVOID CONTAMINATION FROM SPLASH AND SPRAY.

(x) SUITABLE PROVISION FOR SOAP AT EACH LAVATORY, SINK, AND BATHING FACILITY.

(xi) Paper cup dispensers at all lavatories except in soiled areas, lavatories in patient rooms, and toilet rooms adjoining patient rooms.

(xii) Properly located dispenser for seat covers at each water closet.

(xiii) Sanitary napkin dispenser and disposer or covered waste container (step-on-can) in each women's toilet room except inpatient toilets.

(h) NONFLAMMABLE MEDICAL GAS SYSTEMS IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD 56F. SEE WAC 248-18-99902(4).

(i) Clinical vacuum (suction) systems in accordance with the recommendations of Compressed Gas Association, Inc., Pamphlet Number ((2-2.1)) P-2.1, except the zone valves may be omitted. See WAC 248-18-99902(11).

(7) HEATING. Recommend use of ASHRAE Handbook series. See WAC 248-18-99902(2).

(a) A HEATING SYSTEM ADEQUATE TO MAINTAIN SEVENTY-FIVE DEGREES FAHRENHEIT MINIMUM TEMPERATURE IN EACH ROOM AND OCCUPIED SPACE.

(b) HEAT SUPPLY FOR EACH PATIENT ROOM PROVIDED WITH INDIVIDUAL THERMOSTATIC CONTROL. Manual or zone control acceptable for existing facility alteration projects. Individual room thermostatic control recommended for all rooms. HEATING SYSTEM SUITABLY ZONED (e.g., by

exposure and usage of areas) AND THERMOSTATICALLY CONTROLLED UNLESS INDIVIDUAL ROOMS THERMOSTATICALLY CONTROLLED.

(c) Standby heat supply to operating rooms, delivery rooms, birthing rooms, recovery rooms, nurseries, all intensive care units, and other selected areas so that they may be heated at times when the general building heating system is not operating.

(d) PIPING THROUGHOUT BUILDING INSULATED AS REQUIRED TO CONTROL EXCESSIVE HEAT TRANSFER AND TO PROVIDE FOR SAFETY.

(8) VENTILATION AND AIR CONDITIONING. USE ASHRAE HANDBOOK SERIES REFERRED TO IN WAC 248-18-99902(2).

(a) ALL ROOMS AND AREAS ADEQUATELY VENTILATED BY MECHANICAL MEANS. (Refer to Table B) DESIGN OF SYSTEM TO PREHEAT COLD OUTSIDE AIR MAKEUP. Gravity acceptable for gas storage rooms, mechanical rooms, and similar areas.

(b) Approved recovery systems to reclaim heat from exhausts are recommended for energy conservation. DESIGN AND INSTALLATION OF HEAT RECOVERY EQUIPMENT TO CONTROL CROSS CONTAMINATION.

(c) ALL FANS SERVING EXHAUST SYSTEMS SHALL BE LOCATED AT THE DISCHARGE END OF THE SYSTEM OR THE SYSTEMS DESIGNED TO PREVENT LEAKAGE TO OCCUPIED AREAS.

(d) DESIGN OF AIR DISTRIBUTION AND BALANCING OF AIR SYSTEMS: TO MAINTAIN APPROPRIATE PRESSURE GRADIENTS AMONG ADJOINING ROOMS AND AREAS TO CONTROL AIR FLOWS IN ACCORDANCE WITH THE RELATIVE DEGREE OF PROTECTION REQUIRED FROM THE SPREAD OF ODORS, MOISTURE, TOBACCO SMOKE, AND CONTAMINANTS, i.e., flow from relatively clean areas to relatively soiled areas. Refer to Table B. Balance for appropriate positive and negative gradients should be evaluated by measuring proper direction of air flow at each doorway by smoke indicator. Designs should be based on anticipated leakage at each door. (Fifty CFM minimum to one hundred CFM maximum for usual room door.)

(e) EXHAUST HOODS OR OTHER APPROVED EXHAUST DEVICES.

(i) LOCATED OVER EQUIPMENT LIKELY TO PRODUCE EXCESSIVE HEAT, MOISTURE, ODORS, OR CONTAMINANTS, (e.g., kitchen, laundry, sterilizing and dishwashing equipment, laboratory and special work areas) PROPERLY DESIGNED FOR INTENDED USE.

(ii) LABORATORY HOODS WHERE INFECTIOUS MATERIALS ARE HANDLED. See WAC 248-18-99902(7) for recommended publications.

(A) MINIMUM FACE VELOCITY OF SEVENTY-FIVE FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH.

(B) SERVED BY INDEPENDENT EXHAUST SYSTEM WITH THE EXHAUST FAN LOCATED AT THE DISCHARGE END OF THE DUCT.

(C) DUCT TO HAVE WELDED JOINTS OR EQUIVALENT FROM THE HOOD TO FILTER ENCLOSURE.

(D) FILTERS WITH 99.97 PERCENT EFFICIENCY (DIOCTYL-PHTHALATE, (DOP), TEST METHOD) IN THE EXHAUST STREAM.

(E) DESIGNED AND EQUIPPED TO PERMIT THE SAFE REMOVAL OF CONTAMINATED FILTERS.

(F) CHEMICAL FUME HOODS SHALL NOT BE USED FOR HANDLING INFECTIOUS MATERIALS.

(iii) LABORATORY HOODS WHERE STRONG OXIDIZING AGENTS, (e.g., perchloric acid((HClO_4))), ARE PROCESSED,

(A) MINIMUM FACE VELOCITY OF ONE HUNDRED FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH.

(B) SERVED BY INDEPENDENT EXHAUST SYSTEM WITH EXPLOSION PROOF EXHAUST FAN AT THE DISCHARGE END OF THE DUCT.

(C) DUCT OF WELDED STAINLESS STEEL OR EQUIVALENT THROUGHOUT THE EXHAUST SYSTEM.

(D) HOOD AND EXHAUST DUCT SYSTEM EQUIPPED WITH COMPLETE COVERAGE WASHDOWN FACILITIES.

(iv) HOODS WHERE RADIOACTIVE PARTICULATE AEROSOLS MAY BE RELEASED.

(A) MINIMUM FACE VELOCITY OF ONE HUNDRED FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH.

(B) SERVED BY INDEPENDENT EXHAUST SYSTEM WITH THE EXHAUST FAN AT THE DISCHARGE END OF THE DUCT.

(C) DUCT TO HAVE WELDED JOINTS OR EQUIVALENT FROM THE HOOD TO THE FILTER ENCLOSURE.

(D) FILTERS WITH 99.97 PERCENT EFFICIENCY (DIOCTYL-PHTHALATE, (DOP) TEST METHOD) IN THE EXHAUST STREAM.

(E) DESIGNED AND EQUIPPED FOR THE SAFE REMOVAL OF CONTAMINATED FILTERS.

(f) ALL CENTRAL VENTILATION OR AIR CONDITIONING SYSTEMS EQUIPPED WITH FILTERS.

(i) NUMBER OF FILTER BEDS AND FILTER EFFICIENCIES NO LESS THAN THOSE SPECIFIED IN TABLE A.

(ii) FILTER BED NO. 2 SHALL BE DOWNSTREAM OF THE LAST COMPONENT OF ANY CENTRAL AIR HANDLING UNIT, EXCEPT A STEAM INJECTION TYPE HUMIDIFIER MAY BE DOWNSTREAM OF FILTER BED NO. 2. TERMINAL COOLING COILS (EXCEPT INDUCTION UNITS, FAN COIL UNITS OR EQUIVALENT INDIVIDUAL ROOM UNITS (REFER TO SUBSECTION (8)(g) OF THIS SECTION) DOWNSTREAM OF FILTER BED NO. 2 SHALL HAVE ADDITIONAL FILTRATION MEETING REQUIREMENTS OF FILTER BED NO. 2.

TABLE A
 FILTER EFFICIENCIES FOR CENTRAL VENTILATION AND AIR
 CONDITIONING SYSTEMS IN GENERAL HOSPITALS

AREA DESIGNATION	FILTER EFFICIENCIES (Percent)***		
	MINIMUM NUMBER OF FILTER BEDS	FILTER BED NO. 1	FILTER BED NO. 2
Sensitive areas*	2	25	90****
Patient care, treatment Diagnostic, and related areas	2	25	90**
Food preparation areas and laundries	1	80	—
Administrative, bulk storage, and soiled holding areas	1	25	—

* Includes surgical suites, delivery suites, nursery units, recovery rooms, special procedure rooms (cardiac catheterizations), and all intensive care units. Birthing, labor, and ((post-partum)) postpartum rooms not within the delivery suite are excluded.

** May be reduced to eighty percent for systems using all-outdoor air.

*** PER REQUIREMENTS OF ASHRAE STANDARD 52 IN WAC 248-18-99902(14).

****99.97 PERCENT EFFICIENCY FOR RECIRCULATING AIR IN OPERATION ROOMS - REFERENCE TABLE B.

(iii) FILTER FRAMES WITH AIRTIGHT SEAL TO THE ENCLOSING DUCTWORK BY USE OF GASKETS OR EQUIVALENT.

(iv) A MANOMETER SHALL BE INSTALLED ACROSS EACH FILTER BED SERVING SENSITIVE AREAS (Refer to Table A) OR CENTRAL AIR SYSTEMS.

(g) NONCENTRAL SUPPLY VENTILATION SYSTEMS, i.e., fan coil units or equivalent individual room units.

(i) IN SENSITIVE AREAS (Refer to Table A) SHALL MEET THE FILTERING OBJECTIVES FOR CENTRAL SYSTEMS.

(ii) IN AREAS OTHER THAN SENSITIVE AREAS OUTDOOR AIR FOR INDIVIDUAL ROOM UNITS SHALL MEET FILTERING REQUIREMENTS FOR CENTRAL SYSTEMS UNDER TABLE A. RECIRCULATED AIR TO INDIVIDUAL ROOM UNITS NEED NOT BE FILTERED (lint screen and/or filter recommended).

(h) AIR HANDLING DUCT SYSTEMS.

(i) IN ACCORDANCE WITH NATIONAL FIRE PROTECTION ASSOCIATION ((~~STANDARD~~)) 90A. SEE WAC 248-18-99902(5).

(ii) BUILDING CEILING SPACES USED FOR EXHAUST PLENUMS SHALL BE RESTRICTED TO ADMINISTRATIVE, PUBLIC WAITING, AND PUBLIC MEETING AREAS. May be permitted in other areas only upon written approval of such use by the department.

(iii) NONEROSIVE WEARING SURFACES ARE REQUIRED FOR FIBERGLASS SUPPLY DUCTS (PER UL STANDARDS 181-15 IN WAC 248-18-99902(9)) AND/OR "DUCT LINER APPLICATION STANDARD" PER SMACNA. SEE WAC 248-18-99902(10), IF INSTALLED.

(iv) NINETY PERCENT EFFICIENCY FILTERS DOWNSTREAM OF LININGS SERVING SENSITIVE AREAS (Refer to Table A) EXCEPT LINING

OF TERMINAL UNITS MEETING THE REQUIREMENTS OF ((~~(7)(h)(iii))~~) SUBSECTION (8)(h)(iii) of this section.

(i) AIR SUPPLY AND EXHAUSTS LOCATIONS CONFORM TO UNIFORM MECHANICAL CODE WITH ADDITIONAL REQUIREMENTS. SEE WAC 248-18-99902(8).

(i) AIR SUPPLY INTAKES LOCATED TO ENSURE A SOURCE OF FRESH AIR (preferably above the roof or high on an exterior wall to avoid sources of contamination or pollution).

(ii) EXHAUST AIR DISCHARGE LOCATED TO AVOID CROSS CIRCULATION TO SUPPLY AIR INTAKES OR OPERABLE WINDOWS. Separation distances dependent upon factors such as air volumes, wind directions, and building configurations.

(j) OPERATING ROOMS, DELIVERY ROOMS, NEWBORN NURSERY ROOMS, NEONATAL INTENSIVE CARE UNITS AND THEIR ANCILLARY FACILITIES MECHANICALLY VENTILATED TO PROVIDE ONE HUNDRED PERCENT FRESH AIR WITHOUT RECIRCULATION EXCEPT AS PROVIDED IN TABLE B. Recommended for birthing rooms, labor rooms, recovery rooms, and all intensive care units. Refer to Table B.

(k) VENTILATION SYSTEMS FOR ANESTHETIZING LOCATIONS USING FLAMMABLE ANESTHETICS SHALL MEET THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION, (NFPA) ((~~STANDARD 56A~~)), 99. SEE WAC 248-18-99902(1).

(l) AIR CONDITIONING TO ADEQUATELY CONTROL TEMPERATURE, AIR CHANGES AND AIR MOTION OF OPERATING ROOMS, DELIVERY ROOMS, SPECIAL PROCEDURE ROOMS, RECOVERY ROOM, NEWBORN NURSERY FACILITIES, NEONATAL INTENSIVE CARE NURSERY ROOMS, INTENSIVE CARE, AND CARDIAC INTENSIVE CARE UNITS. Recommended in all patient care areas.

(m) RELATIVE HUMIDITY.

(i) OPERATING ROOMS, DELIVERY ROOMS, SPECIAL PROCEDURE ROOMS, ANESTHETIZING LOCATIONS, INTENSIVE CARE PATIENT ROOMS, AND RECOVERY ROOMS, FORTY PERCENT MINIMUM TO SIXTY PERCENT MAXIMUM AT SEVENTY-TWO DEGREES FAHRENHEIT.

(ii) NEWBORN NURSERY FACILITIES AND NEONATAL INTENSIVE CARE ROOMS, FORTY-FIVE PERCENT MINIMUM TO SIXTY PERCENT MAXIMUM AT SEVENTY-FIVE DEGREES FAHRENHEIT.

(n) FIRE SHUTDOWN, AS REQUIRED BY NATIONAL FIRE PROTECTION ASSOCIATION ((~~STANDARD~~)) 90A, BY BOTH MANUAL CONTROL AND EITHER OF THE FOLLOWING OPTIONS FOR AUTOMATIC SHUTDOWN (SEE WAC 248-18-99902(5)):

(i) TOTAL SHUTDOWN BY AUTOMATIC CONTROLS FOR SOUNDING FIRE ALARM,

CLOSING SMOKE DOORS AND SMOKE DAMPERS IN VENTILATION SYSTEM, AND SHUTTING DOWN SUPPLY ((FAN(S))) FAN OR FANS AND EXHAUST ((FAN(S))) FAN OR FANS.

(ii) SELECTIVE SHUTDOWN BY AUTOMATIC CONTROLS FOR SOUNDING FIRE ALARM, CLOSING SMOKE DOORS, AND ACTUATING ONLY SMOKE DAMPERS IN RECIRCULATION SYSTEM TO EXHAUST ALL RECIRCULATED AIR. ONLY THE SMOKE DETECTOR ON THE DOWNSTREAM SIDE OF THE LAST COMPONENT OF THE CENTRAL SUPPLY SYSTEM SHALL SHUT DOWN THE SUPPLY AND EXHAUST VENTILATION SYSTEMS AND SHALL

CLOSE ALL SMOKE DAMPERS. This selective shutdown option is recommended for hospitals having multiventilation systems.

(o) VENTILATION REQUIREMENTS ARE SUMMARIZED IN TABLE B FOR TYPICAL HOSPITAL AREAS. THOSE AREAS NOT SPECIFICALLY DESIGNATED SHALL COMPLY WITH REQUIREMENTS FOR COMPARABLE AREAS.

TABLE B GENERAL PRESSURE RELATIONSHIPS AND VENTILATION⁶ OF CERTAIN HOSPITAL AREAS

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS ¹⁰	MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM	MINIMUM TOTAL AIR CHANGES PER HOUR SUPPLIED TO ROOM ⁸	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS	RECIRCULATED WITHIN ROOM UNITS
A. ANESTHETIZING AREAS					
1. Delivery and Operating Rooms	PP ¹	15	15 ⁵	Yes	No ⁹
2. Dental Operating Rooms	P	8	8	Yes	No
3. Endoscopy Room	P	8	8	Yes	No
4. Emergency Major Treatment Rooms	N	5	12	Yes	No
5. Outpatient Operating and/or Treatment Rooms	PP ¹	5	15 ⁴	Yes	No
6. Special Procedures Rooms (Cardiac Catheterizations)	PP ¹	12	12	Yes	No
B. CENTRAL SERVICE					
1. Cart Wash Room or Area	N	2	10	Yes	No
2. Clean & Sterile Storage Room	PP	2	2	Optional	No ³
3. Clean Work Room	P	2	4	Optional	No ³
4. Clean Equipment Storage Room	P	2	2	Optional	Optional
5. Decontamination Area or Room	NN	2	12	Yes	No
6. Sterilizer Access Service Room	NN	Optional	12	Yes	No
7. Sterilizing Area	P	2	4	Optional	No ³
C. GENERAL					
1. Administrative Areas: i.e., Offices, Admitting Facilities, Registration, Staff On-Call Rooms, etc.	P	2	2	Optional	Optional
2. Bathing and Wet Treatment Facilities: i.e., Showers, Tubs, Sitz Baths, Hydrotherapy.	N	2	10	Yes	No
3. Clean Facilities: Utility or Work Rooms, Medicine Preparation Areas, Holding and Storage Rooms.	P	2	4	Optional	No ³
4. Corridors, General Circulating.	P and N ²	2	2	Optional	Optional
5. Entrances	P	Optional	2	Optional	Optional
6. Housekeeping Facilities: i.e., Janitor Closets, Trash Chutes or Trash Storage Rooms	N	Optional	10	Yes	No
7. Lounges, Locker &	N	Optional	10	Yes	No

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS ¹⁰	MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM	MINIMUM TOTAL AIR CHANGES PER HOUR SUPPLIED TO ROOM ⁸	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS	RECIRCULATED WITHIN ROOM UNITS
8. Dressing Rooms Nurses Station & Unit Dose Medicine Cart Areas	P	2	4	Optional	Optional
9. Receiving & Stores Incl. Breakout Area	N	Optional	2	Optional	Optional
10. Scrub-up Area	P	2	2	Optional	No
11. Soiled Facilities: Utility or Work Rooms, Holding, Bedpan, Clean-up, Linen & Storage.	N	2	10	Yes	No
12. Toilet Rooms	N	Optional	10	Yes	No
13. Waiting Rooms, Con- ference, Solariums, Day Rooms, or Other Smoking Areas.	N	2	2	Yes	No
14. Mechanical Rooms	N	Optional	2	Yes	No
D. KITCHEN AND DIETARY					
1. Bulk Day Food Storage Room	E or P	Optional	2	Optional	Optional
2. Cafeteria or Dining Room	E or N	6	8	Optional	Optional
3. Dishwashing Room or Area	NN	4	8	Yes	No
4. Garbage Storage and Can Washing Area	NN	Optional	10	Yes	No
5. Kitchen	NN	4	8	Yes	No
E. LABORATORY					
1. Autopsy Room and Morgue	NN	2	12	Yes	No
2. Bacteriology	NN	2	12	Yes	No
3. Blood Drawing Area or Room	P	2	4	Optional	Optional
4. General Laboratory Rooms, i.e., Hemo- tology, Pathology.	N	2	10	Yes	No
5. Media Preparation and Transfer Room	P	2	4	Optional	No
6. Decontamination Area	NN	2	12	Yes	No
F. LAUNDRY					
1. Clean Linen Storage	P	2	2	Optional	No ³
2. Clean Sorting, Fold- ing & Ironing	P	2	6	Yes	No ³
3. Detergent & Supply Storage Room	N	Optional	2	Optional	Optional
4. Processing, Washing and Drying	P	4	10	Yes	No
5. Soiled Sorting and Storage	N	Optional	10	Yes	No
G. PATIENT CARE AREAS					
1. Acute Cardiac Care and Intensive Care Patient Rooms	PP	2	6 ⁴	Optional	No ^{3, 7}
2.a Birthing Room, High Risk ²⁴	P	6	6 ⁴	Optional	No ⁷
2.b Birthing Room, Low Risk ²⁴	P	2	2 ⁴	Optional	No ⁷
3. Examination Rooms	E or P	2	6	Optional	No ³
4. Electroencephalogram (EEG), Electromyogram (EMG), & Electrocardiogram (ECG or EKG)	E or P	2	6	Optional	Optional
5. Isolation Room, Airborne	NN	2	6	Yes	No ⁷
6. Isolation Room, Protective	P	4	4	Yes	No ⁷
7. Isolation Anteroom	NN	2	10	Yes	No ⁷
8. Isolation Room with Anteroom	Optional	2	6	Yes	No ⁷
9. Labor Room	E or P	2	2 ⁴	Optional	No ³

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS ¹⁰	MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM	MINIMUM TOTAL AIR CHANGES PER HOUR SUPPLIED ⁸ TO ROOM	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS	RECIRCULATED WITHIN ROOM UNITS
10. Neonatal Intensive Care Room	PP ¹	6	6 ⁵	Optional	No
11. Newborn Nursery Room	PP ¹	6	6 ⁵	Optional	No
12. Observation Rooms (((Out-Patient)) Outpatient & Emergency Departments)	N	2	6	Yes	No
13. Patient Rooms	E or P	2	2	Optional	Optional
14. Recovery Rooms	PP ¹	2	6 ⁴	Optional	No
15. Physical Therapy Treatment Rooms	N	2	6	Optional	Optional
Hydrotherapy	N	2	10	Yes	No
16. Pulmonary & Inhalation Therapy Treatment Rooms	E or P	2	2	Yes	No
H. PHARMACY					
1. Compounding & Dispensing Areas	P	2	2	Optional	No ³
2. Intravenous Additive Room	PP	2	2	Optional	No ³
I. RADIOLOGY					
1. C.A.T., General & Ultrasound Rooms	E or P	2	6	Optional	Optional
2. Darkroom	N	2	6	Yes	No
3. Film Viewing & Storage Room	E	2	4	Optional	Optional
4. Fluoroscopy Rooms	N	2	6	Yes	No
5. Nuclear Diagnostic Rooms	E or N	2	4	Optional	Optional
6. Radiation Therapy Treatment Rooms	N	2	6	Yes	No
7. Special Procedures Rooms, i.e., Angiography, etc.	P	2	6	Optional	No

CODES

P = POSITIVE
N = NEGATIVE
E = EQUAL

PP = STRONGLY POSITIVE
NN = STRONGLY NEGATIVE

REFERENCE NOTATIONS:

- ¹ THE SEGREGATED SURGICAL, DELIVERY, COMBINED SURGICAL-DELIVERY SUITES, OTHER OPERATING ROOM SUITES, NEONATAL INTENSIVE CARE UNIT, AND THE NEWBORN NURSERY UNIT FACILITIES SHALL BE POSITIVE TO THE OUTSIDE CORRIDOR.
- ² GENERAL CIRCULATING CORRIDORS SHALL BE POSITIVE TO THE EXTERIOR, I.E., ELEVATORS, STAIRWELLS, EXIT DOORS, AND SHALL BE NEGATIVE TO PATIENT ROOMS.
- ³ Recirculating room induction type units meeting the appropriate filtering requirements in Table A, WAC 248-18-718(8)(g)(ii) are acceptable.
- ⁴ Recommend one hundred percent fresh outdoor air supplied to room.
- ⁵ THESE ROOMS AND THEIR ANCILLARY FACILITIES SHALL BE SUPPLIED WITH ONE HUNDRED PERCENT OUTSIDE (FRESH) AIR.
- ⁶ Heat recovery systems should be utilized for exhaust air.
- ⁷ MAY BE VENTILATED BY TERMINAL REHEAT UNITS IF THE UNITS CONTAIN ONLY A REHEAT COIL AND ONLY THE PRIMARY AIR (SUPPLIED FROM A CENTRAL SYSTEM) PASSES THROUGH THE REHEAT COIL.
- ⁸ INCLUDES ONLY THE QUANTITIES OF AIR WHICH PASS THROUGH A FILTER BED LISTED IN TABLE A. DOES NOT INCLUDE THE QUANTITY OF SECONDARY AIR ENTERING AN INDUCTION UNIT.
- ⁹ UNIDIRECTIONAL FLOW RECIRCULATING AIR SYSTEMS CONTAINED WITHIN ROOM UNITS AND MEETING THE FILTERING REQUIREMENTS FOR SENSITIVE AREAS (TABLE A) MAY BE USED.
- ¹⁰ Balance for appropriate positive and negative gradients should be evaluated by measuring proper direction of air flow at each doorway by smoke indicator. Designs should be based on anticipated leakage at each door. (Fifty CFM minimum to one hundred CFM maximum for usual room door.)
- ¹² In accordance with program.

(9) INCINERATION FACILITIES.

(a) May be omitted if another approved method of

disposal is used.

(b) INCINERATOR OF ADEQUATE SIZE AND DESIGN. LOCATED AND DESIGNED TO PREVENT OBJECTIONABLE HEAT, SMOKE, AND ODORS. (Separate room or outside area.)

(c) SUPPLEMENTAL FUEL FIRED FOR COMPLETE COMBUSTION.

(d) CHUTE-FED INCINERATORS NOT PERMITTED.

(10) ELECTRICAL SYSTEMS AND EMERGENCY ELECTRICAL SERVICE.

(a) In addition to specific requirements of this section, codes adopted by the Washington state department of labor and industries should be consulted.

(b) ELECTRICAL SYSTEMS AND EQUIPMENT IN CONFORMANCE WITH NFPA ((STANDARD 56A)), 99, (SEE WAC 248-18-99902(1)) IN AREAS WHERE INHALATION ANESTHETICS ARE TO BE USED (such as operating rooms, delivery rooms, and major emergency treatment rooms).

(c) RECEPTACLE OUTLETS AND CIRCUITS. Placement of convenient receptacle outlets to avoid a need for the use of extension cords.

(i) MINIMUM OF SIX RECEPTACLE OUTLETS IN OPERATING AND DELIVERY ROOMS; MINIMUM OF FOUR RECEPTACLE OUTLETS IN EMERGENCY TREATMENT ROOMS, BIRTHING ROOMS, ANESTHETIZING LOCATIONS, AND SPECIAL PROCEDURES ROOMS. At least one receptacle outlet on each available wall; ADDITIONAL AS REQUIRED.²⁴

(ii) AT LEAST TWO DUPLEX ELECTRICAL RECEPTACLES (OR EQUIVALENT) AT THE HEAD OF EACH BED, IN PATIENT ROOMS (INCLUDING LABOR, BIRTHING ROOMS, AND RECOVERY), three duplex receptacles at head of each bed recommended. ONE DUPLEX RECEPTACLE AT HEAD OF EACH BED IN PSYCHIATRIC UNITS.²⁴

(iii) FOUR DUPLEX ELECTRICAL RECEPTACLES (OR EQUIVALENT) AT THE HEAD OF EACH BED IN INTENSIVE CARE⁴³ PATIENT ROOMS. AT LEAST SIX DUPLEX RECEPTACLES (OR EQUIVALENT)⁴² FOR EACH INFANT STATION IN NEONATAL INTENSIVE CARE UNITS.⁴³

(iv) AT LEAST ONE DUPLEX RECEPTACLE (OR EQUIVALENT)⁴² FOR EVERY TWO BASSINETS FOR FULL-TERM INFANTS.

(A) AT LEAST ONE INFANT STATION EQUIPPED WITH THREE DUPLEX RECEPTACLES except when premature nursery provided.

(B) AT LEAST TWO DUPLEX RECEPTACLES FOR EACH BASSINET AND INCUBATOR FOR PREMATURE INFANTS.

(v) CIRCUITS SERVING RECEPTACLES AT THE HEAD OF EACH BED IN ALL INTENSIVE CARE UNITS⁴³ SHALL SERVE NO OTHER RECEPTACLES OR OUTLETS.

(vi) LIMITED TO SIX DUPLEX RECEPTACLES PER TWENTY AMP CIRCUIT IN ALL PATIENT CARE AREAS, INCLUDING OUTPATIENT CARE

AREAS. LIMITED TO THREE DUPLEX RECEPTACLES PER TWENTY AMP CIRCUIT SERVING PATIENT BEDS IN ALL INTENSIVE CARE UNITS.⁴³

(vii) AT LEAST ONE ADDITIONAL DUPLEX RECEPTACLE (OR EQUIVALENT)⁴² AT A SEPARATE CONVENIENT LOCATION IN EACH PATIENT ROOM (INCLUDING LABOR, RECOVERY, AND ALL INTENSIVE CARE ROOMS).⁴³ ADDITIONAL RECEPTACLE IF TELEVISION IS PROVIDED.

(viii) HOSPITAL GRADE RECEPTACLES IN RECOVERY ROOMS, OTHER THAN HAZARDOUS ANESTHETIZING LOCATIONS, AND ALL INTENSIVE CARE PATIENT ROOMS AND TREATMENT AREAS. Recommended in other patient care areas.

(ix) RECEPTACLES IN ROOMS USED BY PEDIATRIC OR PSYCHIATRIC PATIENTS SHALL BE A TAMPER-PROOF OR SAFETY TYPE DEVICE. RECEPTACLES IN PSYCHIATRIC SECLUSION AND SECURITY ROOMS PROTECTED BY GROUND FAULT CIRCUIT INTERRUPTERS AND TAMPER-~~((PROOF SCREWS. Receptacles in seclusion rooms not recommended.))~~ PROOF SCREWS. Receptacles in seclusion rooms not recommended.

(x) ONE RECEPTACLE OVER OR ADJACENT TO LAVATORY FOR INPATIENT USE, PROTECTED BY GROUND FAULT CIRCUIT INTERRUPTER.

(xi) AT LEAST ONE DUPLEX RECEPTACLE (OR EQUIVALENT)⁴² PER FOUR LINEAR FEET OF COUNTER IN LABORATORY FACILITIES. SURFACE METAL RACEWAYS, IF USED, SHALL INCLUDE AN EQUIPMENT GROUNDING CONDUCTOR CONNECTED TO EACH RECEPTACLE.

(d) LIGHTING FIXTURES.

(i) NUMBER, TYPE, AND LOCATION OF LIGHTING FIXTURES TO PROVIDE ADEQUATE ILLUMINATION FOR THE FUNCTIONS OF EACH AREA PER IES HANDBOOK: APPLICATION VOLUME. SEE WAC 248-18-99902(12).

(ii) READING LIGHT⁶ CONVENIENTLY LOCATED FOR USE BY THE PATIENT AT EACH BED IN PATIENT ROOMS. CONTROL CONVENIENT FOR PATIENT USE. Freestanding bedside lamps not recommended.

(iii) SUITABLE LIGHT AT LAVATORIES IN PATIENT ROOMS AND PATIENT TOILET ROOMS. See "toilet" in IES Handbook: Application Volume, per WAC 248-18-99902(12).

(iv) NIGHT LIGHT FOR EACH BED LOCATED BELOW LEVEL OF BED TO DIMLY LIGHT PATHWAY IN ROOM. NIGHT LIGHTS OR EQUIVALENT LOCATED AT PROPER INTERVALS IN CORRIDOR CEILINGS OR WALLS IN NURSING UNITS. Additional night lights appropriately located in patient rooms installed to avoid discomfort to patients.²⁴

(v) SWITCHES FOR NIGHT LIGHTS AND GENERAL ILLUMINATION ADJACENT TO

OPENING SIDE OF DOORS TO PATIENT ROOMS. SWITCHES LOCATED OUTSIDE PSYCHIATRIC PATIENT SECURITY AND SECLUSION ROOMS.

(vi) LIGHTING FIXTURES IN PSYCHIATRIC SECURITY AND SECLUSION ROOMS OF TAMPER-PROOF DESIGN. Recessed type recommended.

(e) BRANCH CIRCUIT PANELS FOR ROOMS IN ALL INTENSIVE CARE UNITS⁴³ TO BE LOCATED IN EACH PATIENT ROOM OR OTHER LOCATION WITHIN THE UNIT PROVIDING READY ACCESSIBILITY TO CIRCUIT BREAKERS FOR STAFF CARING FOR PATIENTS IN THESE ROOMS. CIRCUIT BREAKER AND/OR OUTLET COORDINATION APPROPRIATELY AND CLEARLY IDENTIFIED.

(f) EMERGENCY ELECTRICAL SERVICE. PER NFPA-70. SEE WAC 248-18-99902(13).

(g) Adequate filter protection for electrical ((generator(s))) generator or generators (e.g., protection from volcanic ash or dust storms).

(11) MISCELLANEOUS.

(a) FILM ILLUMINATORS. AT LEAST TWO X-RAY FILM ILLUMINATORS⁶ IN EACH OPERATING ROOM, NEONATAL INTENSIVE CARE UNIT, ONE IN EACH MAJOR EMERGENCY TREATMENT ROOM, and one in each delivery room.

(b) CALL SYSTEM.

(i) PROPERLY LOCATED ELECTRICAL SIGNALING DEVICE AT THE HEAD OF EACH BED IN PATIENT ROOMS (INCLUDING LABOR ROOMS AND BIRTHING ROOMS), except optional in ambulatory psychiatric patient rooms, AT EACH WATER CLOSET AND BATHING FACILITY FOR PATIENTS, AT EACH TREATMENT AREA IN PHYSICAL THERAPY DEPARTMENTS, AT EACH PATIENT TREATMENT TABLE, CART, OR BED IN EMERGENCY DEPARTMENTS, and in each dayroom, solarium, dining ((room(s))) room or rooms, recovery room, and patient dressing areas.⁵⁵

(ii) EACH CALL SIGNAL TO REGISTER BY LIGHT AT THE CORRIDOR DOOR, AND BY LIGHT AND AUDIBLE SIGNAL AT THE NURSES' STATION, AND AT OTHER NURSES' WORK STATIONS SUCH AS UTILITY ROOMS, MEDICATION ROOMS, NOURISHMENT ROOMS, and nurses' lounges. CALL SIGNALS INITIATED WITHIN OTHER DEPARTMENTS (such as x-ray and physical therapy) TO REGISTER AT THE CONTROL POINT OF EACH DEPARTMENT. SIGNALS FROM WATER CLOSETS AND BATHING FACILITIES TO HAVE DISTINCTIVE LIGHT (flashing lights) AND AUDIBLE SIGNAL.

(iii) MEDICAL EMERGENCY SIGNAL DEVICE FOR USE OF THE STAFF IN EACH PSYCHIATRIC PATIENT, ACTIVITY, SECURITY, AND SECLUSION ROOM; EACH OPERATING, DELIVERY, BIRTHING, AND NURSERY ROOM; RECOVERY ROOMS; EACH PATIENT AND TREATMENT ROOM IN ALL INTENSIVE CARE UNITS; IN EACH EMERGENCY TREATMENT,

EXAMINATION, AND OBSERVATION ROOM. TO REGISTER BY DISTINCTIVE LIGHT AT THE CORRIDOR DOOR, BY DISTINCTIVE VISUAL AND AUDIBLE SIGNALS AT LOCATIONS FROM WHICH ADDITIONAL ASSISTANCE IS ALWAYS AVAILABLE; WHEN CORRIDOR LIGHT NOT VISIBLE FROM NURSES' STATION, ANNUNCIATOR OR EQUIVALENT SHALL IDENTIFY POINT OF ORIGIN. SIGNAL DEVICE TO BE RESET ONLY BY STAFF AT POINT OF ORIGIN.

(iv) A CALL SIGNAL FOR NIGHT USE SHALL BE PROVIDED AT LOCKED EMERGENCY ENTRANCES.

(c) TELEPHONES.

(i) ON EACH NURSING UNIT, SURGICAL SUITE, OBSTETRICAL DELIVERY SUITE, AND RECOVERY ROOM. ADDITIONAL TELEPHONES OR EXTENSIONS AS REQUIRED TO PROVIDE ADEQUATE COMMUNICATION (A MINIMUM OF ONE ON EACH FLOOR OF THE HOSPITAL).

(ii) PUBLIC TELEPHONE IN LOBBY.

(iii) Telephones or other similar means for two-way communication among departments of the hospital, including doctors' locker, and lounge in surgery and delivery suites.

(d) CLOCKS. May be battery powered, solid state type.

(i) WALL MOUNTED CLOCKS PROPERLY LOCATED IN OPERATING ROOMS, DELIVERY ROOMS, RECOVERY ROOMS, BIRTHING ROOMS, EMERGENCY TREATMENT ROOMS, NURSERIES, INTENSIVE CARE UNITS, AND LABORATORIES.

(ii) CLOCKS IN OPERATING ROOMS, DELIVERY ROOMS, RECOVERY ROOMS, EMERGENCY TREATMENT ROOMS, AND ALL INTENSIVE CARE UNITS TO HAVE SWEEP SECOND HANDS OR EQUIVALENT. Interval timers recommended.

(e) EQUIPMENT AND CASEWORK.

(i) DESIGNED, MANUFACTURED, AND INSTALLED FOR EASE OF PROPER CLEANING AND MAINTENANCE OF EQUIPMENT AND CASEWORK, AND SURROUNDING FLOOR AND WALLS.

(ii) DESIGN, MATERIALS, AND FINISHES SUITABLE TO THE FUNCTIONS OF EACH AREA.

(iii) EQUIPMENT FOR FOOD SERVICE FUNCTIONS TO MEET STANDARDS OF NATIONAL SANITATION FOUNDATION, OR EQUIVALENT. SEE WAC 248-18-99902(6).

(iv) ALL AUTOCLAVES TO HAVE RECORDING THERMOMETERS.

(f) Chutes.

(i) Linen chutes and trash chutes not recommended.

(ii) CHUTES DIRECTLY CONNECTED TO INCINERATORS NOT PERMITTED.

(iii) CYLINDRICAL DESIGN.

(iv) TWENTY-FOUR INCH MINIMUM DIAMETER.

(v) SMOOTH, WASHABLE INTERIOR FINISH, INCLUDING JOINTS.

(vi) SELF-CLOSING, TIGHT-FITTING ACCESS DOORS AT LEAST THIRTY INCHES FROM THE FLOOR.

(vii) ACCESS ((~~DOOR(S)~~)) DOOR OR DOORS IN SEPARATE ENCLOSED ((~~ROOM(S)~~)) ROOM OR ROOMS OR SEPARATE AREA OF SOILED UTILITY OR CLEAN-UP ROOM USED FOR SOILED FUNCTIONS ONLY OR OTHER SIMILAR ROOM.

(viii) CHUTES TO DISCHARGE INTO SEPARATE ENCLOSED TRASH AND SOILED LINEN COLLECTION ROOMS.

(A) FLOOR DRAINS EQUIPPED WITH TRAP PRIMERS IN TRASH AND SOILED LINEN COLLECTION ROOMS.

(B) HANDWASHING FACILITY IN OR ADJACENT TO SOILED LINEN COLLECTION ROOM IF THIS ROOM USED FOR SORTING SOILED LINEN.

(ix) CHUTES DESIGNED AND VENTILATED TO AVOID CONTAMINATION BY AIR FLOW FROM ACCESS DOORS WHEN OPENED.

(x) CHUTES PROVIDED WITH SUITABLE MEANS TO ADEQUATELY WASH ENTIRE LENGTH.

(g) HARDWARE.

(i) SELECTED TO SUIT THE FUNCTIONS OF EACH ROOM AND TO ENSURE EGRESS, QUIETNESS, AND SANITATION.

(ii) PATIENT ROOM DOORS DESIGNED TO HOLD AT FULL OPEN POSITION.

(iii) PROVISION FOR IMMEDIATE EMERGENCY ACCESS TO PATIENT ROOMS AND PATIENT TOILETS, SHOWERS, AND ((~~BATH ROOMS~~)) BATHROOMS.

(iv) HARDWARE OF EXTERIOR DOORS DESIGNED TO PREVENT ENTRY OF UNAUTHORIZED PERSONS.

(h) IDENTIFICATION OF DOORS, ROOMS, AND SPACES.²⁴

NOTES:

⁶ May be movable equipment.

²⁴ In accordance with program.

³⁷ See definition of "grade," WAC 248-18-001.

⁴¹ Equivalent when used in reference to faucet controls means a mechanism for operating without the use of hands, wrists, or arms.

⁴² Equivalent when used in reference to receptacle outlets means that two single receptacle outlets are considered to be equal to one duplex receptacle outlet.

⁴³ Refer to definitions of intensive care unit WAC ((~~248-18-001(20)~~)) 248-18-001(26), acute cardiac care unit WAC 248-18-001(3), and neonatal intensive care unit WAC 248-18-223(1)(c) and (d), and ((~~248-18-001(30)~~)) 248-18-001(37).

⁴⁹ Compressed air is filtered air free of oil and other substances, particles, or contaminants.

⁵⁰ Equivalent for x-ray receptacle ((~~outlet(s)~~)) outlet or outlets refer to a battery-operated, self-contained x-ray machine.

⁵⁵ A PROPERLY LOCATED SIGNAL DEVICE WITHIN REACH OF STAFF, MOUNTED NO HIGHER THAN SIX FEET ABOVE THE FLOOR AND ACTIVATED BY A NONCONDUCTIVE PULL CORD AT WATER CLOSETS AND BATHING FACILITIES. AT BATHING FACILITIES, SIGNAL DEVICE CORD LOCATED FOR EASY GRASP BY PATIENT IN OR ON FLOOR

BESIDE BATHING FACILITY. AT WATER CLOSET, SIGNAL DEVICE PULL CORD LOCATED FOR EASY GRASP BY PATIENT SLUMPED FORWARD ON WATER CLOSET OR ON FLOOR NEARBY.

WSR 85-10-002
ADOPTED RULES
DEPARTMENT OF LICENSING
(Physical Therapy Board)
[Order PL 525—Filed April 18, 1985]

Be it resolved by the Washington State Physical Therapy Board, acting at Seattle, Washington, that it does adopt the annexed rules relating to approved physical therapy schools, WAC 308-42-122.

This action is taken pursuant to Notice No. WSR 85-03-107 filed with the code reviser on January 23, 1985. 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 18.74.023 which directs that the Washington State Physical Therapy Board has authority to implement the provisions of chapter 18.74 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 March 21, 1985.

By Barbara Johnson
Executive Secretary

NEW SECTION

WAC 308-42-122 APPROVED PHYSICAL THERAPY SCHOOLS. The board adopts the standards of the American Physical Therapy Association for the approval of physical therapy schools. Individuals who have a baccalaureate degree in physical therapy or who have a baccalaureate degree and a certificate or advanced degree from an institution of higher learning accredited by the American Physical Therapy Association will be considered qualified under RCW 18.74.030(2).

WSR 85-10-003
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Memorandum—April 16, 1985]

The Washington State Human Rights Commission will conduct a special meeting, executive session only, to discuss personnel matters on April 23, 1985. The meeting will be held at the State Human Rights Commission Office, Fourth Floor Conference Room, 1601 Second Avenue, Seattle, beginning at 6:00 p.m.

WSR 85-10-004
ADOPTED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 85-09—Filed April 19, 1985]

I, R. A. Davis, director of the Department of Labor and Industries, do promulgate and adopt at Room 334, General Administration Building, Olympia, Washington 98504, the annexed rules relating to the amending of WAC 296-24-19003, 296-24-31503, 296-24-31505, 296-24-32003, 296-24-33009, 296-24-33011, 296-24-33013, 296-24-33015, 296-24-33017, 296-24-37005, 296-24-37019, 296-24-37023, 296-24-40509 and 296-24-47505, these are state initiated amendments in the general safety and health standard to correct references to the electrical section of the standard and correct grammar within the sections; WAC 296-56-60001, 296-56-60019, 296-56-60045, 296-56-60069, 296-56-60073, 296-56-60077, 296-56-60081, 296-56-60083, 296-56-60085, 296-56-60089, 296-56-60093, 296-56-60098, 296-56-60099, 296-56-60115, 296-56-60117, 296-56-60135, 296-56-60209, 296-56-60211, 296-56-60217, 296-56-60219, 296-56-60227, 296-56-60233, 296-56-60235 and 296-56-60237, state initiated amendments in the marine terminal standard to correct typographical errors; WAC 296-62-05403, 296-62-05405, 296-62-05411, 296-62-05413, 296-62-05421 and 296-62-05425, state initiated corrections to the hazard communication standard in order to be in compliance with federal regulations as published in Federal Register Vol. 48, No. 228, Friday, November 25, 1983; WAC 296-62-07302, list of carcinogens is a state initiated amendment to correct a typographical error; WAC 296-62-07306 is amended to reflect an OSHA correction to the carcinogen standard, as published in 29 CFR 1910.1016; WAC 296-62-07353, ethylene oxide is amended to correct errors in standard in order to mirror OSHA CFR 1910.1047, published in Federal Register Vol. 49, No. 122, Friday, June 22, 1984; WAC 296-62-130, emergency washing facilities is a state initiated change to clarify an existing standard; WAC 296-155-665 is a state initiated amendment to correct a reference (Table N-3 to N-5); WAC 296-360-040(2) is a new subsection in the discrimination standard, pursuant to RCW 49.17.160, which is state initiated. The new subsection provides that after a discrimination complainant receives a determination from the assistant director that prohibited discrimination has not occurred, the complainants may file a written request for review by the director within fifteen working days of receipt of the determination; and WAC 296-56-60137 waiver and variance and 296-56-60182 waiver and variance are repealed.

This action is taken pursuant to Notice No. WSR 85-05-043 filed with the code reviser on February 20, 1985. 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 49.17.040 and 49.17.050 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 April 19, 1985.

By R. A. Davis
 Director

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-19003 GENERAL REQUIREMENTS. (1) New installations. All new installations after August 27, 1971, shall be in conformity with WAC 296-24-190 through 296-24-19015.

(2) Existing installations. All existing plant installations or equipment contracted for prior to the effective date of these standards, shall comply with WAC 296-24-190 through 296-24-19015.

(3) Auxiliary equipment. Mechanical and electrical equipment and auxiliaries shall be installed in accordance with this section and the state of Washington safety standards for installing electric wires and equipment, WAC ((~~296-24-950 through 296-24-955~~)) 296-24-956 through 296-24-960.

(4) Mill roll heights. All new mill installations shall be installed so that the top of the operating rolls is not less than 50 inches above the level on which the operator stands, irrespective of the size of the mill. This distance shall apply to the actual working level, whether it be at the general floor level, in a pit, or on a platform.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-31503 GASEOUS HYDROGEN SYSTEMS. (1) Design. (a) Containers. (i) Hydrogen containers shall comply with one of the following:

(A) Designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968.

(B) Designed, constructed, tested and maintained in accordance with U.S. Department of Transportation specifications and regulations.

(ii) Permanently installed containers shall be provided with substantial noncombustible supports on firm non-combustible foundations.

(iii) Each portable container shall be legibly marked with the name "hydrogen" in accordance with "marking compressed gas containers to identify the material contained" ANSI Z48.1-1954. Each manifolded hydrogen supply unit shall be legibly marked with the name hydrogen or a legend such as "this unit contains hydrogen."

(b) Safety relief devices. (i) Hydrogen containers shall be equipped with safety relief devices as required by the ASME Boiler and Pressure Vessel Code, Section VIII Unfired Pressure Vessels, 1968 or the DOT specifications and regulations under which the container is fabricated.

(ii) Safety relief devices shall be arranged to discharge upward and unobstructed to the open air in such a manner as to prevent any impingement of escaping gas upon the container, adjacent structure of personnel. This requirement does not apply to DOT specification containers having an internal volume of 2 cubic feet or less.

(iii) Safety relief devices or vent piping shall be designed or located so that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(c) Piping, tubing, and fittings. (i) Piping, tubing, and fittings shall be suitable for hydrogen service and for the pressures and temperatures involved. Case iron pipe and fittings shall not be used.

(ii) Piping and tubing shall conform to Section 2—"Industrial Gas and Air Piping"—Code for Pressure Piping, ANSI B31.1-1967 with addenda B31.1-1969.

(iii) Joints in piping and tubing may be made by welding or brazing or by use of flanged, threaded, socket, or compression fittings. Gaskets and thread sealants shall be suitable for hydrogen service.

(d) Equipment assembly. (i) Valves, gauges, regulators, and other accessories shall be suitable for hydrogen service.

(ii) Installation of hydrogen systems shall be supervised by personnel familiar with proper practices with reference to their construction and use.

(iii) Storage containers, piping, valves, regulating equipment, and other accessories shall be readily accessible, and shall be protected against physical damage and against tampering.

(iv) Cabinets or housings containing hydrogen control or operating equipment shall be adequately ventilated.

(v) Each mobile hydrogen supply unit used as part of a hydrogen system shall be adequately secured to prevent movement.

(vi) Mobile hydrogen supply units shall be electrically bonded to the system before discharging hydrogen.

(e) Marking. The hydrogen storage location shall be permanently placarded as follows: "HYDROGEN—FLAMMABLE GAS—NO SMOKING—NO OPEN FLAMES," or equivalent.

(f) Testing. After installations, all piping, tubing, and fittings shall be tested and proved hydrogen gas tight at maximum operating pressure.

(2) Location. (a) General. (i) The system shall be located so that it is readily accessible to delivery equipment and to authorized personnel.

(ii) Systems shall be located above ground.

(iii) Systems shall not be located beneath electric power lines.

(iv) Systems shall not be located close to flammable liquid piping or piping of other flammable gases.

(v) Systems near aboveground flammable liquid storage shall be located on ground higher than the flammable liquid storage except when dikes, diversion curbs, grading, or separating solid walls are used to prevent accumulation of flammable liquids under the system.

(b) Specific requirements. (i) The location of a system, as determined by the maximum total contained volume of hydrogen, shall be in the order of preference as indicated by Roman numerals in Table H-1.

TABLE H-1

Nature of location	Size of hydrogen system		
	Less than 3,000 CF	3,000 CF to 15,000 CF	In excess of 15,000 CF
Outdoors	I	I	I.
In a separate building	II	II	II.
In a special room	III	III	Not permitted.
Inside buildings not in a special room and exposed to other occupancies	IV	Not permitted.	Not permitted.

(ii) The minimum distance in feet from a hydrogen system of indicated capacity located outdoors, in separate buildings or in special rooms to any specified outdoor exposure shall be in accordance with Table H-2.

(iii) The distances in Table H-2 Items 1, 14, and 3 to 10 inclusive do not apply where protective structures such as adequate fire walls are located between the system and the exposure.

(iv) Hydrogen systems of less than 3,000 CF when located inside buildings and exposed to other occupancies shall be situated in the building so that the system will be as follows:

(A) In an adequately ventilated area as in (3)(b)(ii) of this section.

(B) Twenty feet from stored flammable materials or oxidizing gases.

(C) Twenty-five feet from open flames, ordinary electrical equipment or other sources of ignition.

(D) Twenty-five feet from concentrations of people.

(E) Fifty feet from intakes of ventilation or air-conditioning equipment and air compressors.

(F) Fifty feet from other flammable gas storage.

(G) Protected against damage or injury due to falling objects or working activity in the area.

(H) More than one system of 3,000 CF or less may be installed in the same room, provided the systems are separated by at least 50 feet. Each such system shall meet all of the requirements of this section.

(3) Design consideration at specific locations. (a) Outdoor locations. (i) Where protective walls or roofs are provided, they shall be constructed of noncombustible materials.

(ii) Where the enclosing sides adjoin each other, the area shall be properly ventilated.

(iii) Electrical equipment (~~within 15 feet shall be in accordance with WAC 296-24-950 and 296-24-955~~) shall meet the requirements for Class I, Division 2 hazardous locations of WAC 296-25-95613.

(b) Separate buildings. (i) Separate buildings shall be built of at least noncombustible construction. Windows and doors shall be located so as to be readily accessible in case of emergency. Windows shall be of glass or plastic in metal frames.

(ii) Adequate ventilation to the outdoors shall be provided. Inlet openings shall be located near the floor in exterior walls only. Outlet openings shall be located at the high point of the room in exterior walls or roof. Inlet and outlet openings shall each have minimum total area of one square foot per 1,000 cubic feet of room volume. Discharge from outlet openings shall be directed or conducted to a safe location.

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per 30 cubic feet of room volume and may consist of any one or any combination of the following: Walls of light noncombustible material, preferably single thickness, single strength glass; lightly fastened hatch covers; lightly fastened swinging doors in exterior walls opening outward; lightly fastened walls or roof designed to relieve at a maximum pressure of 25 pounds per square foot.

(iv) There shall be no sources of ignition from open flames, electrical equipment, or heating equipment.

(v) Electrical equipment shall ~~((be in accordance with WAC 296-24-950 and 296-24-955 for Class I, Division 2 locations))~~ meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

(vi) Heating, if provided, shall be by steam, hot water, or other indirect means.

(c) Special rooms. (i) Floor, walls, and ceiling shall have a fire-resistance rating of at least 2 hours. Walls or partitions shall be continuous from floor to ceiling and shall be securely anchored. At least one wall shall be an exterior wall. Openings to other parts of the building shall not be permitted. Windows and doors shall be in exterior walls and shall be located so as to be readily accessible in case of emergency. Windows shall be of glass or plastic in metal frames.

(ii) Ventilation shall be as provided in (3)(b)(ii) of this section.

(iii) Explosion venting shall be as provided in (3)(b)(iii) of this section.

(iv) There shall be no sources of ignition from open flames, electrical equipment or heating equipment.

(v) Electrical equipment shall ~~((be in accordance with Article 501 of the National Electrical Code, NFPA 70-1971, ANSI C1-1971 (Rev. of 1968), for Class I Division 2 locations))~~ meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

(vi) Heating, if provided, shall be by steam, hot water, or indirect means.

(4) Operating instructions. For installations which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(5) Maintenance. (a) The equipment and functioning of each charged gaseous hydrogen system shall be maintained in a safe operating condition in accordance with the requirements of this section. The area within 15 feet of any hydrogen container shall be kept free of dry vegetation and combustible material.

TABLE H-2

Type of outdoor exposure		Size of hydrogen system		
		Less than 3,000 CF	3,000 CF to 15,000 CF	In excess of 15,000 CF
1. Building or structure	Wood frame construction*	10	25	50
	Heavy timber, non-combustible or ordinary construction*	0	10	**25
	Fire-resistive construction*	0	0	0
2. Wall openings	Not above any part of a system	10	10	10
	Above any part of a system	25	25	25
3. Flammable liquids above ground	0 to 1,000 gallons	10	25	25
	In excess of 1,000 gallons	25	50	50
4. Flammable liquids below ground—0 to 1,000 gallons	Tank	10	10	10
	Vent or fill opening of tank	25	25	25
5. Flammable liquids below ground—in excess of 1,000 gallons	Tank	20	20	20
	Vent or fill opening of tank	25	25	25
6. Flammable gas storage, either high pressure or low pressure	0 to 15,000 CF capacity	10	25	25
	In excess of 15,000 CF capacity	25	50	50
7. Oxygen storage	12,000 CF or less	Refer to NFPA No. 51, gas systems for welding and cutting (1969).		
	More than 12,000 CF	Refer to NFPA No. 566, bulk oxygen systems at consumer sites (1969).		
8. Fast burning solids such as ordinary lumber, excelsior or paper		50	50	25
9. Slow burning solids such as heavy timber or coal		25	25	25
10. Open flames and other sources of ignition		25	25	50
11. Air compressor intakes or inlets to ventilating or air-conditioning equipment		50	50	50
12. Concentration of people***		25	50	50

TABLE H-2

Type of outdoor exposure	Size of hydrogen system		
	Less than 3,000 CF	3,000 CF to 15,000 CF	In excess of 15,000 CF
13. Public sidewalks _____	15	15	15
14. Line of adjoining property which may be built upon _____	5	5	5

*Refer to NFPA No. 220 standard types of building construction for definitions of various types of construction. (1969 Ed.)

**But not less than one-half the height of adjacent side wall of the structure.

***In congested areas such as offices, lunchrooms, locker rooms, time-clock areas, and places of public assembly.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-31505 LIQUEFIED HYDROGEN SYSTEMS. (1) Design. (a) Containers. (i) Hydrogen containers shall comply with the following: Storage containers shall be designed, constructed, and tested in accordance with appropriate requirements of the ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels (1968) or applicable provisions of API Standard 620, Recommended Rules for Design and Construction of Large, Welded, Low-Pressure Storage Tanks, Second Edition (June 1963) and Appendix R (April 1965).

(ii) Portable containers shall be designed, constructed and tested in accordance with DOT specifications and regulations.

(b) Supports. Permanently installed containers shall be provided with substantial noncombustible supports securely anchored on firm noncombustible foundations. Steel supports in excess of 18 inches in height shall be protected with a protective coating having a 2-hour fire-resistance rating.

(c) Marking. Each container shall be legibly marked to indicate "LIQUEFIED HYDROGEN—FLAMMABLE GAS."

(d) Safety relief devices. (i) Stationary liquefied hydrogen containers shall be equipped with safety relief devices sized in accordance with CGA Pamphlet S-1-1966, Part 3, Safety Relief Device Standards for Compressed Gas Storage Containers.

(A) Portable liquefied hydrogen containers complying with the U.S. Department of Transportation regulations shall be equipped with safety relief devices as required in the U.S. Department of Transportation specifications and regulations. Safety relief devices shall be sized in accordance with the requirements of CGA Pamphlet S-1-1966, Safety Relief Device Standards, Part 1, Compressed Gas Cylinders and Part 2, Cargo and Portable Tank Containers.

(ii) Safety relief devices shall be arranged to discharge unobstructed to the outdoors and in such a manner as to prevent impingement of escaping liquid or gas upon the container, adjacent structures or personnel. See (2)(a)(vi) of this section for venting of safety relief devices in special locations.

(iii) Safety relief devices or vent piping shall be designed or located so that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(iv) Safety relief devices shall be provided in piping wherever liquefied hydrogen could be trapped between closures

(e) Piping, tubing, and fittings. (i) Piping, tubing, and fittings and gasket and thread sealants shall be suitable for hydrogen service at the pressures and temperatures involved. Consideration shall be given to the thermal expansion and contraction of piping systems when exposed to temperature fluctuations of ambient to liquefied hydrogen temperatures.

(ii) Gaseous hydrogen piping and tubing (above—20°F) shall conform to the applicable sections of Pressure Piping Section 2—Industrial Gas and Air Piping, ANSI B31.1-1967 with addenda B31.1-1969. Design of liquefied hydrogen or cold (-20°F or below) gas piping shall use Petroleum Refinery Piping ANSI B31.3-1966 or Refrigeration Piping ANSI B31.5-1966 with addenda B31.5a-1968 as a guide.

(iii) Joints in piping and tubing shall preferably be made by welding or brazing; flanged, threaded, socket, or suitable compression fittings may be used.

(iv) Means shall be provided to minimize exposure of personnel to piping operating at low temperatures and to prevent air condensate from contacting piping, structural members, and surfaces not suitable for cryogenic temperatures. Only those insulating materials which are rated nonburning in accordance with ASTM Procedures D1692-68 may be used. Other protective means may be used to protect personnel. The insulation shall be designed to have a vapor-tight seal in the outer covering to prevent the condensation of air and subsequent oxygen enrichment within the insulation. The insulation material and outside shield shall also be of adequate design to prevent attrition of the insulation due to normal operating conditions.

(v) Uninsulated piping and equipment which operate at liquefied-hydrogen temperature shall not be installed above asphalt surfaces or other combustible materials in order to prevent contact of liquid air with such materials. Drip pans may be installed under uninsulated piping and equipment to retain and vaporize condensed liquid air.

(f) Equipment assembly. (i) Valves, gauges, regulators, and other accessories shall be suitable for liquefied hydrogen service and for the pressures and temperatures involved.

(ii) Installation of liquefied hydrogen systems shall be supervised by personnel familiar with proper practices and with reference to their construction and use.

(iii) Storage containers, piping, valves, regulating equipment, and other accessories shall be readily accessible and shall be protected against physical damage and

against tampering. A shutoff valve shall be located in liquid product withdrawal lines as close to the container as practical. On containers of over 2,000 gallons capacity, this shutoff valve shall be of the remote control type with no connections, flanges, or other appurtenances (other than a welded manual shutoff valve) allowed in the piping between the shutoff valve and its connection to the inner container.

(iv) Cabinets or housings containing hydrogen control equipment shall be ventilated to prevent any accumulation of hydrogen gas.

(g) Testing. (i) After installation, all field-erected piping shall be tested and proved hydrogen gas-tight at operating pressure and temperature.

(ii) Containers if out of service in excess of 1 year shall be inspected and tested as outlined in (1) of this section. The safety relief devices shall be checked to determine if they are operable and properly set.

(h) Liquefied hydrogen vaporizers. (i) The vaporizer shall be anchored and its connecting piping shall be sufficiently flexible to provide for the effect of expansion and contraction due to temperature changes.

(ii) The vaporizer and its piping shall be adequately protected on the hydrogen and heating media sections with safety relief devices.

(iii) Heat used in a liquefied hydrogen vaporizer shall be indirectly supplied utilizing media such as air, steam, water, or water solutions.

(iv) A low temperature shutoff switch shall be provided in the vaporizer discharge piping to prevent flow of liquefied hydrogen in the event of the loss of the heat source.

(i) Electrical systems. (i) Electrical wiring and equipment located within 3 feet of a point where connections are regularly made and disconnected, shall ~~((be in accordance with))~~ meet the requirements of WAC ~~((296-24-950 and 296-24-955))~~ 296-24-956 through 296-24-960 for Class I, ~~((Group B,))~~ Division 1 locations.

(ii) Except as provided in (1) of this section, electrical wiring, and equipment located within 25 feet of a point where connections are regularly made and disconnected or within 25 feet of a liquid hydrogen storage container, shall ~~((be in accordance with))~~ meet the requirements of WAC ~~((296-24-950 and 296-24-955))~~ 296-24-956 through 296-24-960 for Class I, ~~((Group B,))~~ Division 2 locations. When equipment approved for Class I, ~~((Group B atmospheres))~~ environments is not commercially available, the equipment may be:

(A) Purged or ventilated in accordance with NFPA No. 496-1967, Standard for Purged Enclosures for Electrical Equipment in Hazardous Locations,

(B) Intrinsically safe, or

(C) Approved for Class I, Group C atmospheres. This requirement does not apply to electrical equipment which is installed on mobile supply trucks or tank cars from which the storage container is filled.

(j) Bonding and grounding. The liquefied hydrogen container and associated piping shall be electrically bonded and grounded.

(2) Location of liquefied hydrogen storage. (a) General requirements. (i) The storage containers shall be located so that they are readily accessible to mobile supply equipment at ground level and to authorized personnel.

(ii) The containers shall not be exposed by electric power lines, flammable liquid lines, flammable gas lines, or lines carrying oxidizing materials.

(iii) When locating liquefied hydrogen storage containers near above-ground flammable liquid storage or liquid oxygen storage, it is advisable to locate the liquefied hydrogen container on ground higher than flammable liquid storage or liquid oxygen storage.

(iv) Where it is necessary to locate the liquefied hydrogen container on ground that is level with or lower than adjacent flammable liquid storage or liquid oxygen storage, suitable protective means shall be taken (such as by diking, diversion, curbs, grading), with respect to the adjacent flammable liquid storage or liquid oxygen storage, to prevent accumulation of liquids within 50 feet of the liquefied hydrogen container.

(v) Storage sites shall be fenced and posted to prevent entrance by unauthorized personnel. Sites shall also be placarded as follows: "Liquefied hydrogen—Flammable gas—No smoking—No open flames."

(vi) If liquefied hydrogen is located in (as specified in Table H-3) a separate building, in a special room, or inside buildings when not in a special room and exposed to other occupancies, containers shall have the safety relief devices vented unobstructed to the outdoors at a minimum elevation of 25 feet above grade to a safe location as required in (1)(d)(ii) of this section.

(b) Specific requirements. (i) The location of liquefied hydrogen storage, as determined by the maximum total quantity of liquefied hydrogen, shall be in the order of preference as indicated by Roman numerals in the following Table H-3.

TABLE H-3

MAXIMUM TOTAL QUANTITY OF LIQUEFIED HYDROGEN STORAGE PERMITTED

Nature of location	Size of hydrogen storage (capacity in gallons)			
	39.63 (150 liters) to 50	51 to 300	301 to 600	In excess of 600
Outdoors	I	I	I	I
In a separate building	II	II	II	Not permitted.
In a special room	III	III	Not permitted	Not permitted.
Inside buildings not in a special room and exposed to other occupancies	IV	Not permitted	Not permitted	Not permitted.

NOTE: This table does not apply to the storage in dewars of the type generally used in laboratories for experimental purposes.

(ii) The minimum distance in feet from liquefied hydrogen systems of indicated storage capacity located outdoors, in a separate building, or in a special room to any specified exposure shall be in accordance with Table H-4.

TABLE H-4

MINIMUM DISTANCE (FEET) FROM LIQUEFIED HYDROGEN SYSTEMS TO EXPOSURE

Type of exposure	Liquefied hydrogen storage (capacity in gallons)		
	39.63 (150 liters) to 3,500	3,501 to 15,000	15,001 to 30,000
1. Fire-resistive building and fire walls*	5	5	5
2. Noncombustible building*	25	50	75
3. Other buildings*	50	75	100
4. Wall openings, air-compressor intakes, inlets for air-conditioning or ventilating equipment -	75	75	75
5. Flammable liquids (above ground and vent or fill openings if below ground) (see 513 and 514)	50	75	100
6. Between stationary liquefied hydrogen containers	5	5	5
7. Flammable gas storage	50	75	100
8. Liquid oxygen storage and other oxidizers (see 513 and 514)	100	100	100
9. Combustible solids	50	75	100
10. Open flames, smoking, and welding	50	50	50
11. Concentrations of people**	75	75	75
12. Public ways, railroads, and property lines	25	50	75

*Refer to standard types of building construction, NFPA No. 220-1969 for definitions of various types of construction.

**In congested areas such as offices, lunchrooms, locker rooms, time-clock areas, and places of public assembly.

NOTE 1: The distance in Nos. 2, 3, 5, 7, 9, and 12 in Table H-4 may be reduced where protective structures, such as firewalls equal to height of top of the container, to safeguard the liquefied hydrogen storage system, are located between the liquefied hydrogen storage installation and the exposure.

NOTE 2: Where protective structures are provided, ventilation and confinement of product should be considered. The 5-foot distance in Nos. 1 and 6 facilitates maintenance and enhances ventilation.

(c) Handling of liquefied hydrogen inside buildings other than separate buildings and special rooms. Portable liquefied hydrogen containers of 50 gallons or less capacity as permitted in Table H-3 and in compliance with (2)(a)(vi) of this section when housed inside buildings not located in a special room and exposed to other

occupancies shall comply with the following minimum requirements:

(i) Be located 20 feet from flammable liquids and readily combustible materials such as excelsior or paper.

(ii) Be located 25 feet from ordinary electrical equipment and other sources of ignition including process or analytical equipment.

(iii) Be located 25 feet from concentrations of people.

(iv) Be located 50 feet from intakes of ventilation and air-conditioning equipment or intakes of compressors.

(v) Be located 50 feet from storage of other flammable-gases or storage of oxidizing gases.

(vi) Containers shall be protected against damage or injury due to falling objects or work activity in the area.

(vii) Containers shall be firmly secured and stored in an upright position.

(viii) Welding or cutting operations, and smoking shall be prohibited while hydrogen is in the room.

(ix) The area shall be adequately ventilated. Safety relief devices on the containers shall be vented directly outdoors or to a suitable hood. See (1)(d)(ii) of this section and (2)(a)(vi) of this section.

(3) Design considerations at specific locations. (a) Outdoor locations. (i) Outdoor location shall mean outside of any building or structure, and includes locations under a weather shelter or canopy provided such locations are not enclosed by more than two walls set at right angles and are provided with vent-space between the walls and vented roof or canopy.

(ii) Roadways and yard surfaces located below liquefied hydrogen piping, from which liquid air may drop, shall be constructed of noncombustible materials.

(iii) If protective walls are provided, they shall be constructed of noncombustible materials and in accordance with the provisions of (3)(a)(i) of this section as applicable.

(iv) Electrical wiring and equipment shall comply with (1)(i)(i) and (ii) of this section.

(v) Adequate lighting shall be provided for nighttime transfer operation.

(b) Separate buildings. (i) Separate buildings shall be of light noncombustible construction on a substantial frame. Walls and roofs shall be lightly fastened and designed to relieve at a maximum internal pressure of 25 pounds per square foot. Windows shall be of shatter-proof glass or plastic in metal frames. Doors shall be located in such a manner that they will be readily accessible to personnel in an emergency.

(ii) Adequate ventilation to the outdoors shall be provided. Inlet openings shall be located near the floor level in exterior walls only. Outlet openings shall be located at the high point of the room in exterior walls or roof. Both the inlet and outlet vent openings shall have a minimum total area of 1 square foot per 1,000 cubic feet of room volume. Discharge from outlet openings shall be directed or conducted to a safe location.

(iii) There shall be no sources of ignition.

(iv) Electrical wiring and equipment shall comply with (1)(i)(i) and (ii) of this section except that the provisions of (1)(i)(ii) of this section shall apply to all electrical wiring and equipment in the separate building.

(v) Heating, if provided, shall be by steam, hot water, or other indirect means.

(c) Special rooms. (i) Floors, walls, and ceilings shall have a fire resistance rating of at least 2 hours. Walls or partitions shall be continuous from floor to ceiling and shall be securely anchored. At least one wall shall be an exterior wall. Openings to other parts of the building shall not be permitted. Windows and doors shall be in exterior walls and doors shall be located in such a manner that they will be accessible in an emergency. Windows shall be of shatterproof glass or plastic in metal frames.

(ii) Ventilation shall be as provided in (3)(b)(ii) of this section.

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per 30 cubic feet of room volume and may consist of any one or any combination of the following: Walls of light noncombustible material; lightly fastened hatch covers; lightly fastened swinging doors opening outward in exterior walls; lightly fastened walls or roofs designed to relieve at a maximum pressure of 25 pounds per square foot.

(iv) There shall be no sources of ignition.

(v) Electrical wiring and equipment shall comply with (1)(i)(i) and (ii) of this section except that the provisions of (1)(i)(ii) of this section shall apply to all electrical wiring and equipment in the special room.

(vi) Heating, if provided, shall be steam, hot water, or by other indirect means.

(4) Operating instructions. (a) Written instructions. For installation which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(b) Attendant. A qualified person shall be in attendance at all times while the mobile hydrogen supply unit is being unloaded.

(c) Security. Each mobile liquefied hydrogen supply unit used as part of a hydrogen system shall be adequately secured to prevent movement.

(d) Grounding. The mobile liquefied hydrogen supply unit shall be grounded for static electricity.

(5) Maintenance. (a) The equipment and functioning of each charged liquefied hydrogen system shall be maintained in a safe operating condition in accordance with the requirements of this section. Weeds or similar combustibles shall not be permitted within 25 feet of any liquefied hydrogen equipment.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-32003 BULK OXYGEN SYSTEMS. (1) Definitions. As used in this section: A bulk oxygen system is an assembly of equipment, such as oxygen storage containers, pressure regulators, safety devices, vaporizers, manifolds, and interconnecting piping, which has storage capacity of more than 13,000 cubic feet of oxygen, Normal Temperature and Pressure

(NTP), connected in service or ready for service, or more than 25,000 cubic feet of oxygen (NTP) including unconnected reserves on hand at the cite. The bulk oxygen system terminates at the point where oxygen at service pressure first enters the supply line. The oxygen containers may be stationary or movable, and the oxygen may be stored as gas or liquid.

(2) Location. (a) General. Bulk oxygen storage systems shall be located above ground out of doors, or shall be installed in a building of noncombustible construction, adequately vented, and used for that purpose exclusively. The location selected shall be such that containers and associated equipment shall not be exposed by electric power lines, flammable or combustible liquid lines, or flammable gas lines.

(b) Accessibility. The system shall be located so that it is readily accessible to mobile supply equipment at ground level and to authorized personnel.

(c) Leakage. Where oxygen is stored as a liquid, noncombustible surfacing shall be provided in an area in which any leakage of liquid oxygen might fall during operation of the system and filling of a storage container. For purposes of these standards, asphaltic or bituminous paving is considered to be combustible.

(d) Elevation. When locating bulk oxygen systems near above ground flammable or combustible liquid storage which may be either indoors or outdoors, it is advisable to locate the system on ground higher than the flammable or combustible liquid storage.

(e) Dikes. Where it is necessary to locate a bulk oxygen system on ground lower than adjacent flammable or combustible liquid storage suitable means shall be taken (such as by diking, diversion curbs, or grading) with respect to the adjacent flammable or combustible liquid storage to prevent accumulation of liquids under the bulk oxygen system.

(3) Distance between systems and exposures. (a) General. The minimum distance from any bulk oxygen storage container to exposures, measured in the most direct line except as indicated in (3)(f) and (g) of this section shall be as indicated in (3)(b) to (r) of this section inclusive.

(b) Combustible structures. Fifty feet from any combustible structures.

(c) Fire resistive structures. Twenty-five feet from any structures with fire-resistive exterior walls or sprinklered buildings or other construction, but not less than one-half the height of adjacent side wall of the structure.

(d) Openings. At least 10 feet from any opening in adjacent walls of fire resistive structures. Spacing from such structures shall be adequate to permit maintenance, but shall not be less than 1 foot.

(e) Flammable liquid storage above ground.

Distance (feet)	Capacity (gallons)
50	0-1000
90	1001 or more

(f) Flammable liquid storage below ground.

Distance measured horizontally from oxygen storage container to flammable liquid tank (feet)	Distance from oxygen storage container to filling and vent connections or openings to flammable liquid tank (feet)	Capacity gallons
15	50	0-1000
30	50	1001 or more

(g) Combustible liquid storage above ground.

Distance (feet)	Capacity (gallons)
25	0-1000
50	1001 or more

(h) Combustible liquid storage below ground.

Distance measured horizontally from oxygen storage container to combustible liquid tank (feet)	Distance from oxygen storage container to filling and vent connections or openings to combustible liquid tank (feet)
15	40

(i) Flammable gas storage. (Such as compressed flammable gases, liquefied flammable gases and flammable gases in low pressure gas holders):

Distance (feet)	Capacity (cu. ft. NTP)
50	Less than 5000
90	5000 or more

(j) Highly combustible materials. Fifty feet from solid materials which burn rapidly, such as excelsior or paper.

(k) Slow-burning materials. Twenty-five feet from solid materials which burn slowly, such as coal and heavy timber.

(l) Ventilation. Seventy-five feet in one direction and 35 feet in approximately 90° direction from confining walls (not including firewalls less than 20 feet high) to provide adequate ventilation in courtyards and similar confining areas.

(m) Congested areas. Twenty-five feet from congested areas such as offices, lunchrooms, locker rooms, time clock areas, and similar locations where people may congregate.

(n) Public areas. Fifty feet from places of public assembly.

(o) Patients. Fifty feet from areas occupied by non-ambulatory patients.

(p) Sidewalks. Ten feet from any public sidewalk.

(q) Adjacent property. Five feet from any line of adjoining property.

(r) Exceptions. The distances in (3)(b), (c), (e) to (k) inclusive, and (p) and (q) of this section do not apply where protective structures such as firewalls of adequate height to safeguard the oxygen storage systems are located between the bulk oxygen storage installation and the exposure. In such cases, the bulk oxygen storage installation may be a minimum distance of 1 foot from the firewall.

(4) Storage containers. (a) Foundations and supports. Permanently installed containers shall be provided with substantial noncombustible supports on firm noncombustible foundations.

(b) Construction—Liquid. Liquid oxygen storage containers shall be fabricated from materials meeting the impact test requirements of paragraph UG-84 of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968. Containers operating at pressures above 15 pounds per square inch gage (p.s.i.g.) shall be designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VII—Unfired Pressure Vessels—1968. Insulation surrounding the liquid oxygen container shall be noncombustible.

(c) Construction—Gaseous. High-pressure gaseous oxygen containers shall comply with one of the following:

(i) Designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968.

(ii) Designed, constructed, tested, and maintained in accordance with DOT specifications and regulations.

(5) Piping, tubing, and fittings. (a) Selection. Piping, tubing, and fittings shall be suitable for oxygen service and for the pressures and temperatures involved.

(b) Specification. Piping and tubing shall conform to Section 2—Gas and Air Piping Systems of Code for Pressure Piping, ANSI, B31.1-1967 with addenda B31.10a-1969.

(c) Fabrication. Piping or tubing for operating temperatures below -20°F shall be fabricated from materials meeting the impact test requirements of paragraph UG-84 of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968, when tested at the minimum operating temperature to which the piping may be subjected in service.

(6) Safety relief devices. (a) General. Bulk oxygen storage containers, regardless of design pressure shall be equipped with safety relief devices as required by the ASME code or the DOT specifications and regulations.

(b) DOT containers. Bulk oxygen storage containers designed and constructed in accordance with DOT specification shall be equipped with safety relief devices as required thereby.

(c) ASME containers. Bulk oxygen storage containers designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessel—1968 shall be equipped with safety relief devices meeting the provisions of the Compressed Gas Association Pamphlet "Safety Relief Device Standards for Compressed Gas Storage Containers," S-1, Part 3.

(d) Insulation. Insulation casings on liquid oxygen containers shall be equipped with suitable safety relief devices.

(e) Reliability. All safety relief devices shall be so designed or located that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(7) Liquid oxygen vaporizers. (a) Mounts and couplings. The vaporizer shall be anchored and its connecting piping be sufficiently flexible to provide for the effect of expansion and contraction due to temperature changes.

(b) Relief devices. The vaporizer and its piping shall be adequately protected on the oxygen and heating medium sections with safety relief devices.

(c) Heating. Heat used in an oxygen vaporizer shall be indirectly supplied only through media such as steam, air, water, or water solutions which do not react with oxygen.

(d) Grounding. If electric heaters are used to provide the primary source of heat, the vaporizing system shall be electrically grounded.

(8) Equipment assembly and installation. (a) Cleaning. Equipment making up a bulk oxygen system shall be cleaned in order to remove oil, grease or other readily oxidizable materials before placing the system in service.

(b) Joints. Joints in piping and tubing may be made by welding or by use of flanged, threaded, slip, or compression fittings. Gaskets or thread sealants shall be suitable for oxygen service.

(c) Accessories. Valves, gages, regulators, and other accessories shall be suitable for oxygen service.

(d) Installation. Installation of bulk oxygen systems shall be supervised by personnel familiar with proper practices with reference to their construction and use.

(e) Testing. After installation all field erected piping shall be tested and proved gas tight at maximum operating pressure. Any medium used for testing shall be oil free and nonflammable.

(f) Security. Storage containers, piping, valves, regulating equipment, and other accessories shall be protected against physical damage and against tampering.

(g) Venting. Any enclosure containing oxygen control or operating equipment shall be adequately vented.

(h) Placarding. The bulk oxygen storage location shall be permanently placarded to indicate: "OXYGEN—NO SMOKING—NO OPEN FLAMES," or an equivalent warning.

(i) Electrical wiring. Bulk oxygen installations are not hazardous locations as defined and covered ((~~it~~)) by WAC ((~~296-24-950 and 296-24-955~~)) 296-24-956 through 296-24-960. ((~~Therefore~~)) Therefore, general purpose or weatherproof types of electrical wiring and equipment are acceptable depending upon whether the installation is indoors or outdoors. Such equipment shall be installed in accordance with the ((~~applicable~~)) provisions of WAC ((~~296-24-950 and 296-24-955~~)) 296-24-956 through 296-24-960.

(9) Operating instructions. For installations which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(10) Maintenance. (a) The equipment and functioning of each charged bulk oxygen system shall be maintained

in a safe operating condition in accordance with the requirements of this section. Wood and long dry grass shall be cut back within 15 feet of any bulk oxygen storage container.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-33009 CONTAINER AND PORTABLE TANK STORAGE. (1) Scope. (a) General. This section shall apply only to the storage of flammable or combustible liquids in drums or other containers (including flammable aerosols) not exceeding 60 gallons individual capacity and those portable tanks not exceeding 660 gallons individual capacity.

(b) Exceptions. This section shall not apply to the following:

(i) Storage of containers in bulk plants, service stations, refineries, chemical plants, and distilleries;

(ii) Class I or Class II liquids in the fuel tanks of a motor vehicle, aircraft, boat, or portable or stationary engine;

(iii) Flammable or combustible paints, oils, varnishes, and similar mixtures used for painting or maintenance when not kept for a period in excess of 30 days;

(iv) Beverages when packaged in individual containers not exceeding 1 gallon in size.

(2) Design, construction, and capacity of containers.

(a) General. Only approved containers and portable tanks shall be used. Metal containers and portable tanks meeting the requirements of and containing products authorized by Chapter I, Title 49 of the Code of Federal Regulations - October 1, 1972, (regulations issued by the hazardous materials regulations board, department of transportation), shall be deemed to be acceptable.

(b) Emergency venting. Each portable tank shall be provided with one or more devices installed in the top with sufficient emergency venting capacity to limit internal pressure under fire exposure conditions to 10 p.s.i.g., or 30 percent of the bursting pressure of the tank, whichever is greater. The total venting capacity shall be not less than that specified in WAC 296-24-33005 (2)(e)(iii) or (v). At least one pressure-actuated vent having a minimum capacity of 6,000 cubic feet of free air (14.7 p.s.i.a. and 60°F) shall be used. It shall be set to open at not less than 5 p.s.i.g. If fusible vents are used, they shall be actuated by elements that operate at a temperature not exceeding 300°F.

TABLE H-12

MAXIMUM ALLOWABLE SIZE OF CONTAINERS AND PORTABLE TANKS

Container Type	Flammable liquids			Combustible Liquids	
	Class IA	Class IB	Class IC	Class II &	Class III
Glass or approved plastic —————	1 pt.	1 qu.	1 gal.	1 gal.	1 gal.
Metal (other than DOT drums) ———	1 gal.	5 gal.	5 gal.	5 gal.	5 gal.
Safety cans —————	2 gal.	5 gal.	5 gal.	5 gal.	5 gal.

TABLE H-12
MAXIMUM ALLOWABLE SIZE OF
CONTAINERS AND PORTABLE TANKS

Container Type	Flammable liquids			Combustible Liquids	
	Class IA	Class IB	Class IC	Class II	Class III
Metal drums (DOT spec.)	60 gal.	60 gal.	60 gal.	60 gal.	60 gal.
Approved portable tanks	660 gal.	660 gal.	660 gal.	660 gal.	660 gal.

Container exemptions: (i) Medicines, beverages, food-stuffs, cosmetics and other common consumer items, when packaged according to commonly accepted practices, shall be exempt from the requirements of (4)(a) and (b) of this section.

(c) Size. Flammable and combustible liquid containers shall be in accordance with Table H-12, except that glass or plastic containers of no more than 1-gallon capacity may be used for a Class IA or IB flammable liquid if:

(i) Such liquid either would be rendered unfit for its intended use by contact with metal or would excessively corrode a metal container so as to create a leakage hazard; and

(ii) The user's process either would require more than 1 pint of Class IA liquid or more than 1 quart of a Class IB liquid of a single assay lot to be used at one time, or would require the maintenance of an analytical standard liquid of a quality which is not met by the specified standards of liquids available, and the quantity of the analytical standard liquid required to be used in any one control process exceeds one-sixteenth the capacity of the container allowed under Table H-12 for the class of liquid; or

(iii) The containers are intended for direct export outside the United States.

(3) Design, construction, and capacity of storage cabinets. (a) Maximum capacity. Not more than 60 gallons of Class I or Class II liquids, nor more than 120 gallons of Class III liquids may be stored in a storage cabinet.

(b) Fire resistance. Storage cabinets shall be designed and constructed to limit the internal temperature to not more than 325°F when subjected to a 10-minute fire test using the standard time-temperature curve as set forth in Standard Methods of Fire Tests of Building Construction and Materials, NFPA 251-1969. All joints and seams shall remain tight and the door shall remain securely closed during the fire test. Cabinets shall be labeled "Flammable—Keep fire away," to meet specifications set forth in WAC 296-24-140.

(i) Metal cabinets constructed in the following manner shall be deemed to be in compliance. The bottom, top, door, and sides of cabinet shall be at least No. 18 gage sheet iron and double walled with 1 1/2-inch air space. Joints shall be riveted, welded or made tight by some equally effective means. The door shall be provided with a three-point lock, and the door sill shall be raised at least 2 inches above the bottom of the cabinet.

(ii) Wooden cabinets constructed in the following manner shall be deemed in compliance. The bottom, sides, and top shall be constructed of an approved grade of plywood at least 1 inch in thickness, which shall not break down or delaminate under fire conditions. All joints shall be rabbetted and shall be fastened in two directions with flathead woodscrews. When more than one door is used, there shall be a rabbetted overlap of not less than 1 inch. Hinges shall be mounted in such a manner as not to lose their holding capacity due to loosening or burning out of the screws when subjected to the fire test.

(4) Design and construction of inside storage rooms.

(a) Construction. Inside storage rooms shall be constructed to meet the required fire-resistive rating for their use. Such construction shall comply with the test specifications set forth in Standard Methods of Fire Tests of Building Construction and Materials, NFPA 251-1969. Where an automatic sprinkler system is provided, the system shall be designed and installed in an acceptable manner. Openings to other rooms or buildings shall be provided with noncombustible liquid-tight raised sills or ramps at least 4 inches in height, or the floor in the storage area shall be at least 4 inches below the surrounding floor. Openings shall be provided with approved self-closing fire doors. The room shall be liquid tight where the walls join the floor. A permissible alternate to the sill or ramp is an open-grated trench inside of the room which drains to a safe location. Where other portions of the building or other properties are exposed, windows shall be protected as set forth in the Standard for Fire Doors and Windows, NFPA No. 80-1968, for Class E or F openings. Wood at least 1 inch nominal thickness may be used for shelving, racks, dunnage, scuffboards, floor overlay, and similar installations.

(b) Rating and capacity. Storage in inside storage rooms shall comply with Table H-13.

TABLE H-13
STORAGE IN INSIDE ROOMS

Fire protection* provided	Fire resistance	Maximum size	Total allowable quantities (gals./sq. ft./floor area)
Yes	2 hours	500 sq.ft.	10
No	2 hours	500 sq.ft.	4
Yes	1 hour	150 sq.ft.	5
No	1 hour	150 sq.ft.	2

*Fire protection system shall be sprinkler, water spray, carbon dioxide, or other system.

(c) Wiring. Electrical wiring and equipment (~~located in inside storage rooms used for Class I liquids shall be approved under WAC 296-24-950 and 296-24-955 for Class I, Division 2 hazardous locations; for Class II and Class III liquids, shall be approved for general use~~) within inside storage rooms used to store Class I liquids

shall comply with the provisions of WAC 296-24-956 through 296-24-960 for Class I, Division 2 locations. For inside storage rooms used to store Class II and III liquids the pertinent provisions WAC 296-24-956 through 296-24-960 apply.

(d) Ventilation. Every inside storage room shall be provided with either a gravity or a mechanical exhaust ventilation system. Such system shall be designed to provide for a complete change of air within the room at least six times per hour. If a mechanical exhaust system is used, it shall be controlled by a switch located outside of the door. The ventilating equipment and any lighting fixtures shall be operated by the same switch. A pilot light shall be installed adjacent to the switch if Class I flammable liquids are dispensed within the room. Where gravity ventilation is provided, the fresh air intake, as well as the exhaust outlet from the room, shall be on the exterior of the building in which the room is located.

(e) Storage in inside storage rooms. In every inside storage room there shall be maintained one clear aisle at least 3 feet wide. Containers over 30 gallons capacity shall not be stacked one upon the other. Dispensing shall be by approved pump or self-closing faucet only.

(5) Storage inside building. (a) Egress. Flammable or combustible liquids, including stock for sale, shall not be stored so as to limit use of exits, stairways, or areas normally used for the safe egress of people.

(b) Containers. The storage of flammable or combustible liquids in containers or portable tanks shall comply with (4)(c) through (e) of this section.

(c) Office occupancies. Storage shall be prohibited except that which is required for maintenance and operation of building and operation of equipment. Such storage shall be kept in closed metal containers stored in a storage cabinet or in safety cans or in an inside storage room not having a door that opens into that portion of the building used by the public.

(d) Mercantile occupancies and other retail stores. (i) In rooms or areas accessible to the public, storage shall be limited to quantities needed for display and normal merchandising purposes but shall not exceed 2 gallons per square foot of gross floor area. The gross floor area used for computing the maximum quantity permitted shall be considered as that portion of the store actually being used for merchandising flammable and combustible liquids.

(ii) Where the aggregate quantity of additional stock exceeds 60 gallons of Class IA, or 120 gallons of Class IB, or 180 gallons of Class IC, or 240 gallons of Class II, or 500 gallons of Class III liquids, or any combination of Class I and Class II liquids exceeding 240 gallons, it shall be stored in a room or portion of the building that complies with the construction provisions for an inside storage room as prescribed in (4) of this section. For water miscible liquids, these quantities may be doubled.

(iii) Containers in a display area shall not be stacked more than 3 feet or two containers high, whichever is the

greater, unless the stacking is done on fixed shelving or is otherwise satisfactorily secured.

(iv) Shelving shall be of stable construction, of sufficient depth and arrangement such that containers displayed thereon shall not be easily displaced.

(v) Leaking containers shall be removed to a storage room or taken to a safe location outside the building and the contents transferred to an undamaged container.

(e) General purpose public warehouses. Storage shall be in accordance with Table H-14 or H-15 and in buildings or in portions of such buildings cut off by standard firewalls. Material creating no fire exposure hazard to the flammable or combustible liquids may be stored in the same area.

TABLE H-14
INDOOR CONTAINER STORAGE

Class liquid	Storage level	Protected storage maximum per pile		Unprotected storage maximum per pile	
		Gal.	Ht.	Gal.	Ht.
IA—Ground and upper floors—		2,750	3 ft.	660	3 ft.
		(50)	(1)	(12)	(1)
Basement—		Not permitted		Not permitted	
IB—Ground and upper floors—		5,500	6 ft.	1,375	3 ft.
		(100)	(2)	(25)	(1)
Basement—		Not permitted		Not permitted	
IC—Ground and upper floors—		16,500	6 ft.	4,125	3 ft.
		(300)	(2)	(75)	(1)
Basement—		Not permitted		Not permitted	
II—Ground and upper floors—		16,500	9 ft.	4,125	9 ft.
		(300)	(3)	(75)	(3)
Basement—		5,500	9 ft.	Not permitted	
		(100)	(3)		
III—Ground and upper floors—		55,000	15 ft.	13,750	12 ft.
		(1,000)	(5)	(250)	(4)
Basement—		8,250	9 ft.	Not permitted	
		(450)	(3)		

NOTE 1: When 2 or more classes of materials are stored in a single pile, the maximum gallonage permitted in that pile shall be the smallest of the 2 or more separate maximum gallonages.

NOTE 2: Aisles shall be provided so that no container is more than 12 ft. from an aisle. Main aisles shall be at least 8 ft. wide and side aisles at least 4 ft. wide.

(Numbers in parentheses indicate corresponding number of 55-gal. drums.)

NOTE 3: Each pile shall be separated from each other by at least 4 ft.

TABLE H-15

INDOOR PORTABLE TANK STORAGE

Class liquid	Storage level	Protected storage maximum per pile		Unprotected storage maximum per pile	
		Gals.	Ht.	Gals.	Ht.
IA	Ground and upper floors	Not permitted		Not permitted	
	Basement	Not permitted		Not permitted	
IB	Ground and upper floors	20,000	7 ft.	2,000	7 ft.
	Basement	Not permitted		Not permitted	
IC	Ground and upper floors	40,000	14 ft.	5,500	7 ft.
	Basement	Not permitted		Not permitted	
II	Ground and upper floors	40,000	14 ft.	5,500	7 ft.
	Basement	20,000	7 ft.	Not permitted	
III	Ground and upper floors	60,000	14 ft.	22,000	7 ft.
	Basement	20,000	7 ft.	Not permitted	

- NOTE 1: When 2 or more classes of materials are stored in a single pile, the maximum gallonage permitted in that pile shall be the smallest of the 2 or more separate maximum gallonages.
- NOTE 2: Aisles shall be provided so that no portable tank is more than 12 ft. from an aisle. Main aisles shall be at least 8 ft. wide and side aisles at least 4 ft. wide.
- NOTE 3: Each pile shall be separated from each other by at least 4 ft.

(f) Flammable and combustible liquid warehouses or storage buildings. (i) If the storage building is located 50 feet or less from a building or line of adjoining property that may be built upon, the exposing wall shall be a blank wall having a fire-resistance rating of at least 2 hours.

(ii) The total quantity of liquids within a building shall not be restricted, but the arrangement of storage shall comply with Table H-14 or H-15.

(iii) Containers in piles shall be separated by pallets or dunnage where necessary to provide stability and to prevent excessive stress on container walls.

(iv) Portable tanks stored over one tier high shall be designed to nest securely, without dunnage and adequate materials handling equipment shall be available to handle tanks safely at the upper tier level.

(v) No pile shall be closer than 3 feet to the nearest beam, chord, girder, or other obstruction, and shall be 3 feet below sprinkler deflectors or discharge orifices of water spray, or other overhead fire protection systems.

(vi) Aisles of at least 3 feet wide shall be provided where necessary for reasons of access to doors, windows or standpipe connections.

(6) Storage outside buildings. (a) General. Storage outside buildings shall be in accordance with Table H-16 or H-17, and (6)(b) and (d) of this section.

TABLE H-16

OUTDOOR CONTAINER STORAGE

1 Class	2 Maximum per pile (see note 1)	3 Distance between piles (see note 2)	4 Distance to property line that can be built upon (see notes 3 & 4)	5 Distance to street, alley, public way (see note 4)
IA	1,100	5	20	10
IB	2,200	5	20	10
IC	4,400	5	20	10
II	8,800	5	10	5
III	22,000	5	10	5

- NOTE 1: When 2 or more classes of materials are stored in a single pile, the maximum gallonage in that pile shall be the smallest of the 2 or more separate gallonages.
- NOTE 2: Within 200 ft. of each container, there shall be 12-ft. wide access way to permit approach of fire control apparatus.
- NOTE 3: The distances listed apply to properties that have protection for exposures as defined. If there are exposures, and such protection for exposures does not exist, the distances in column 4 shall be doubled.
- NOTE 4: When total quantity stored does not exceed 50 percent of maximum per pile, the distances in columns 4 and 5 may be reduced 50 percent, but not less than 3 ft.

(b) Maximum storage. A maximum of 1,100 gallons of flammable or combustible liquids may be located adjacent to buildings located on the same premises and under the same management provided the provisions of (6)(b)(i) and (ii) are complied with.

(i) The building shall be a one-story building devoted principally to the handling and storing of flammable or combustible liquids or the building shall have 2 hour fire-resistive exterior walls having no opening within 10 feet of such storage.

(ii) Where quantity stored exceeds 1,100 gallons, or provisions of (6)(b)(i) cannot be met, a minimum distance of 10 feet between buildings and nearest container of flammable or combustible liquid shall be maintained.

TABLE H-17

OUTDOOR PORTABLE TANK STORAGE

1 Class	2 Maximum per pile	3 Distance between piles	4 Distance to property line that can be built upon	5 Distance to street, alley, public way
IA	2,200	5	20	10
IB	4,400	5	20	10
IC	8,800	5	20	10
II	17,600	5	10	5
III	44,000	5	10	5

- NOTE 1: When 2 or more classes of materials are stored in a single pile, the maximum gallonage in that pile shall be the smallest of the 2 or more separate gallonages.
- NOTE 2: Within 200 ft. of each portable tank, there shall be a 12-ft. wide access way to permit approach of fire control apparatus.
- NOTE 3: The distances listed apply to properties that have protection for exposures as defined. If there are exposures, and such protection for exposures does not exist, the distances in column 4 shall be doubled.
- NOTE 4: When total quantity stored does not exceed 50 percent of maximum per pile, the distances in columns 4 and 5 may be reduced 50 percent, but not less than 3 ft.

(c) Spill containment. The storage area shall be graded in a manner to divert possible spills away from buildings or other exposures or shall be surrounded by a curb at least 6 inches high. When curbs are used, provisions shall be made for draining of accumulations of ground or rain water or spills of flammable or combustible liquids. Drains shall terminate at a safe location and shall be accessible to operation under fire conditions.

(d) Security. The storage area shall be protected against tampering or trespassers where necessary and shall be kept free of weeds, debris and other combustible material not necessary to the storage.

(7) Fire control. (a) Extinguishers. Suitable fire control devices, such as small hose or portable fire extinguishers, shall be available at locations where flammable or combustible liquids are stored.

(i) At least one portable fire extinguisher having a rating of not less than 12-B units shall be located outside of, but not more than 10 feet from, the door opening into any room used for storage.

(ii) At least one portable fire extinguisher having a rating of not less than 12-B units must be located not less than 10 feet, nor more than 25 feet, from any Class I or Class II liquid storage area located outside of a storage room but inside a building.

(b) Sprinklers. When sprinklers are provided, they shall be installed in accordance with WAC 296-24-605 through 296-24-60509.

(c) Open flames and smoking. Open flames and smoking shall not be permitted in flammable or combustible liquid storage areas.

(d) Water reactive materials. Materials which will react with water shall not be stored in the same room with flammable or combustible liquids.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-33011 INDUSTRIAL PLANTS. (1) Scope. (a) Application. This paragraph shall apply to those industrial plants where:

(i) The use of flammable or combustible liquids is incidental to the principal business, or

(ii) Where flammable or combustible liquids are handled or used only in unit physical operations such as mixing, drying, evaporating, filtering, distillation, and similar operations which do not involve chemical reaction. This section shall not apply to chemical plants, refineries or distilleries.

(b) Exceptions. Where portions of such plants involve chemical reactions such as oxidation, reduction, halogenation, hydrogenation, alkylation, polymerization, and

other chemical processes, those portions of the plant shall be in accordance with WAC 296-24-33017.

(2) Incidental storage or use of flammable and combustible liquids. (a) Application. This shall be applicable to those portions of an industrial plant where the use and handling of flammable or combustible liquids is only incidental to the principal business, such as automobile assembly, construction of electronic equipment, furniture manufacturing, or other similar activities.

(b) Containers. Flammable or combustible liquids shall be stored in tanks or closed containers.

(i) Except as provided in (2)(b)(ii) and (iii) of this section all storage shall comply with WAC 296-24-33009 (3) or (4).

(ii) The quantity of liquid that may be located outside of an inside storage room or storage cabinet in a building or in any one fire area of a building shall not exceed:

(A) 25 gallons of Class IA liquids in containers

(B) 120 gallons of Class IB, IC, II, or III liquids in containers

(C) 660 gallons of Class IB, IC, II, or III liquids in a single portable tank.

(iii) Where large quantities of flammable or combustible liquids are necessary, storage may be in tanks which shall comply with the applicable requirements of WAC 296-24-33005.

(c) Separation and protection. Areas in which flammable or combustible liquids are transferred from one tank or container to another container shall be separated from other operations in the building by adequate distance or by construction having adequate fire resistance. Drainage or other means shall be provided to control spills. Adequate natural or mechanical ventilation shall be provided.

(d) Handling liquids at point of final use. (i) Flammable liquids shall be kept in covered containers when not actually in use.

(ii) Where flammable or combustible liquids are used or handled, except in closed containers, means shall be provided to dispose promptly and safely of leakage or spills.

(iii) Class I liquids may be used only where there are no open flames or other sources of ignition within the possible path of vapor travel.

(iv) Flammable or combustible liquids shall be drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve. Transferring by means of air pressure on the container or portable tanks shall be prohibited.

(3) Unit physical operations. (a) Application. This subdivision (3) shall be applicable in those portions of industrial plants where flammable or combustible liquids are handled or used in unit physical operations such as mixing, drying, evaporating, filtering, distillation, and similar operations which do not involve chemical change. Examples are plants compounding cosmetics, pharmaceuticals, solvents, cleaning fluids, insecticides, and similar types of activities.

(b) Location. Industrial plants shall be located so that each building or unit of equipment is accessible from at least one side for firefighting and fire control purposes. Buildings shall be located with respect to lines of adjoining property which may be built upon as set forth in WAC 296-24-33017 (2)(a) and (b) except that the blank wall referred to in WAC 296-24-33017 (2)(b) shall have a fire resistance rating of at least 2 hours.

(c) Chemical processes. Areas where unstable liquids are handled or small scale unit chemical processes are carried on shall be separated from the remainder of the plant by a fire wall of 2-hour minimum fire resistance rating.

(d) Drainage. (i) Emergency drainage systems shall be provided to direct flammable or combustible liquid leakage and fire protection water to a safe location. This may require curbs, scuppers, or special drainage systems to control the spread of fire; see WAC 296-24-33005 (2)(g)(ii).

(ii) Emergency drainage systems, if connected to public sewers or discharged into public waterways, shall be equipped with traps or separators.

(iii) The industrial plant shall be designed and operated to prevent the normal discharge of flammable or combustible liquids into public waterways, public sewers, or adjoining property.

(e) Ventilation. (i) Areas as defined in (1)(a) of this section using Class I liquids shall be ventilated at a rate of not less than 1 cubic foot per minute per square foot of solid floor area. This shall be accomplished by natural or mechanical ventilation with discharge or exhaust to a safe location outside of the building. Provision shall be made for introduction of makeup air in such a manner as not to short circuit the ventilation. Ventilation shall be arranged to include all floor areas or pits where flammable vapors may collect.

(ii) Equipment used in a building and the ventilation of the building shall be designed so as to limit flammable vapor-air mixtures under normal operating conditions to the interior of equipment, and to not more than 5 feet from equipment which exposes Class I liquids to the air. Examples of such equipment are dispensing stations, open centrifuges, plate and frame filters, open vacuum filters, and surfaces of open equipment.

(f) Storage and handling. The storage, transfer, and handling of liquid shall comply with WAC 296-24-33017(4) of this section.

(4) Tank vehicle and tank car loading and unloading.

(a) Tank vehicle and tank car loading or unloading facilities shall be separated from aboveground tanks, warehouses, other plant buildings or nearest line of adjoining property which may be built upon by a distance of 25 feet for Class I liquids and 15 feet for Class II and Class III liquids measured from the nearest position of any fill stem. Buildings for pumps or shelters for personnel may be a part of the facility. Operations of the facility shall comply with the appropriate portions of WAC 296-24-33013(3).

(5) Fire control. (a) Portable and special equipment. Portable fire extinguishment and control equipment shall be provided in such quantities and types as are needed for the special hazards of operation and storage.

(b) Water supply. Water shall be available in volume and at adequate pressure to supply water hose streams, foam-producing equipment, automatic sprinklers, or water spray systems as the need is indicated by the special hazards of operation, dispensing and storage.

(c) Special extinguishers. Special extinguishing equipment such as that utilizing foam, inert gas, or dry chemical shall be provided as the need is indicated by the special hazards of operation dispensing and storage.

(d) Special hazards. Where the need is indicated by special hazards of operation, flammable or combustible liquid processing equipment, major piping, and supporting steel shall be protected by approved water spray systems, deluge systems, approved fire-resistant coatings, insulation, or any combination of these.

(e) Maintenance. All plant fire protection facilities shall be adequately maintained and periodically inspected and tested to make sure they are always in satisfactory operating condition, and they will serve their purpose in time of emergency.

(6) Sources of ignition. (a) General. Adequate precautions shall be taken to prevent the ignition of flammable vapors. Sources of ignition include but are not limited to open flames; lightning; smoking; cutting and welding; hot surfaces; frictional heat; static, electrical and mechanical sparks; spontaneous ignition, including heat-producing chemical reactions; and radiant heat.

(b) Grounding. Class I liquids shall not be dispensed into containers unless the nozzle and container are electrically interconnected. Where the metallic floorplate on which the container stands while filling is electrically connected to the fill stem or where the fill stem is bonded to the container during filling operations by means of a bond wire, the provisions of these standards shall be deemed to have been complied with.

(7) Electrical. (a) Equipment. (i) All electrical wiring and equipment shall be installed according to the requirements of WAC (~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960.

(ii) Locations where flammable vapor-air mixtures may exist under normal operations shall be classified Class I, Division 1 according to the requirements of WAC (~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960. For those pieces of equipment installed in accordance with the requirements of subsection (3)(e)(ii) of this section, the Division 1 area shall extend 5 feet in all directions from all points of vapor liberation. All areas within pits shall be classified Division 1 if any part of the pit is within a Division 1 or 2 classified area, unless the pit is provided with mechanical ventilation.

(iii) Locations where flammable vapor-air mixtures may exist under abnormal conditions and for a distance beyond Division 1 locations shall be classified Division 2 according to the requirements of WAC (~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960. These locations include an area within 20 feet horizontally, 3 feet vertically beyond a Division 1 area, and up to 3 feet above floor or grade level within 25 feet, if indoors, or 10 feet if outdoors, from any pump, bleeder, withdrawal fitting, meter, or similar device handling Class I liquids. Pits provided with adequate mechanical

ventilation within a Division 1 or 2 area shall be classified Division 2. If Class II or Class III liquids only are handled, then ordinary electrical equipment is satisfactory though care shall be used in locating electrical apparatus to prevent hot metal from falling into open equipment.

(iv) Where the provisions of (i), (ii) and (iii) of this section require the installation of electrical equipment suitable for Class I, Division 1 or Division 2 locations, ordinary electrical equipment including switchgear may be used if installed in a room or enclosure which is maintained under positive pressure with respect to the hazardous area. Ventilation makeup air shall be uncontaminated by flammable vapors.

(8) Repairs to equipment. Hot work, such as welding or cutting operations, use of spark-producing power tools, and chipping operations shall be permitted only under supervision of an individual in responsible charge. The individual in responsible charge shall make an inspection of the area to be sure that it is safe for the work to be done and that safe procedures will be followed for the work specified.

(9) Housekeeping. (a) General. Maintenance and operating practices shall be in accordance with established procedures which will tend to control leakage and prevent the accidental escape of flammable or combustible liquids. Spills shall be cleaned up promptly.

(b) Access. Adequate aisles shall be maintained for unobstructed movement of personnel and so that fire protection equipment can be brought to bear on any part of flammable or combustible liquid storage, use, or any unit physical operation.

(c) Waste and residue. Combustible waste material and residues in a building or unit operating area shall be kept to a minimum, stored in covered metal receptacles and disposed of daily.

(d) Clear zone. Ground area around buildings and unit operating areas shall be kept free of weeds, trash, or other unnecessary combustible materials.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-33013 BULK PLANTS. (1) Storage. (a) Class I liquids. Class I liquids shall be stored in closed containers, or in storage tanks above ground outside of buildings, or underground in accordance with WAC 296-24-33005.

(b) Class II and III liquids. Class II and Class III liquids shall be stored in containers, or in tanks within buildings or above ground outside of buildings, or underground in accordance with WAC 296-24-33005.

(c) Piling containers. Containers of flammable or combustible liquids when piled one upon the other shall be separated by dunnage sufficient to provide stability and to prevent excessive stress on container walls. The height of the pile shall be consistent with the stability and strength of containers.

(2) Buildings. (a) Exits. Rooms in which flammable or combustible liquids are stored or handled by pumps shall have exit facilities arranged to prevent occupants from being trapped in the event of fire.

(b) Heating. Rooms in which Class I liquids are stored or handled shall be heated only by means not constituting a source of ignition, such as steam or hot water. Rooms containing heating appliances involving sources of ignition shall be located and arranged to prevent entry of flammable vapors.

(c) Ventilation. (i) Ventilation shall be provided for all rooms, buildings, or enclosures in which Class I liquids are pumped or dispensed. Design of ventilation systems shall take into account the relatively high specific gravity of the vapors. Ventilation may be provided by adequate openings in outside walls at floor level unobstructed except by louvers or course screens. Where natural ventilation is inadequate, mechanical ventilation shall be provided.

(ii) Class I liquids shall not be stored or handled within a building having a basement or pit into which flammable vapors may travel, unless such area is provided with ventilation designed to prevent the accumulation of flammable vapors therein.

(iii) Containers of Class I liquids shall not be drawn from or filled within buildings unless provision is made to prevent the accumulation of flammable vapors in hazardous concentrations. Where mechanical ventilation is required, it shall be kept in operation while flammable liquids are being handled.

(3) Loading and unloading facilities. (a) Separation. Tank vehicle and tank car loading or unloading facilities shall be separated from aboveground tanks, warehouses, other plant buildings or nearest line of adjoining property that may be built upon by a distance of 25 feet for Class I liquids and 15 feet for Class II and Class III liquids measured from the nearest position of any fill spout. Buildings for pumps or shelters for personnel may be a part of the facility.

(b) Class restriction. Equipment such as piping, pumps, and meters used for the transfer of Class I liquids between storage tanks and the fill stem of the loading rack shall not be used for the transfer of Class II or Class III liquids.

(c) Valves. Valves used for the final control for filling tank vehicles shall be of the self-closing type and manually held open except where automatic means are provided for shutting off the flow when the vehicle is full or after filling of a preset amount.

(d) Static protection. (i) Bonding facilities for protection against static sparks during the loading of tank vehicles through open domes shall be provided:

(A) Where Class I liquids are loaded, or

(B) Where Class II or Class III liquids are loaded into vehicles which may contain vapors from previous cargoes of Class I liquids.

(ii) Protection as required in (3)(d)(i) of this section shall consist of a metallic bond wire permanently electrically connected to the fill stem or to some part of the rack structure in electrical contact with the fill stem. The free end of such wire shall be provided with a clamp or equivalent device for convenient attachment to some metallic part in electrical contact with the cargo tank of the tank vehicle.

(iii) Such bonding connection shall be made fast to the vehicle or tank before dome covers are raised and

shall remain in place until filling is completed and all dome covers have been closed and secured.

(iv) Bonding as specified in (3)(d)(i), (ii) and (iii) of this section is not required:

(A) Where vehicles are loaded exclusively with products not having a static accumulating tendency, such as asphalt, most crude oils, residual oils, and water soluble liquids;

(B) Where no Class I liquids are handled at the loading facility and the tank vehicles loaded are used exclusively for Class II and Class III liquids; and

(C) Where vehicles are loaded or unloaded through closed bottom or top connections.

(v) Filling through open domes into the tanks of tank vehicles or tank cars, that contain vapor-air mixtures within the flammable range or where the liquid being filled can form such a mixture, shall be by means of a downspout which extends near the bottom of the tank. This precaution is not required when loading liquids which are nonaccumulators of static charges.

(e) Stray currents. Tank car loading facilities where Class I liquids are loaded through open domes shall be protected against stray currents by bonding the pipe to at least one rail and to the rack structure if of metal. Multiple lines entering the rack area shall be electrically bonded together. In addition, in areas where excessive stray currents are known to exist, all pipe entering the rack area shall be provided with insulating sections to electrically isolate the rack piping from the pipelines. No bonding between the tank car and the rack or piping is required during either loading or unloading of Class II or III liquids.

(f) Container filling facilities. Class I liquids shall not be dispensed into containers unless the nozzle and container are electrically interconnected. Where the metallic floorplate on which the container stands while filling is electrically connected to the fill stem or where the fill stem is bonded to the container during filling operations by means of a bond wire, the provisions of these standards shall be deemed to have been complied with.

(4) Wharves. (a) Definition, application. The term wharf shall mean any wharf, pier, bulkhead, or other structure over or contiguous to navigable water used in conjunction with a bulk plant, the primary function of which is the transfer of flammable or combustible liquid cargo in bulk between the bulk plant and any tank vessel, ship, barge, lighter boat, or other mobile floating craft; and this subparagraph shall apply to all such installations except marine service stations as covered in WAC 296-24-33015.

(b) Package cargo. Package cargo of flammable and combustible liquids, including full and empty drums, bulk fuel, and stores may be handled over a wharf and at such times and places as may be agreed upon by the wharf superintendent and the senior deck officer on duty.

(c) Location. Wharves at which flammable or combustible liquid cargoes are to be transferred in bulk quantities to or from tank vessels shall be at least 100 feet from any bridge over a navigable waterway, or from an entrance to or superstructure of any vehicular or railroad tunnel under a waterway. The termination of the wharf loading or unloading fixed piping shall be at

least 200 feet from a bridge or from an entrance to or superstructure of a tunnel.

(d) Design and construction. Substructure and deck shall be substantially designed for the use intended. Deck may employ any material which will afford the desired combination of flexibility, resistance to shock, durability, strength, and fire resistance. Heavy timber construction is acceptable.

(e) Tanks. Tanks used exclusively for ballast water or Class II or Class III liquids may be installed on suitably designed wharves.

(f) Pumps. Loading pumps capable of building up pressures in excess of the safe working pressure of cargo hose or loading arms shall be provided with bypasses, relief valves, or other arrangement to protect the loading facilities against excessive pressure. Relief devices shall be tested at not more than yearly intervals to determine that they function satisfactorily at the pressure at which they are set.

(g) Hoses and couplings. All pressure hoses and couplings shall be inspected at intervals appropriate to the service. The hose and couplings shall be tested with the hose extended and using the "inservice maximum operating pressures." Any hose showing material deteriorations, signs of leakage, or weakness in its carcass or at the couplings shall be withdrawn from service and repaired or discarded.

(h) Piping and fittings. Piping, valves, and fittings shall be in accordance with WAC 296-24-33007 with the following exceptions and additions:

(i) Flexibility of piping shall be assured by appropriate layout and arrangement of piping supports so that motion of the wharf structure resulting from wave action, currents, tides, or the mooring of vessels will not subject the pipe to repeated strain beyond the elastic limit.

(ii) Pipe joints depending upon the friction characteristics of combustible materials or grooving of pipe ends for mechanical continuity of piping shall not be used.

(iii) Swivel joints may be used in piping to which hoses are connected, and for articulated swivel-joint transfer systems, provided that the design is such that the mechanical strength of joint will not be impaired if the packing material should fail, as by exposure to fire.

(iv) Piping systems shall contain a sufficient number of valves to operate the system properly and to control the flow of liquid in normal operation and in the event of physical damage.

(v) In addition to the requirements of (4)(h)(iv), each line conveying flammable liquids leading to a wharf shall be provided with a readily accessible block valve located on shore near the approach to the wharf and outside of any diked area. Where more than one line is involved, the valves shall be grouped in one location.

(vi) Means of easy access shall be provided for cargo line valves located below the wharf deck.

(vii) Pipelines on flammable or combustible liquids wharves shall be adequately bonded and grounded. If excessive stray currents are encountered, insulating points shall be installed. Bonding and grounding connections on all pipelines shall be located on wharfside of

hose-riser insulating flanges, if used, and shall be accessible for inspection.

(viii) Hose or articulated swivel-joint pipe connections used for cargo transfer shall be capable of accommodating the combined effects of change in draft and maximum tidal range, and mooring lines shall be kept adjusted to prevent the surge of the vessel from placing stress on the cargo transfer system.

(ix) Hose shall be supported so as to avoid kinking and damage from chafing.

(i) Fire protection. Suitable portable fire extinguishers with a rating of not less than 12-BC shall be located with 75 feet of those portions of the facility where fires are likely to occur, such as hose connections, pumps, and separator tanks.

(i) Where piped water is available, ready-connected fire hose in size appropriate for the water supply shall be provided so that manifolds where connections are made and broken can be reached by at least one hose stream.

(ii) Material shall not be placed on wharves in such a manner as to obstruct access to firefighting equipment, or important pipeline control valves.

(iii) Where the wharf is accessible to vehicle traffic, an unobstructed roadway to the shore end of the wharf shall be maintained for access of firefighting apparatus.

(j) Operations control. Loading or discharging shall not commence until the wharf superintendent and officer in charge of the tank vessel agree that the tank vessel is properly moored and all connections are properly made. Mechanical work shall not be performed on the wharf during cargo transfer, except under special authorization by a delegated person or his authorized representative based on a review of the area involved, methods to be employed, and precaution necessary.

(5) Electrical equipment. (a) Application. This subsection shall apply to areas where Class I liquids are stored or handled. For areas where Class II or Class III liquids only are stored or handled, the electrical equipment may be installed in accordance with the provisions of WAC ((~~296-24-950 and 296-24-955~~)) 296-24-956 through 296-24-960 for ordinary locations.

(b) Conformance. All electrical equipment and wiring shall be of a type specified by and shall be installed in accordance with WAC ((~~296-24-950 and 296-24-955~~)) 296-24-956 through 296-24-960.

(c) Classification. So far as it applies Table H-18 shall be used to delineate and classify hazardous areas for the purpose of installation of electrical equipment under normal circumstances. In Table H-18 a classified area shall not extend beyond an unpierced wall, roof, or other solid partition. The area classifications listed shall be based on the premise that the installation meets the applicable requirements of this section in all respects.

TABLE H-18

ELECTRICAL EQUIPMENT HAZARDOUS AREAS—BULK PLANTS

Location	NEC Class I Group D division	Extent of classified area
Tank vehicle and tank car: ¹		
Loading through open dome _____	1	Within 3 feet of edge of dome, extending in all directions.
	2	Area between 3 feet and 5 feet from edge of dome, extending in all directions.
Loading through bottom connections with atmospheric venting _____	1	Within 3 feet of point of venting to atmosphere, extending in all directions.
	2	Area between 3 feet and 5 feet from point of venting to atmosphere, extending in all directions. Also up to 18 inches above grade within a horizontal radius of 10 feet from point of loading connection.
Loading through closed dome with atmospheric venting _____	1	Within 3 feet of open end of vent, extending in all directions.
	2	Area between 3 feet and 5 feet from open end of vent, extending in all directions. Also within 3 feet of edge of dome, extending in all directions.
Loading through closed dome with vapor recovery _____	2	Within 3 feet of point of connection of both fill and vapor lines, extending in all directions.
Bottom loading with vapor recovery or any bottom unloading _____	2	Within 3 feet of point of connections extending in all directions. Also up to 18 inches above grade within a horizontal radius of 10 feet from point of connection.
Drum and container filling:		
Outdoors, or indoors with adequate ventilation _____	1	Within 3 feet of vent and fill opening, extending in all directions.
	2	Area between 3 feet and 5 feet from vent or fill opening, extending in all directions. Also up to 18 inches above floor or grade level within a horizontal radius of 10 feet from vent or fill opening.

TABLE H-18

ELECTRICAL EQUIPMENT HAZARDOUS AREAS—BULK PLANTS

Location	NEC Class I Group D division	Extent of classified area
Outdoors, or indoors with adequate ventilation _____	1	Within 3 feet of vent and fill opening, extending in all directions.
	2	Area between 3 feet and 5 feet from vent or fill opening, extending in all directions. Also up to 18 inches above floor or grade level within a horizontal radius of 10 feet from vent or fill opening.
Tank—Aboveground:		
Shell, ends, or roof and dike area _____	2	Within 10 feet from shell, ends, or roof of tank, area inside dikes to level of top of dike.
Vent _____	1	Within 5 feet of open end of vent, extending in all directions.
	2	Area between 5 feet and 10 feet from open end of vent, extending in all directions.
Floating roof _____	1	Area above the roof and within the shell.
Pits:		
Without mechanical ventilation _____	1	Entire area within pit if any part is within a Division 1 or 2 classified area.
With mechanical ventilation _____	2	Entire area within pit if any part is within a Division 1 or 2 classified area.
Containing valves, fittings or piping, and not within a Division 1 or 2 classified area _____	2	Entire pit.
Pumps, bleeders, withdrawal fittings, meters and similar devices:		
Indoors _____	2	Within 5 feet of any edge of such devices, extending in all directions. Also up to 3 feet above floor or grade level within 25 feet horizontally from any edge of such devices.
Outdoors _____	2	Within 3 feet of any edge of such devices, extending in all directions. Also up to 18 inches above grade level within 10 feet horizontally from any edge of such devices.

TABLE H-18

ELECTRICAL EQUIPMENT HAZARDOUS AREAS—BULK PLANTS

Location	NEC Class I Group D division	Extent of classified area
Storage and repair garage for tank vehicles _____	1	All pits or spaces below floor level.
	2	Area up to 18 inches above floor or grade level for entire storage or repair garage.
Drainage ditches, separators, impounding basins _____	2	Area up to 18 inches above ditch, separator or basin. Also up to 18 inches above grade within 15 feet horizontally from any edge.
Garages for other than tank vehicles _____	Ordinary	If there is any opening to these rooms within the extent of an outdoor classified area, the entire room shall be classified the same as the area classification at the point of the opening.
Outdoor drum storage _____	Ordinary	
Indoor warehousing where there is no flammable liquid transfer _____	Ordinary	If there is any opening to these rooms within the extent of an indoor classified area, the room shall be classified the same as if the wall, curb or partition did not exist.
Office and rest rooms _____	Ordinary	

¹When classifying the extent of the area, consideration shall be given to the fact that tank cars or tank vehicles may be spotted at varying points. Therefore, the extremities of the loading or unloading positions shall be used.

(6) Sources of ignition. Class I liquids shall not be handled, drawn, or dispensed where flammable vapors may reach a source of ignition. Smoking shall be prohibited except in designated localities. "No smoking" signs shall be conspicuously posted where hazard from flammable liquid vapors is normally present.

(7) Drainage and waste disposal. Provision shall be made to prevent flammable or combustible liquids which may be spilled at loading or unloading points from entering public sewers and drainage systems, or natural waterways. Connection to such sewers, drains, or waterways by which flammable or combustible liquids might enter shall be provided with separator boxes or other approved means whereby such entry is precluded. Crankcase drainings and flammable or combustible liquids shall not be dumped into sewers, but shall be stored in tanks or tight drums outside of any building until removed from the premises.

(8) Fire control. Suitable fire-control devices, such as small hose or portable fire extinguishers, shall be available to locations where fires are likely to occur. Additional fire-control equipment may be required where a tank of more than 50,000 gallons individual capacity contains Class I liquids and where an unusual exposure hazard exists from surrounding property. Such additional fire-control equipment shall be sufficient to extinguish a fire in the largest tank. The design and amount of such equipment shall be in accordance with approved engineering standards.

AMENDATORY SECTION (Amending Order 83-34, filed 11/30/83)

WAC 296-24-33015 SERVICE STATIONS. (1) Storage and handling.

(a) General provisions.

(i) Liquids shall be stored in approved closed containers not exceeding 60 gallons capacity, in tanks located underground, in tanks in special enclosures as described in ~~((+))~~(b) of this ~~((section))~~ subsection, or in above-ground tanks as provided for in ~~((+))~~ (3)(b)(i), (ii), (iii) and (iv) of this section.

(ii) Aboveground tanks, located in an adjoining bulk plant, may be connected by piping to service station underground tanks if, in addition to valves at aboveground tanks, a valve is also installed within control of service station personnel.

(iii) Apparatus dispensing Class I liquids into the fuel tanks of motor vehicles of the public shall not be located at a bulk plant unless separated by a fence or similar barrier from the area in which bulk operations are conducted.

(iv) The provisions of subsection (1) of this section shall not prohibit the dispensing of flammable liquids in the open from a tank vehicle to a motor vehicle. Such dispensing shall be permitted provided:

(A) The tank vehicle complies with the requirements covered in the Standard on Tank Vehicles for Flammable Liquids, NFPA 385-1966.

(B) The dispensing is done on premises not open to the public.

(C) The dispensing hose does not exceed 50 feet in length.

(D) The dispensing nozzle is a listed automatic-closing type without a latch-open device.

(vi) Class I liquids shall not be stored or handled within a building having a basement or pit into which flammable vapors may travel, unless such area is provided with ventilation designed to prevent the accumulation of flammable vapors therein.

(vii) Accurate inventory records shall be maintained and reconciled on all Class I liquid storage tanks for possible indication of leakage from tanks or piping.

(b) Special enclosures.

(i) When installation of tanks in accordance with WAC 296-24-33005(3) is impractical because of property or building limitations, tanks for flammable or combustible liquids may be installed in buildings if properly enclosed.

(ii) The enclosure shall be substantially liquid and vapor-tight without backfill. Sides, top, and bottom of the

enclosure shall be of reinforced concrete at least 6 inches thick, with openings for inspection through the top only. Tank connections shall be so piped or closed that neither vapors nor liquid can escape into the enclosed space. Means shall be provided whereby portable equipment may be employed to discharge to the outside any liquid or vapors which might accumulate should leakage occur.

(iii) At automotive service stations provided in connection with tenant or customer parking facilities at or below grade level in large buildings of commercial, mercantile, or residential occupancy, tanks containing Class I liquids, installed of necessity in accordance with subsection (1)(b)(ii) of this section, shall not exceed 6,000 gallons individual or 18,000 gallons aggregate capacity.

(c) Inside buildings.

(i) Except where stored in tanks as provided in subsection (1)(b) of this section, no Class I liquids shall be stored within any service station building except in closed containers of aggregate capacity not exceeding 60 gallons. One container not exceeding 60 gallons capacity equipped with an approved pump is permitted.

(ii) Class I liquids may be transferred from one container to another in lubrication or service rooms of a service station building provided the electrical installation complies with Table H-19 and provided that any heating equipment complies with subsection ((+)) (5) of this section.

(iii) Class II and Class III liquids may be stored and dispensed inside service station buildings from tanks of not more than 120 gallons capacity each.

(d) Labeling. No sale or purchase of any Class I, II, or III liquids shall be made in containers unless such containers are clearly marked with the name of the product contained therein.

(e) Dispensing into portable containers. No delivery of any Class I liquids shall be made into portable containers unless the container is constructed of metal, has a tight closure with screwed or spring cover, and is fitted with a spout or so designed that the contents can be poured without spilling.

(2) Dispensing systems.

(a) Location. Dispensing devices at automotive service stations shall be so located that all parts of the vehicle being served will be on the premises of the service station.

(b) Inside location. Approved dispensing units may be located inside of buildings. The dispensing area shall be separated from other areas in an approved manner. The dispensing unit and its piping shall be mounted either on a concrete island or protected against collision damage by suitable means and shall be located in a position where it cannot be struck by a vehicle descending a ramp or other slope out of control. The dispensing area shall be provided with an approved mechanical or gravity ventilation system. When dispensing units are located below grade, only approved mechanical ventilation shall be used and the entire dispensing area shall be protected by an approved automatic sprinkler system. Ventilating systems shall be electrically interlocked with gasoline dispensing units so that the dispensing units cannot be operated unless the ventilating fan motors are energized.

(c) Emergency power cutoff. A clearly identified and easily accessible switch(es) or a circuit breaker(s) shall be provided at a location remote from dispensing devices, including remote pumping systems, to shut off the power to all dispensing devices in the event of an emergency.

(d) Dispensing units.

(i) Class I liquids shall be transferred from tanks by means of fixed pumps so designed and equipped as to allow control of the flow and to prevent leakage or accidental discharge.

(ii) Only listed devices may be used for dispensing Class I liquids. No such device may be used if it shows evidence of having been dismantled.

(iii) Every dispensing device for Class I liquids installed after December 31, 1978, shall contain evidence of listing so placed that any attempt to dismantle the device will result in damage to such evidence, visible without disassembly or dismounting of the nozzle.

(iv) Class I liquids shall not be dispensed by pressure from drums, barrels, and similar containers. Approved pumps taking suction through the top of the container or approved self-closing faucets shall be used.

(v) The dispensing units, except those attached to containers, shall be mounted either on a concrete island or protected against collision damage by suitable means.

(e) Remote pumping systems.

(i) This subdivision shall apply to systems for dispensing Class I liquids where such liquids are transferred from storage to individual or multiple dispensing units by pumps located elsewhere than at the dispensing units.

(ii) Pumps shall be designed or equipped so that no part of the system will be subjected to pressures above its allowable working pressure. Pumps installed above grade, outside of buildings, shall be located not less than 10 feet from lines of adjoining property which is/ or may be built upon, and not less than 5 feet from any building opening. When an outside pump location is impractical, pumps may be installed inside of buildings, as provided for dispensers in ~~((subsection (3) (2)))~~ (b) of this ~~((section))~~ subsection, or in pits as provided in ~~((subsection (3) (2)))~~ (e)(iii) of this ~~((section))~~ subsection. Pumps shall be substantially anchored and protected against physical damage by vehicles.

(iii) Pits for subsurface pumps or piping manifolds of submersible pumps shall withstand the external forces to which they may be subjected without damage to the pump, tank, or piping. The pit shall be no larger than necessary for inspection and maintenance and shall be provided with a fitted cover.

(iv) A control shall be provided that will permit the pump to operate only when a dispensing nozzle is removed from its bracket on the dispensing unit and the switch on this dispensing unit is manually actuated. This control shall also stop the pump when all nozzles have been returned to their brackets.

(v) An approved impact valve, incorporating a fusible link, designed to close automatically in the event of severe impact or fire exposure shall be properly installed in the dispensing supply line at the base of each individual dispensing device.

(vi) Testing. After the completion of the installation, including any paving, that section of the pressure piping system between the pump discharge and the connection for the dispensing facility shall be tested for at least 30 minutes at the maximum operating pressure of the system. Such tests shall be repeated at 5-year intervals thereafter.

(f) Delivery nozzles.

(i) A listed manual or automatic-closing type hose nozzle valve shall be provided on dispensers used for the dispensing of Class I liquids.

(ii) Manual-closing type valves shall be held open manually during dispensing. Automatic-closing type valves may be used in conjunction with an approved latch-open device.

(g) Special type dispensers.

(i) Emergency controls shall be installed at an acceptable location, but controls shall not be more than 100 feet from dispensers.

(ii) Instructions for the operation of dispensers shall be conspicuously posted.

~~((4))~~ (3) Marine service stations.

(a) Dispensing.

(i) The dispensing area shall be located away from other structures so as to provide room for safe ingress and egress of craft to be fueled. Dispensing units shall in all cases be at least 20 feet from any activity involving fixed sources of ignition.

(ii) Dispensing shall be by approved dispensing units with or without integral pumps and may be located on open piers, wharves, or floating docks or on shore or on piers of the solid fill type.

(iii) Dispensing nozzles shall be automatic-closing without a hold-open latch.

(b) Tanks and pumps.

(i) Tanks, and pumps not integral with the dispensing unit, shall be on shore or on a pier of the solid fill type, except as provided ~~((in subsections (4) (b)(ii) and (iii) of this section))~~ below.

(ii) Where shore location would require excessively long supply lines to dispensers, tanks may be installed on a pier provided that applicable portions of WAC 296-24-33005 relative to spacing, diking, and piping are complied with and the quantity so stored does not exceed 1,100 gallons aggregate capacity.

(iii) Shore tanks supplying marine service stations may be located above ground, where rock ledges or high water table make underground tanks impractical.

(iv) Where tanks are at an elevation which would produce gravity head on the dispensing unit, the tank outlet shall be equipped with a pressure control valve positioned adjacent to and outside the tank block valve specified in WAC 296-24-33005(2)(h)(ii) ~~((of this section))~~, so adjusted that liquid cannot flow by gravity from the tank in case of piping or hose failure.

(c) Piping.

(i) Piping between shore tanks and dispensing units shall be as described in WAC 296-24-33007, except that, where dispensing is from a floating structure, suitable lengths of oil-resistant flexible hose may be employed between the shore piping and the piping on the

floating structure as made necessary by change in water level or shoreline.

(ii) A readily accessible valve to shut off the supply from shore shall be provided in each pipeline at or near the approach to the pier and at the shore end of each pipeline adjacent to the point where flexible hose is attached.

(iii) Piping shall be located so as to be protected from physical damage.

(iv) Piping handling Class I liquids shall be grounded to control stray currents.

~~((5))~~ (4) Electrical equipment.

(a) Application. This subsection shall apply to areas where Class I liquids are stored or handled. For areas where Class II or Class III liquids are stored or handled the electrical equipment may be installed in accordance with the provisions of WAC (~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960 for ordinary locations.

(b) All electrical equipment and wiring shall be of a type specified by and shall be installed in accordance with WAC (~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960.

(c) So far as it applies, Table H-19 shall be used to delineate and classify hazardous areas for the purpose of installation of electrical equipment under normal circumstances. A classified area shall not extend beyond an unpierced wall, roof, or other solid partition.

(d) The area classifications listed shall be based on the assumption that the installation meets the applicable requirements of this section in all respects.

TABLE H-19

ELECTRICAL EQUIPMENT HAZARDOUS AREAS—SERVICE STATIONS

Location	NEC Class I, Group D division	Extent of classified area
Underground tank:		
Fill opening	1	Any pit, box or space below grade level, any part of which is within the Division 1 or 2 classified area.
	2	Up to 18 inches above grade level within a horizontal radius of 10 feet from a loose fill connection and within a horizontal radius of 5 feet from a tight fill connection.
Vent—Discharging upward	1	Within 3 feet of open end of vent, extending in all directions.
	2	Area between 3 feet and 5 feet of open end of vent, extending in all directions.

TABLE H-19

ELECTRICAL EQUIPMENT HAZARDOUS AREAS—SERVICE STATIONS

Location	NEC Class I, Group D division	Extent of classified area
Dispenser:		
Pits	1	Any pit, box or space below grade level, any part of which is within the Division 1 or 2 classified area.
Dispenser enclosure	1	The area 4 feet vertically above base within the enclosure and 18 inches horizontally in all directions.
Outdoor	2	Up to 18 inches above grade level within 20 feet horizontally of any edge of enclosure.
Indoor:		
With mechanical ventilation	2	Up to 18 inches above grade or floor level within 20 feet horizontally of any edge of enclosure.
With gravity ventilation	2	Up to 18 inches above grade or floor level within 25 feet horizontally of any edge of enclosure.
Remote pump—Outdoor	1	Any pit, box or space below grade level if any part is within a horizontal distance of 10 feet from any edge of pump.
	2	Within 3 feet of any edge of pump, extending in all directions. Also up to 18 inches above grade level within 10 feet horizontally from any edge of pump.
Remote pump—Indoor	1	Entire area within any pit.
	2	Within 5 feet of any edge of pump, extending in all directions. Also up to 3 feet above floor or grade level within 25 feet horizontally from any edge of pump.
Lubrication or service room	1	Entire area within any pit.
	2	Area up to 18 inches above floor or grade level within entire lubrication room.
Dispenser for Class I liquids	2	Within 3 feet of any fill or dispensing point, extending in all directions.
Special enclosure inside building per WAC 296-24-33013 (1)(b)	1	Entire enclosure.

TABLE H-19
ELECTRICAL EQUIPMENT HAZARDOUS
AREAS—SERVICE STATIONS

Location	NEC Class 1, Group D division	Extent of classified area
Sales, storage and rest rooms	Ordinary	If there is any opening to these rooms within the extent of a Division 1 area, the entire room shall be classified as Di- vision 1.

~~((6))~~ (5) Heating equipment.

(a) Conformance. Heating equipment shall be installed as provided in ~~((subsections (6))~~(b) through (e) of this ~~((section))~~ subsection.

(b) Application. Heating equipment may be installed in the conventional manner in an area except as provided in ~~((subsection (6))~~(c), (d) or (e) of this ~~((section))~~ subsection.

(c) Special room. Heating equipment may be installed in a special room separated from an area classified by Table H-19 by walls having a fire resistance rating of at least 1 hour and without any openings in the walls within 8 feet of the floor into an area classified in Table H-19. This room shall not be used for combustible storage and all air for combustion purposes shall come from outside the building.

(d) Work areas. Heating equipment using gas or oil fuel may be installed in the lubrication, sales, or service room where there is no dispensing or transferring of Class I liquids provided the bottom of the combustion chamber is at least 18 inches above the floor and the heating equipment is protected from physical damage by vehicles. Heating equipment using gas or oil fuel listed for use in garages may be installed in the lubrication or service room where Class I liquids are dispensed provided the equipment is installed at least 8 feet above the floor.

(e) Electric heat. Electrical heating equipment shall conform to ~~((5))~~ subsection (4) of this section.

~~((7))~~ (6) Drainage and waste disposal. Provision shall be made in the area where Class I liquids are dispensed to prevent spilled liquids from flowing into the interior of service station buildings. Such provision may be by grading driveways, raising door sills, or other equally effective means. Crankcase drainings and flammable or combustible liquids shall not be dumped into sewers but shall be stored in tanks or drums outside of any building until removed from the premises.

~~((8))~~ (7) Sources of ignition. In addition to the previous restrictions of this section, the following shall apply: There shall be no smoking or open flames in the areas used for fueling, servicing fuel systems for internal combustion engines, receiving or dispensing of flammable or combustible liquids. Conspicuous and legible signs prohibiting smoking shall be posted within sight of the

customer being served. The motors of all equipment being fueled shall be shut off during the fueling operation.

~~((9))~~ (8) Fire control. Each service station shall be provided with at least one fire extinguisher having a minimum approved classification of 6 B, C located so that an extinguisher will be within 75 feet of each pump, dispenser, underground fill pipe opening, and lubrication or service room.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-33017 PROCESSING PLANTS.

(1) Scope. This section shall apply to those plants or buildings which contain chemical operations such as oxidation, reduction, halogenation, hydrogenation, alkylation, polymerization, and other chemical processes but shall not apply to chemical plants, refineries or distilleries.

(2) Location. (a) Classification. The location of each processing vessel shall be based upon its flammable or combustible liquid capacity. Processing vessels shall be located, with respect to distances to lines of adjoining property which may be built upon, in accordance with Table H-20, except when the processing plant is designed in accordance with (2)(b) of this section.

TABLE H-20

Processing vessels with emergency relief venting to permit pressure	Stable liquids	Unstable liquids
Not in excess of 2.5 p.s.i.g.	Table H-9	2 1/2 times Table H-9.
Over 2.5. p.s.i.g.	1 1/2 times Table H-9.	4 times Table H-9.

(b) Exception. The distances required in (2)(a) of this section may be waived when the vessels are housed within a building and the exterior wall facing the line of adjoining property which may be built upon is a blank wall having a fire-resistance rating of not less than 4 hours. When Class IA or unstable liquids are handled, the blank wall shall have explosion resistance in accordance with good engineering practice, see (3)(d) of this section.

(3) Processing building. (a) Construction. (i) Processing buildings shall be of fire-resistance or noncombustible construction, except heavy timber construction with load-bearing walls may be permitted for plants utilizing only stable Class II or Class III liquids. Except as provided in (2)(b) of this section or in the case of explosion resistant walls used in conjunction with explosion relieving facilities, see (3)(d) of this section, loadbearing walls are prohibited. Buildings shall be without basements or covered pits.

(ii) Areas shall have adequate exit facilities arranged to prevent occupants from being trapped in the event of fire. Exits shall not be exposed by the drainage facilities described in (3)(b) of this section.

(b) Drainage. (i) Emergency drainage systems shall be provided to direct flammable or combustible liquid leakage and fire protection water to a safe location. This may require curbs, scuppers, or special drainage systems to control the spread of fire, see WAC 296-24-33005 (2)(g)(ii).

(ii) Emergency drainage systems, if connected to public sewers or discharged into public waterways, shall be equipped with traps or separators.

(iii) The processing plant shall be designed and operated to prevent the normal discharge of flammable or combustible liquids to public waterways, public sewers, or adjoining property.

(c) Ventilation. (i) Enclosed processing buildings shall be ventilated at a rate of not less than 1 cubic foot per minute per square foot of solid floor area. This shall be accomplished by natural or mechanical ventilation with discharge or exhaust to a safe location outside of the building. Provision shall be made for introduction of makeup air in such a manner as not to short circuit the ventilation. Ventilation shall be arranged to include all floor areas or pits where flammable vapors may collect.

(ii) Equipment used in a building and the ventilation of the building shall be designed so as to limit flammable vapor-air mixtures under normal operating conditions to the interior of equipment, and to not more than 5 feet from equipment which exposes Class I liquids to the air. Examples of such equipment are dispensing stations, open centrifuges, plate and frame filters, open vacuum filters, and surfaces of open equipment.

(d) Explosion relief. Areas where Class IA or unstable liquids are processed shall have explosion venting through one or more of the following methods:

(i) Open air construction.

(ii) Lightweight walls and roof.

(iii) Lightweight wall panels and roof hatches.

(iv) Windows of explosion venting type.

(4) Liquid handling. (a) Storage. (i) The storage of flammable or combustible liquids in tanks shall be in accordance with the applicable provisions of WAC 296-24-33005.

(ii) If the storage of flammable or combustible liquids in outside aboveground or underground tanks is not practical because of temperature or production considerations, tanks may be permitted inside of buildings or structures in accordance with the applicable provisions of WAC 296-24-33005.

(iii) Storage tanks inside of buildings shall be permitted only in areas at or above grade which have adequate drainage and are separated from the processing area by construction having a fire resistance rating of at least 2 hours.

(iv) The storage of flammable or combustible liquids in containers shall be in accordance with the applicable provisions of WAC 296-24-33009.

(b) Piping, valves, and fittings. (i) Piping, valves, and fittings shall be in accordance with WAC 296-24-33007.

(ii) Approved flexible connectors may be used where vibration exists or where frequent movement is necessary. Approved hose may be used at transfer stations.

(iii) Piping containing flammable or combustible liquids shall be identified.

(c) Transfer. (i) The transfer of large quantities of flammable or combustible liquids shall be through piping by means of pumps or water displacement. Except as required in process equipment, gravity flow shall not be used. The use of compressed air as a transferring medium is prohibited.

(ii) Positive displacement pumps shall be provided with pressure relief discharging back to the tank or to pump suction.

(d) Equipment. (i) Equipment shall be designed and arranged to prevent the unintentional escape of liquids and vapors and to minimize the quantity escaping in the event of accidental release.

(ii) Where the vapor space of equipment is usually within the flammable range, the probability of explosion damage to the equipment can be limited by inerting, by providing an explosion suppression system, or by designing the equipment to contain the peak explosion pressure which may be modified by explosion relief. Where the special hazards of operation, sources of ignition, or exposures indicate a need, consideration shall be given to providing protection by one or more of the above means.

(5) Tank vehicle and tank car loading and unloading. Tank vehicle and tank car loading or unloading facilities shall be separated from aboveground tanks, warehouses, other plant buildings, or nearest line of adjoining property which may be built upon by a distance of 25 feet for Class I liquids and 15 feet for Class II and Class III liquids measured from the nearest position of any fill stem. Buildings for pumps or shelters for personnel may be a part of the facility. Operations of the facility shall comply with the appropriate portions of WAC 296-24-33013(3).

(6) Fire control. (a) Portable extinguishers. Approved portable fire extinguishers of appropriate size, type and number shall be provided.

(b) Other controls. Where the special hazards of operation or exposure indicate a need, the following fire control provision shall be provided.

(i) A reliable water supply shall be available in pressure and quantity adequate to meet the probable fire demands.

(ii) Hydrants shall be provided in accordance with accepted good practice.

(iii) Hose connected to a source of water shall be installed so that all vessels, pumps, and other equipment containing flammable or combustible liquids can be reached with at least one hose stream. Nozzles that are capable of discharging a water spray shall be provided.

(iv) Processing plants shall be protected by an approved automatic sprinkler system or equivalent extinguishing system. If special extinguishing systems including but not limited to those employing foam, carbon dioxide, or dry chemical are provided, approved equipment shall be used and installed in an approved manner.

(c) Alarm systems. An approved means for prompt notification of fire to those within the plant and any public fire department available shall be provided. It may be advisable to connect the plant system with the public system where public fire alarm system is available.

(d) Maintenance. All plant fire protection facilities shall be adequately maintained and periodically inspected and tested to make sure they are always in satisfactory operating condition and that they will serve their purpose in time of emergency.

(7) Sources of ignition. (a) General. (i) Precautions shall be taken to prevent the ignition of flammable vapors. Sources of ignition include but are not limited to open flames; lightning; smoking; cutting and welding; hot surfaces; frictional heat; static, electrical, any mechanical sparks; spontaneous ignition, including heat-producing chemical reactions; and radiant heat.

(ii) Class I liquids shall not be dispensed into containers unless the nozzle and container are electrically interconnected. Where the metallic floorplate on which the container stands while filling is electrically connected to the fill stem or where the fill stem is bonded to the container during filling operations by means of a bond wire, the provisions of this section shall be deemed to have been complied with.

(b) Maintenance and repair. (i) When necessary to do maintenance work in a flammable or combustible liquid processing area, the work shall be authorized by a responsible representative of the employer.

(ii) Hot work such as welding or cutting operations, use of spark-producing power tools, and chipping operations shall be permitted only under supervision of an individual in responsible charge who shall make an inspection of the area to be sure that it is safe for the work to be done and that safe procedures will be followed for the work specified.

(c) Electrical. (i) All electrical wiring and equipment within storage or processing areas shall be installed in accordance with nationally recognized good practice.

(ii) Locations where flammable vapor-air mixtures may exist under normal operations shall be classified Class I, Division 1 according to the requirements of WAC ((~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960). For those pieces of equipment installed in accordance with (3)(c)(ii) of this section, the Division 1 area shall extend 5 feet in all directions from all points of vapor liberation. All areas within pits shall be classified Division 1 if any part of the pit is within a Division 1 or 2 classified area, unless the pit is provided with mechanical ventilation.

(iii) Locations where flammable vapor-air mixtures may exist under abnormal conditions and for a distance beyond Division 1 locations shall be classified Division 2 according to the requirements of WAC ((~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960). These locations include an area within 20 feet horizontally, 3 feet vertically beyond a Division 1 area, and up to 3 feet above floor or grade level within 25 feet, if indoors, or 10 feet if outdoors, from any pump, bleeder, withdrawal fittings, meter, or similar device handling Class I liquids. Pits provided with adequate mechanical

ventilation within a Division 1 or 2 area shall be classified Division 2. If Class II or Class III liquids only are handled, then ordinary electrical equipment is satisfactory though care shall be used in locating electrical apparatus to prevent hot metal from falling into open equipment.

(iv) Where the provisions of (7)(c)(i), (ii), and (iii) of this section require the installation of explosion-proof equipment, ordinary electrical equipment including switchgear may be used if installed in a room or enclosure which is maintained under positive pressure with respect to the hazardous area. Ventilation makeup air shall be uncontaminated by flammable vapors.

(8) Housekeeping. (a) General. Maintenance and operating practices shall be in accordance with established procedures which will tend to control leakage and prevent the accidental escape of flammable or combustible liquids. Spills shall be cleaned up promptly.

(b) Access. Adequate aisles shall be maintained for unobstructed movement of personnel and so that fire protection equipment can be brought to bear on any part of the processing equipment.

(c) Waste and residues. Combustible waste material and residues in a building or operating area shall be kept to a minimum, stored in closed metal waste cans, and disposed of daily.

(d) Clear zone. Ground area around buildings and operating areas shall be kept free of tall grass, weeds, trash, or other combustible materials.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-37005 ELECTRICAL AND OTHER SOURCES OF IGNITION. (1) Conformance. All electrical equipment, open flames and other sources of ignition shall conform to the requirements of this section, except as follows:

(a) Electrostatic apparatus shall conform to the requirements of WAC 296-24-37015 and 296-24-37017.

(b) Drying, curing, and fusion apparatus shall conform to the requirements of WAC 296-24-37019.

(c) Automobile undercoating spray operations in garages shall conform to the requirements of WAC 296-24-37021.

(d) Powder coating equipment shall conform to the requirements of WAC 296-24-37023.

(2) Minimum separation. There shall be no open flame or spark producing equipment in any spraying area nor within 20 feet thereof, unless separated by a partition.

(3) Hot surfaces. Space-heating appliances, steam-pipes, or hot surfaces shall not be located in a spraying area where deposits of combustible residues may readily accumulate.

(4) Wiring conformance. Electrical wiring and equipment shall conform to the provisions of this section and shall otherwise be in accordance with WAC ((~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960).

(5) Combustible residues, areas. Unless specifically approved for locations containing both deposits of readily ignitable residue and explosive vapors, there shall be

no electrical equipment in any spraying area, whereon deposits of combustible residues may readily accumulate, except wiring in rigid conduit or in boxes or fittings containing no taps, splices, or terminal connections.

(6) Wiring type approved. Electrical wiring and equipment not subject to deposits of combustible residues but located in a spraying area as herein defined shall be of explosion-proof type approved for Class I, Group D locations and shall otherwise conform to the provisions of WAC (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960, for Class I, Division 1, hazardous locations. Electrical wiring, motors, and other equipment outside of but within twenty feet of any spraying area, and not separated therefrom by partitions, shall not produce sparks under normal operating conditions and shall otherwise conform to the provisions of WAC (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960 for Class I, Division 2, hazardous locations.

(7) Lamps. Electric lamps outside of, but within twenty feet of any spraying area, and not separated therefrom by a partition, shall be totally enclosed to prevent the falling of hot particles and shall be protected from mechanical injury by suitable guards or by location.

(8) Portable lamps. Portable electric lamps shall not be used in any spraying area during spraying operations. Portable electric lamps, if used during cleaning or repairing operations, shall be of the type approved for hazardous Class I locations.

(9) Grounding. (a) All metal parts of spray booths, exhaust ducts, and piping systems conveying flammable or combustible liquids or aerated solids shall be properly electrically grounded in an effective and permanent manner.

(b) "Airless" high-fluid pressure spray guns and any conductive object being sprayed should be properly electrically grounded.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-37019 DRYING, CURING, OR FUSION APPARATUS. (1) Conformance. Drying, curing, or fusion apparatus in connection with spray application of flammable and combustible finishes shall conform to the Standard for Ovens and Furnaces, NFPA 86A-1969, where applicable and shall also conform with the following requirements of this section.

(2) Alternate use prohibited. Spray booths, rooms, or other enclosures used for spraying operations shall not alternately be used for the purpose of drying by any arrangement which will cause a material increase in the surface temperature of the spray booth, room, or enclosure.

(3) Adjacent system interlocked. Except as specifically provided in (4) of this section, drying, curing, or fusion units utilizing a heating system having open flames or which may produce sparks shall not be installed in a spraying area, but may be installed adjacent thereto when equipped with an interlocked ventilating system arranged to:

(a) Thoroughly ventilate the drying space before the heating system can be started;

(b) Maintain a safe atmosphere at any source of ignition;

(c) Automatically shut down the heating system in the event of failure of the ventilating system.

(4) Alternate use permitted. Automobile refinishing spray booths or enclosures, otherwise installed and maintained in full conformity with this section, may alternately be used for drying with portable electrical infrared drying apparatus when conforming with the following:

(a) Interior (especially floors) of spray enclosures shall be kept free of overspray deposits.

(b) During spray operations, the drying apparatus and electrical connections and wiring thereto shall not be located within spray enclosure nor in any other location where spray residues may be deposited thereon.

(c) The spraying apparatus, the drying apparatus, and the ventilating system of the spray enclosure shall be equipped with suitable interlocks so arranged that:

(i) The spraying apparatus cannot be operated while the drying apparatus is inside the spray enclosure.

(ii) The spray enclosure will be purged of spray vapors for a period of not less than 3 minutes before the drying apparatus can be energized.

(iii) The ventilating system will maintain a safe atmosphere within the enclosure during the drying process and the drying process apparatus will automatically shut off in the event of failure of the ventilating system.

(d) All electrical wiring and equipment of the drying apparatus shall conform with the applicable sections of WAC (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960. Only equipment of a type approved for Class I, Division 2 hazardous locations shall be located within 18 inches of floor level. All metallic parts of the drying apparatus shall be properly electrically bonded and grounded.

(e) The drying apparatus shall contain a prominently located, permanently attached warning sign indicating that ventilation should be maintained during the drying period and that spraying should not be conducted in the vicinity that spray will deposit on apparatus.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-37023 POWDER COATING. (1) Electrical and other sources of ignition. Electrical equipment and other sources of ignition shall conform to the requirements of WAC 296-24-37005 (~~((1)(a) through (d), (8) and (9)(a))~~) and (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960.

(2) Ventilation. (a) In addition to the provisions of WAC 296-24-37007, where applicable, exhaust ventilation shall be sufficient to maintain the atmosphere below the lowest explosive limits for the materials being applied. All nondeposited air-suspended powders shall be safely removed via exhaust ducts to the powder recovery cyclone or receptacle. Each installation shall be designed and operated to meet the foregoing performance specification.

(b) Powders shall not be released to the outside atmosphere.

(3) Drying, curing, or fusion equipment. The provisions of the Standard for Ovens and Furnaces, NFPA No. 86A-1969 shall apply where applicable.

(4) Operation and maintenance. (a) All areas shall be kept free of the accumulation of powder coating dusts, particularly such horizontal surfaces as ledges, beams, pipes, hoods, booths, and floors.

(b) Surfaces shall be cleaned in such manner as to avoid scattering dust to other places or creating dust clouds.

(c) "No smoking" signs in large letters on contrasting color background shall be conspicuously posted at all powder coating areas and powder storage rooms.

(5) Fixed electrostatic spraying equipment. The provisions of WAC 296-24-37015 and other subsections of this section shall apply to fixed electrostatic equipment, except that electrical equipment not covered therein shall conform to (1) of this section.

(6) Electrostatic hand spraying equipment. The provisions of WAC 296-24-37017 and other subsections of this section, shall apply to electrostatic handguns when used in powder coating, except that electrical equipment not covered therein shall conform to (1) of this section.

(7) Electrostatic fluidized beds. (a) Electrostatic fluidized beds and associated equipment shall be of approved types. The maximum surface temperature of this equipment in the coating area shall not exceed 150°F. The high voltage circuits shall be so designed as to not produce a spark of sufficient intensity to ignite any powder-air mixtures nor result in appreciable shock hazard upon coming in contact with a grounded object under normal operating conditions.

(b) Transformers, powerpacks, control apparatus, and all other electrical portions of the equipment, with the exception of the charging electrodes and their connections to the power supply shall be located outside of the powder coating area or shall otherwise conform to the requirements of (1) of this section.

(c) All electrically conductive objects within the charging influence of the electrodes shall be adequately grounded. The powder coating equipment shall carry a prominent, permanently installed warning regarding the necessity for grounding these objects.

(d) Objects being coated shall be maintained in contact with the conveyor or other support in order to insure proper grounding. Hangers shall be regularly cleaned to insure effective contact and areas of contact shall be sharp points or knife edges where possible.

(e) The electrical equipment shall be so interlocked with the ventilation system that the equipment cannot be operated unless the ventilation fans are in operation.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-40509 ELECTRICAL AND OTHER SOURCES OF IGNITION. (1) Vapor areas. (a) There shall be no open flames, spark producing devices, or heated surfaces having a temperature sufficient to ignite vapors in any vapor area. Except as specifically permitted in WAC 296-24-40515(3), relating to

electrostatic apparatus, electrical wiring and equipment in any vapor area (as defined in WAC 296-24-40501(2)) shall be explosion proof type (~~(according to the requirements)~~) as required of WAC (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960 for Class I, (~~(Group D)~~) locations and shall otherwise conform to the requirements of WAC (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960.

(b) Unless specifically approved for locations containing both deposits of readily ignitable residues and explosive vapors, there shall be no electrical equipment in the vicinity of dip tanks or associated drainboards or drying operations which are subject to splashing or dripping of dip tank liquids, except wiring in rigid conduit or in threaded boxes or fittings containing no taps, splices, or terminal connections, and except as specifically permitted in WAC 296-24-40515(3).

(2) Adjacent areas. In any floor space outside a vapor area but within 20 feet (~~(therefrom,)~~) and not separated by tight partitions, there shall be no open flames or spark producing devices except as specifically permitted in NFPA Standard No. 86A-1969, Ovens and Furnaces, paragraph 200-7(~~(, and)~~). Electrical wiring and equipment shall conform to the provisions of WAC (~~(296-24-950 and 296-24-955)~~) 296-24-956 through 296-24-960.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-47505 BASIC RULES. (1) Odorizing gases. (a) All liquefied petroleum gases shall be effectively odorized by an approved agent of such character as to indicate positively, by distinct odor, the presence of gas down to concentration in air of not over one-fifth the lower limit of flammability. Odorization, however, is not required if harmful in the use of further processing of the liquefied petroleum gas, or if odorization will serve no useful purpose as a warning agent in such use or further processing.

(b) The odorization requirement of (1)(a) of this section shall be considered to be met by the use of 1.0 pounds of ethyl mercaptan, 1.0 pounds of thiophane or 1.4 pounds of amyl mercaptan per 10,000 gallons of LP-gas. However, this listing of odorants and quantities shall not exclude the use of other odorants that meet the odorization requirements of (1)(a) of this section.

(2) Approval of equipment and systems. (a) Each system utilizing DOT containers in accordance with 49 CFR Part 178 shall have its container valves, connectors, manifold valve assemblies, and regulators approved.

(b) Each system for domestic or commercial use utilizing containers of 2,000 gallons or less water capacity, other than those constructed in accordance with 49 CFR Part 178, shall consist of a container assembly and one or more regulators, and may include other parts. The system as a unit or the container assembly as a unit, and the regulator or regulators, shall be individually listed.

(c) In systems utilizing containers of over 2,000 gallons water capacity, each regulator, container, valve, excess flow valve, gaging device, and relief valve installed on or at the container, shall have its correctness as to design, construction, and performance determined

by listing by Underwriters Laboratories, Inc., or Factory Mutual Engineering Corp.

(d) The provisions of (3)(a) of this section shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the standard for the Storage and Handling of Liquefied Petroleum Gases NFPA No. 58 in effect at the time of fabrication.

(e) Containers used with systems embodied in WAC 296-24-47505, 296-24-47509 (3)(c) and 296-24-47513, shall be constructed, tested, and stamped in accordance with DOT specifications effective at the date of their manufacture.

(3) Requirements for construction and original test of containers. (a) Containers used with systems embodied in WAC 296-24-47509, 296-24-47513 through 296-24-47517, except as provided in WAC 296-24-47511 (3)(c) and 296-24-47515 (2)(a), shall be designed, constructed, and tested in accordance with the Rules for Construction of Unfired Pressure Vessels, section VIII, Division 1, American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, 1968 edition.

(b) Containers constructed according to the 1949 and earlier editions of the ASME Code do not have to comply with U-2 through U-10 and U-19 thereof. Containers constructed according to U-70 in the 1949 and earlier editions do not meet the requirements of this section.

(c) Containers designed, constructed, and tested prior to July 1, 1961, according to the Code for Unfired Pressure Vessels for Petroleum Liquids and Gases, 1951 edition with 1954 Addenda, of the American Petroleum Institute and the American Society of Mechanical Engineers shall be considered in conformance. Containers constructed according to API-ASME Code do not have to comply with section I or with appendix to section I. W-601 to W-606 inclusive in the 1943 and earlier editions do not apply.

(4) Welding of containers. (a) Welding to the shell, head, or any other part of the container subject to internal pressure, shall be done in compliance with the code under which the tank was fabricated. Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the tank manufacturer.

(b) Where repair or modification involving welding of DOT containers is required, the container shall be returned to a qualified manufacturer making containers of the same type, and the repair or modification made in compliance with DOT regulations.

(5) Markings on container. (a) Each container covered in (3)(a) of this section except as provided in (2)(d) of this section shall be marked as specified in the following:

(i) With a marking identifying compliance with, and other markings required by, the rules of the reference under which the container is constructed; or with the stamp and other markings required by the laws, rules or regulations as administered by the state of Washington,

department of labor and industries pertaining to such containers.

(ii) With notation as to whether the container is designed for underground or aboveground installation or both. If intended for both and different style hoods are provided, the marking shall indicate the proper hood for each type of installation.

(iii) With the name and address of the supplier of the container, or with the trade name of the container.

(iv) With the water capacity of the container in pounds or gallons, U.S. standard.

(v) With the pressure in p.s.i.g., for which the container is designed.

(vi) With the wording "This container shall not contain a product having a vapor pressure in excess of— p.s.i.g. at 100°F," see WAC 296-24-47509, Table H-31.

(vii) With the tare weight in pounds or other identified unit of weight for containers with a water capacity of 300 pounds or less.

(viii) With marking indicating the maximum level to which the container may be filled with liquid at temperatures between 20°F and 130°F, except on containers provided with fixed maximum level indicators or which are filled by weighing. Markings shall be increments of not more than 20°F. This marking may be located on the liquid level gaging device.

(ix) With the outside surface area in square feet.

(b) Markings specified shall be on a metal nameplate attached to the container and located in such a manner as to remain visible after the container is installed.

(c) When LP-gas and one or more other gases are stored or used in the same area, the containers shall be marked to identify their content. Marking shall be in compliance with American National Standard Z48.1-1954, "Method of Marking Portable Compressed Gas Containers to Identify the Material Contained."

(6) Location of containers and regulating equipment.

(a) Containers, and first stage regulating equipment if used, shall be located outside of buildings, except under one or more of the following:

(i) In buildings used exclusively for container charging, vaporization pressure reduction, gas mixing, gas manufacturing, or distribution.

(ii) When portable use is necessary and in accordance with WAC 296-24-47507(5).

(iii) LP-gas fueled stationary or portable engines in accordance with WAC 296-24-47511 (11) or (12).

(iv) LP-gas fueled industrial trucks used in accordance with WAC 296-24-47511(13).

(v) LP-gas fueled vehicles garaged in accordance with WAC 296-24-47511(14).

(vi) Containers awaiting use or resale when stored in accordance with WAC 296-24-47513.

(b) Each individual container shall be located with respect to the nearest important building or group of buildings or line of adjoining property which may be built on in accordance with Table H-23.

TABLE H-23

Water capacity per container	Minimum distances		
	Containers		Between above-ground containers
	Under-ground	Above-ground	
Less than 125 gals ¹	10 feet	None	None.
125 to 250 gallons	10 feet	10 feet	None.
251 to 500 gallons	10 feet	10 feet	3 feet.
501 to 2,000 gallons	25 feet ²	25 feet ²	3 feet.
2,001 to 30,000 gallons	50 feet	50 feet	5 feet.
30,001 to 70,000 gallons	50 feet	75 feet	1/4 of sum of diameters of adjacent containers.
70,001 to 90,000 gallons	50 feet	100 feet	

¹If the aggregate water capacity of a multi-container installation at a consumer site is 501 gallons or greater, the minimum distance shall comply with the appropriate portion of this table, applying the aggregate capacity rather than the capacity per container. If more than one installation is made, each installation shall be separated from another installation by at least 25 feet. Do not apply the MINIMUM DISTANCES BETWEEN ABOVE-GROUND CONTAINERS to such installations.

²NOTE: The above distance requirements may be reduced to not less than 10 feet for a single container of 1,200 gallons water capacity or less, providing such a container is at least 25 feet from any other LP-gas container of more than 125 gallons water capacity.

(c) Containers installed for use shall not be stacked one above the other.

(d) In industrial installations involving containers of 180,000 gallons aggregate water capacity or more, where serious mutual exposures between the container and adjacent properties prevail, firewalls or other means of special protection designed and constructed in accordance with good engineering practices are required.

(e) In the case of buildings devoted exclusively to gas manufacturing and distributing operations, the distances required by Table H-23 may be reduced provided that in no case shall containers of water capacity exceeding 500 gallons be located closer than 10 feet to such gas manufacturing and distributing buildings.

(f) Readily ignitable material such as weeds and long dry grass shall be removed within 10 feet of any container.

(g) The minimum separation between liquefied petroleum gas containers and flammable liquid tanks shall be 20 feet, and the minimum separation between a container and the centerline of the dike shall be 10 feet. The foregoing provision shall not apply when LP-gas containers of 125 gallons or less capacity are installed adjacent to Class III flammable liquid tanks of 275 gallons or less capacity.

(h) Suitable means shall be taken to prevent the accumulation of flammable liquids under adjacent liquefied

petroleum gas containers, such as by diking, diversion curbs, or grading.

(i) When dikes are used with flammable liquid tanks, no liquefied petroleum gas containers shall be located within the diked area.

(7) Container valves and container accessories. (a) Valves, fittings, and accessories connected directly to the container including primary shutoff valves, shall have a rated working pressure of at least 250 p.s.i.g. and shall be of material and design suitable for LP-gas service. Cast iron shall not be used for container valves, fittings, and accessories. This does not prohibit the use of container valves made of malleable or nodular iron.

(b) Connections to containers, except safety relief connections, liquid level gaging devices, and plugged openings, shall have shutoff valves located as close to the container as practicable.

(c) Excess flow valves, where required shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections or line including valves, fittings, etc., being protected by an excess flow valve shall have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices which are so constructed that outward flow of container contents shall not exceed that passed by a No. 54 drill size opening, need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connection is made, need not be equipped with shutoff or excess flow valves if such openings are restricted to not larger than No. 54 drill size opening.

(f) Except as provided in WAC 296-24-47507 (5)(a)(ii), excess flow and back pressure check valves where required by this section shall be located inside of the container or at a point outside where the line enters the container; in the latter case, installation shall be made in such manner that any undue strain beyond the excess flow or back pressure check valve will not cause breakage between the container and such valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) Containers of more than 30 gallons water capacity and less than 2,000 gallons water capacity, filled on a volumetric basis, and manufactured after December 1, 1963, shall be equipped for filling into the vapor space.

(8) Piping—Including pipe, tubing, and fittings. (a) Pipe, except as provided in WAC 296-24-47511 (6)(a) and 296-24-47515 (10)(c) shall be wrought iron or steel (black or galvanized), brass, copper, or aluminum alloy. Aluminum alloy pipe shall be at least Schedule 40 in accordance with the specifications for Aluminum Alloy Pipe, American National Standards Institute (AMSI) H38.7-1969 (ASTM, B241-1969), except that the use of alloy 5456 is prohibited and shall be suitably marked at each end of each length indicating compliance with American National Standard Institute Specifications. Aluminum alloy pipe shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by such liquids as water (except rain

water), detergents, sewage, or leaking from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum nominal pipe size for aluminum pipe shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy pipe shall not be installed within 6 inches of the ground.

(i) Vapor piping with operating pressures not exceeding 125 p.s.i.g. shall be suitable for a working pressure of at least 125 p.s.i.g. Pipe shall be at least Schedule 40 ASTM A-53-69, Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal.

(ii) Vapor piping with operating pressures over 125 p.s.i.g. and all liquid piping shall be suitable for a working pressure of at least 250 p.s.i.g. Pipe shall be at least Schedule 80 if joints are threaded or threaded and back welded. At least Schedule 40 (ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal) shall be used if joints are welded, or welded and flanged.

(b) Tubing shall be seamless and of copper, brass, steel, or aluminum alloy. Copper tubing shall be of Type K or L or equivalent as covered in the Specification for Seamless Copper Water Tube, ANSI H23.1-1970 (ASTM B88-1969). Aluminum alloy tubing shall be of Type A or B or equivalent as covered in Specification ASTM B210-1968 and shall be suitably marked every 18 inches indicating compliance with ASTM Specifications. The minimum nominal wall thickness of copper tubing and aluminum alloy tubing shall be as specified in Table H-24 and Table H-25.

TABLE H-24

WALL THICKNESS OF COPPER TUBING¹

NOTE: The standard size by which tube is designated is 1/8-inch smaller than its nominal outside diameter.

Standard size (inches)	Nominal O.D. (inches)	Nominal wall thickness (inches)	
		Type K	Type L
1/4	0.375	0.035	0.030
3/8	0.500	0.049	0.035
1/2	0.625	0.049	0.040
5/8	0.750	0.049	0.042
3/4	0.875	0.065	0.045
1	1.125	0.065	0.050
1 1/4	1.375	0.065	0.055
1 1/2	1.625	0.072	0.060
2	2.125	0.083	0.070

¹Based on data in Specification for Seamless Copper Water Tubing, ANSI H23.1-1970 (ASTM B-88-69).

TABLE H-25

WALL THICKNESS OF ALUMINUM ALLOY TUBING¹

Outside diameter (inches)	Nominal wall thickness (inches)	
	Type A	Type B
3/8	0.035	0.049
1/2	0.035	0.049
5/8	0.042	0.049
3/4	0.049	0.058

¹Based on data in Standard Specification for Aluminum-Alloy Drawn Seamless Coiled Tubes for Special Purpose Applications, ASTM B210-68.

Aluminum alloy tubing shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by liquids such as water (except rainwater), detergents, sewage, or leakage from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum outside diameter for aluminum alloy tubing shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy tubing shall not be installed within 6 inches of the ground.

(c) In systems where the gas in liquid form without pressure reduction enters the building, only heavy walled seamless brass or copper tubing with an internal diameter not greater than three thirty-seconds inch, and a wall thickness of not less than three sixty-fourths inch shall be used. This requirement shall not apply to research and experimental laboratories, buildings, or separate fire divisions of buildings used exclusively for housing internal combustion engines, and to commercial gas plants or bulk stations where containers are charged, nor to industrial vaporizer buildings, nor to buildings, structures, or equipment under construction or undergoing major renovation.

(d) Pipe joints may be screwed, flanged, welded, soldered, or brazed with a material having a melting point exceeding 1,000°F. Joints on seamless copper, brass, steel, or aluminum alloy gas tubing shall be made by means of approved gas tubing fittings, or soldered or brazed with a material having a melting point exceeding 1,000°F.

(e) For operating pressures of 125 p.s.i.g. or less, fittings shall be designed for a pressure of at least 125 p.s.i.g. For operating pressures above 125 p.s.i.g., fittings shall be designed for a minimum of 250 p.s.i.g.

(f) The use of threaded cast iron pipe fittings such as ells, tees, crosses, couplings, and unions is prohibited. Aluminum alloy fittings shall be used with aluminum alloy pipe and tubing. Insulated fittings shall be used where aluminum alloy pipe or tubing connects with a dissimilar metal.

(g) Strainers, regulators, meters, compressors, pumps, etc., are not to be considered as pipe fittings. This does

not prohibit the use of malleable, nodular, or higher strength gray iron for such equipment.

(h) All materials such as valve seats, packing, gaskets, diaphragms, etc., shall be of such quality as to be resistant to the action of liquefied petroleum gas under the service conditions to which they are subjected.

(i) All piping, tubing, or hose shall be tested after assembly and proved free from leaks at not less than normal operating pressures. After installation, piping and tubing of all domestic and commercial systems shall be tested and proved free of leaks using a manometer or equivalent device that will indicate a drop in pressure. Test shall not be made with a flame.

(j) Provision shall be made to compensate for expansion, contraction, jarring, and vibration, and for settling. This may be accomplished by flexible connections.

(k) Piping outside buildings may be buried, above ground, or both, but shall be well supported and protected against physical damage. Where soil conditions warrant, all piping shall be protected against corrosion. Where condensation may occur, the piping shall be pitched back to the container, or suitable means shall be provided for reevaporization of the condensate.

(9) Hose specifications. (a) Hose shall be fabricated of materials that are resistant to the action of LP-gas in the liquid and vapor phases. If wire braid is used for reinforcing the hose, it shall be of corrosion-resistant material such as stainless steel.

(b) Hose subject to container pressure shall be marked "LP-gas" or "LPG" at not greater than 10-foot intervals.

(c) Hose subject to container pressure shall be designed for a bursting pressure of not less than 1,250 p.s.i.g.

(d) Hose subject to container pressure shall have its correctness as to design construction and performance determined by being listed (see WAC 296-24-47501(15)).

(e) Hose connections subject to container pressure shall be capable of withstanding, without leakage, a test pressure of not less than 500 p.s.i.g.

(f) Hose and hose connections on the low-pressure side of the regulator or reducing valve shall be designed for a bursting pressure of not less than 125 p.s.i.g. or five times the set pressure of the relief devices protecting that portion of the system, whichever is higher.

(g) Hose may be used on the low-pressure side of regulators to connect to other than domestic and commercial gas appliances under the following conditions:

(i) The appliances connected with hose shall be portable and need a flexible connection.

(ii) For use inside buildings the hose shall be of minimum practical length, but shall not exceed 6 feet except as provided in WAC 296-24-47507 (5)(a)(vii) and shall not extend from one room to another, nor pass through any walls, partitions, ceilings, or floors. Such hose shall not be concealed from view or used in a concealed location. For use outside of buildings, the hose may exceed this length but shall be kept as short as practical.

(iii) The hose shall be approved and shall not be used where it is likely to be subjected to temperatures above

125°F. The hose shall be securely connected to the appliance and the use of rubber slip ends shall not be permitted.

(iv) The shutoff valve for an appliance connected by hose shall be in the metal pipe or tubing and not at the appliance end of the hose. When shutoff valves are installed close to each other, precautions shall be taken to prevent operation of the wrong valve.

(v) Hose used for connecting to wall outlets shall be protected from physical damage.

(10) Safety devices. (a) Every container except those constructed in accordance with DOT specifications and every vaporizer (except motor fuel vaporizers and except vaporizers described in (11)(b)(iii) of this section and WAC 296-24-47509 (4)(e)(i)) whether heated by artificial means or not, shall be provided with one or more safety relief valves of spring-loaded or equivalent type. These valves shall be arranged to afford free vent to the outer air with discharge not less than 5 feet horizontally away from any opening into the building which is below such discharge. The rate of discharge shall be in accordance with the requirements of (10)(b) of this section or (10)(c) of this section in the case of vaporizers.

(b) Minimum required rate of discharge in cubic feet per minute of air at 120 percent of the maximum permitted start to discharge pressure for safety relief valves to be used on containers other than those constructed in accordance with DOT specification shall be as follows:

Surface area (sq. ft.)	Flow rate CFM air
20 or less	626
25	751
30	872
35	990
40	1,100
45	1,220
50	1,330
55	1,430
60	1,540
65	1,640
70	1,750
75	1,850
80	1,950
85	2,050
90	2,150
95	2,240
100	2,340
105	2,440
110	2,530
115	2,630
120	2,720
125	2,810
130	2,900
135	2,990
140	3,080
145	3,170
150	3,260
155	3,350
160	3,440

Surface area (sq. ft.)	Flow rate CFM air
165	3,530
170	3,620
175	3,700
180	3,790
185	3,880
190	3,960
195	4,050
200	4,130
210	4,300
220	4,470
230	4,630
240	4,800
250	4,960
260	5,130
270	5,290
280	5,450
290	5,610
300	5,760
310	5,920
320	6,080
330	6,230
340	6,390
350	6,540
360	6,690
370	6,840
380	7,000
390	7,150
400	7,300
450	8,040
500	8,760
550	9,470
600	10,170
650	10,860
700	11,550
750	12,220
800	12,880
850	13,540
900	14,190
950	14,830
1,000	15,470
1,050	16,100
1,100	16,720
1,150	17,350
1,200	17,960
1,250	18,570
1,300	19,180
1,350	19,780
1,400	20,380
1,450	20,980
1,500	21,570
1,550	22,160
1,600	22,740
1,650	23,320
1,700	23,900
1,750	24,470
1,800	25,050

Surface area (sq. ft.)	Flow rate CFM air
1,850	25,620
1,900	26,180
1,950	26,750
2,000	27,310

Surface area = total outside surface area of container in square feet.

When the surface area is not stamped on the nameplate or when the marking is not legible, the area can be calculated by using one of the following formulas:

(1) Cylindrical container with hemispherical heads:

$$\text{Area} = \text{Overall length} \times \text{outside diameter} \times 3.1416.$$

(2) Cylindrical container with other than hemispherical heads:

$$\text{Area} = (\text{Overall length} + 0.3 \text{ outside diameter}) \times \text{outside diameter} \times 3.1416.$$

NOTE: This formula is not exact, but will give results within the limits of practical accuracy for the sole purpose of sizing relief valves.

(3) Spherical container:

$$\text{Area} = \text{Outside diameter squared} \times 3.1416.$$

Flow rate-CFM air = Required flow capacity in cubic feet per minute of air at standard conditions, 60°F and atmospheric pressure (14.7 p.s.i.a.).

The rate of discharge may be interpolated for intermediate values of surface area. For containers with total outside surface area greater than 2,000 square feet, the required flow rate can be calculate [calculated] using the formula, flow rate-CFM air = 53.632 A^{0.82}.

A = Total outside surface area of the container in square feet.

Valves not marked "air" have flow rate marking in cubic feet per minute of liquefied petroleum gas. These can be converted to ratings in cubic feet per minute of air by multiplying the liquefied petroleum gas ratings by factors listed below. Air flow ratings can be converted to ratings in cubic feet per minute of liquefied petroleum gas by dividing the air ratings by the factors listed below.

AIR CONVERSION FACTORS

Container type	100	125	150	175	200
Air conversion factor	1.162	1.142	1.113	1.078	1.010

(c) Minimum required rate of discharge for safety relief valves for liquefied petroleum gas vaporizers (steam heated, water heated, and direct fired).

The minimum required rate of discharge for safety relief valves shall be determined as follows:

(i) Obtain the total surface area by adding the surface area of vaporizer shell in square feet directly in contact with LP-gas and the heat exchanged surface area in square feet directly in contact with LP-gas.

(ii) Obtain the minimum required rate of discharge in cubic feet of air per minute, at 60°F and 14.7 p.s.i.a. from (10)(b) of this section, for this total surface area.

(d) Container and vaporizer safety relief valves shall be set to start-to-discharge, with relation to the design pressure of the container, in accordance with Table H-26.

TABLE H-26

Containers	Minimum (percent)	Maximum (percent)
ASME Code; Par. U-68, U-69—1949 and earlier editions	110	¹ 125
ASME Code; Par. U-200, U-201—1949 edition	88	¹ 100
ASME Code—1950, 1952, 1956, 1959, 1962, 1965 and 1968 (Division I) editions	88	¹ 100
API—ASME Code— all editions	88	¹ 100
DOT—As prescribed in 49 CFR Chapter I		

¹Manufacturers of safety relief valves are allowed a plus tolerance not exceeding 10 percent of the set pressure marked on the valve.

(e) Safety relief devices used with systems employing containers other than those constructed according to DOT specifications shall be so constructed as to discharge at not less than the rates shown in (10)(b) of this section, before the pressure is in excess of 120 percent of the maximum (not including the 10 percent referred to in (10)(d) of this section) permitted start to discharge pressure setting of the device.

(f) In certain locations sufficiently sustained high temperatures prevail which require the use of a lower vapor pressure product to be stored or the use of a higher designed pressure vessel in order to prevent the safety valves opening as the result of these temperatures. As an alternative the tanks may be protected by cooling devices such as by spraying, by shading, or other effective means.

(g) Safety relief valves shall be arranged so that the possibility of tampering will be minimized. If pressure setting or adjustment is external, the relief valves shall be provided with approved means for sealing adjustment.

(h) Shutoff valves shall not be installed between the safety relief devices and the container, or the equipment or piping to which the safety relief device is connected

except that a shutoff valve may be used where the arrangement of this valve is such that full required capacity flow through the safety relief device is always afforded.

(i) Safety relief valves shall have direct communication with the vapor space of the container at all times.

(j) Each container safety relief valve used with systems covered by WAC 296-24-47509, 296-24-47511, 296-24-47515 and 296-24-47517, except as provided in WAC 296-24-47511 (3)(c) shall be plainly and permanently marked with the following: "Container type" of the pressure vessel on which the valve is designed to be installed; the pressure in p.s.i.g. at which the valve is set to discharge; the actual rate of discharge of the valve in cubic feet per minute of air at 60°F and 14.7 p.s.i.a.; and the manufacturer's name and catalog number, for example: T200-250-4050 AIR—indicating that the valve is suitable for use on a Type 200 container, that it is set to start to discharge at 250 p.s.i.g.; and that its rate of discharge is 4,050 cubic feet per minute of air as determined in (10)(b) of this section.

(k) Safety relief valve assemblies, including their connections, shall be of sufficient size so as to provide the rate of flow required for the container on which they are installed.

(l) A hydrostatic relief valve shall be installed between each pair of shutoff valves on liquefied petroleum gas liquid piping so as to relieve into a safe atmosphere. The start-to-discharge pressure setting of such relief valves shall not be in excess of 500 p.s.i.g. The minimum setting on relief valves installed in piping connected to other than DOT containers shall not be lower than 140 percent of the container relief valve setting and in piping connected to DOT containers not lower than 400 p.s.i.g. Such a relief valve should not be installed in the pump discharge piping if the same protection can be provided by installing the relief valve in the suction piping. The start-to-discharge pressure setting of such a relief valve, if installed on the discharge side of a pump, shall be greater than the maximum pressure permitted by the recirculation device in the system.

(m) The discharge from any safety relief device shall not terminate in or beneath any building, except relief devices covered by (6)(a)(i) to (vi) of this section, or WAC 296-24-47507 (4)(a) or (5).

(n) Container safety relief devices and regulator relief vents shall be located not less than five feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(11) Vaporizer and housing. (a) Indirect fired vaporizers utilizing steam, water, or other heating medium shall be constructed and installed as follows:

(i) Vaporizers shall be constructed in accordance with the requirements of (3)(a) to (c) of this section and shall be permanently marked as follows:

(A) With the code marking signifying the specifications to which the vaporizer is constructed.

(B) With the allowable working pressure and temperature for which the vaporizer is designed.

(C) With the sum of the outside surface area and the inside heat exchange surface area expressed in square feet.

(D) With the name or symbol of the manufacturer.

(ii) Vaporizers having an inside diameter of 6 inches or less exempted by the ASME Unfired Pressure Vessel Code, Section VIII of the ASME Boiler and Pressure Vessel Code—1968 shall have a design pressure not less than 250 p.s.i.g. and need not be permanently marked.

(iii) Heating or cooling coils shall not be installed inside a storage container.

(iv) Vaporizers may be installed in buildings, rooms, sheds, or lean-tos used exclusively for gas manufacturing or distribution, or in other structures of light, non-combustible construction or equivalent, well ventilated near the floor line and roof.

When vaporizing and/or mixing equipment is located in a structure or building not used exclusively for gas manufacturing or distribution, either attached to or within such a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least 100 pounds per square foot. This wall shall have no openings or pipe or conduit passing through it. Such structure or room shall be provided with adequate ventilation and shall have a roof or at least one exterior wall of light-weight construction.

(v) Vaporizers shall have, at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with (10)(c) of this section, except as provided in WAC 296-24-47509 (4)(e)(i).

(vi) The heating medium lines into and leaving the vaporizer shall be provided with suitable means for preventing the flow of gas into the heat systems in the event of tube rupture in the vaporizer. Vaporizers shall be provided with suitable automatic means to prevent liquid passing through the vaporizers to the gas discharge piping.

(vii) The device that supplies the necessary heat for producing steam, hot water, or other heating medium may be installed in a building, compartment, room, or lean-to which shall be ventilated near the floorline and roof to the outside. The device location shall be separated from all compartments or rooms containing liquefied petroleum gas vaporizers, pumps, and central gas mixing devices by a wall designed to withstand a static pressure of at least 100 pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. This requirement does not apply to the domestic water heaters which may supply heat for a vaporizer in a domestic system.

(viii) Gas-fired heating systems supplying heat exclusively for vaporization purposes shall be equipped with automatic safety devices to shut off the flow of gas to main burners, if the pilot light should fail.

(ix) Vaporizers may be an integral part of a fuel storage container directly connected to the liquid section or gas section or both.

(x) Vaporizers shall not be equipped with fusible plugs.

(xi) Vaporizer houses shall not have unprotected drains to sewers or sump pits.

(b) Atmospheric vaporizers employing heat from the ground or surrounding air shall be installed as follows:

(i) Buried underground, or

(ii) Located inside the building close to a point at which pipe enters the building provided the capacity of the unit does not exceed 1 quart.

(iii) Vaporizers of less than 1 quart capacity heated by the ground or surrounding air, need not be equipped with safety relief valves provided that adequate tests demonstrate that the assembly is safe without safety relief valves.

(c) Direct gas-fired vaporizers shall be constructed, marked, and installed as follows:

(i) In accordance with the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code—1968 that are applicable to the maximum working conditions for which the vaporizer is designed.

(ii) With the name of the manufacturer; rated BTU input to the burner; the area of the heat exchange surface in square feet; the outside surface of the vaporizer in square feet; and the maximum vaporizing capacity in gallons per hour.

(iii) Vaporizers may be connected to the liquid section or the gas section of the storage container, or both; but in any case there shall be at the container a manually operated valve in each connection to permit completely shutting off when desired, of all flow of gas or liquid from container to vaporizer.

(iv) Vaporizers with capacity not exceeding 35 gallons per hour shall be located at least 5 feet from container shutoff valves. Vaporizers having capacity of more than 35 gallons but not exceeding 100 gallons per hour shall be located at least 10 feet from the container shutoff valves. Vaporizers having a capacity greater than 100 gallons per hour shall be located at least 15 feet from container shutoff valves.

(v) Vaporizers may be installed in buildings, rooms, housings, sheds, or lean-tos used exclusively for vaporizing or mixing of liquefied petroleum gas. Vaporizing housing structures shall be of noncombustible construction, well ventilated near the floorline and the highest point of the roof. When vaporizer and/or mixing equipment is located in a structure or room attached to or within a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least 100 pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. Such structure or room shall be provided with adequate ventilation, and shall have a roof or at least one exterior wall of light-weight construction.

(vi) Vaporizers shall have at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with (10)(c) of this section. The relief valve shall be so located as not to be subjected to temperatures in excess of 140°F.

(vii) Vaporizers shall be provided with suitable automatic means to prevent liquid passing from the vaporizer to the gas discharge piping of the vaporizer.

(viii) Vaporizers shall be provided with means for manually turning off the gas to the main burner and pilot.

(ix) Vaporizers shall be equipped with automatic safety devices to shut off the flow of gas to main burners

if the pilot light should fail. When the flow through the pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(x) Pressure regulating and pressure reducing equipment if located within 10 feet of a direct fired vaporizer shall be separated from the open flame by a substantially airtight noncombustible partition or partitions.

(xi) Except as provided in (11)(c)(v), of this section, the following minimum distances shall be maintained between direct fired vaporizers and the nearest important building or group of buildings or line of adjoining property which may be built upon:

Ten feet for vaporizers having a capacity of 15 gallons per hour or less vaporizing capacity.

Twenty-five feet for vaporizers having a vaporizing capacity of 16 to 100 gallons per hour.

Fifty feet for vaporizers having a vaporizing capacity exceeding 100 gallons per hour.

(xii) Direct fired vaporizers shall not raise the product pressure above the design pressure of the vaporizer equipment nor shall they raise the product pressure within the storage container above the pressure shown in the second column of Table H-31. (See WAC 296-24-47509.)

(xiii) Vaporizers shall not be provided with fusible plugs.

(xiv) Vaporizers shall not have unprotected drains to sewers or sump pits.

(d) Direct gas-fired tank heaters, shall be constructed and installed as follows:

(i) Direct gas-fired tank heaters, and tanks to which they are applied, shall only be installed above ground.

(ii) Tank heaters shall be permanently marked with the name of the manufacturer, the rated B.T.U. input to the burner, and the maximum vaporizing capacity in gallons per hour.

NOTE: Tank heaters may be an integral part of a fuel storage container directly connected to the container liquid section, or vapor section, or both.

(iii) Tank heaters shall be provided with a means for manually turning off the gas to the main burner and pilot.

(iv) Tank heaters shall be equipped with an automatic safety device to shut off the flow of gas to main burners, if the pilot light should fail. When flow through pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(v) Pressure regulating and pressure reducing equipment if located within 10 feet of a direct fired tank heater shall be separated from the open flame by a substantially airtight noncombustible partition.

(vi) The following minimum distances shall be maintained between a storage tank heated by a direct fired tank heater and the nearest important building or group of buildings or line of adjoining property which may be built upon:

Ten feet for storage containers of less than 500 gallons water capacity.

Twenty-five feet for storage containers of 500 to 1,200 gallons water capacity.

Fifty feet for storage containers of over 1,200 gallons water capacity.

(vii) No direct fired tank heater shall raise the product pressure within the storage container over 75 percent of the pressure set out in the second column of Table H-31. (See WAC 296-24-47509.)

(e) The vaporizer section of vaporizer-burners used for dehydrators or dryers shall be located outside of buildings; they shall be constructed and installed as follows:

(i) Vaporizer-burners shall have a minimum design pressure of 250 p.s.i.g. with a factor of safety of five.

(ii) Manually operated positive shutoff valves shall be located at the containers to shut off all flow to the vaporizer-burners.

(iii) Minimum distances between storage containers and vaporizer-burners shall be as follows:

Water capacity per container (gallons)	Minimum distances (feet)
Less than 501	10
501 to 2,000	25
Over 2,000	50

(iv) The vaporizer section of vaporizer-burners shall be protected by a hydrostatic relief valve. The relief valve shall be located so as not to be subjected to temperatures in excess of 140°F. The start-to-discharge pressure setting shall be such as to protect the components involved, but not less than 250 p.s.i.g. The discharge shall be directed upward and away from component parts of the equipment and away from operating personnel.

(v) Vaporizer-burners shall be provided with means for manually turning off the gas to the main burner and pilot.

(vi) Vaporizer-burners shall be equipped with automatic safety devices to shut off the flow of gas to the main burner and pilot in the event the pilot is extinguished.

(vii) Pressure regulating and control equipment shall be located or protected so that the temperatures surrounding this equipment shall not exceed 140°F except that equipment components may be used at higher temperatures if designed to withstand such temperatures.

(viii) Pressure regulating and control equipment when located downstream of the vaporizer shall be designed to withstand the maximum discharge temperature of the vapor.

(ix) The vaporizer section of vaporizer-burners shall not be provided with fusible plugs.

(x) Vaporizer coils or jackets shall be made of ferrous metal or high temperature alloys.

(xi) Equipment utilizing vaporizer-burners shall be equipped with automatic shutoff devices upstream and downstream of the vaporizer section connected so as to operate in the event of excessive temperature, flame failure, and, if applicable, insufficient airflow.

(12) Filling densities. (a) The "filling density" is defined as the percent ratio of the weight of the gas in a container to the weight of water the container will hold at 60°F. All containers shall be filled according to the filling densities shown in Table H-27.

TABLE H-27

MAXIMUM PERMITTED FILLING DENSITY

Specific gravity at 60°F (15.6°C)	Above ground containers		Under-ground containers, all capacities
	0 to 1,200 U.S. gals. (1,000 imp. gal.)	Over 1,200 U.S. gals. (1,000 imp. gals.)	
	Percent	Percent	Percent
0.496-0.503	41	44	45
.504-.510	42	45	46
.511-.519	43	46	47
.520-.527	44	47	48
.528-.536	45	48	49
.537-.544	46	49	50
.545-.552	47	50	51
.553-.560	48	51	52
.561-.568	49	52	53
.569-.576	50	53	54
.577-.584	51	54	55
.585-.592	52	55	56
.593-.600	53	56	57

(b) Except as provided in (12)(c) of this section, any container including mobile cargo tanks and portable tank containers regardless of size or construction, shipped under DOT jurisdiction or constructed in accordance with 49 CFR Chapter I Specifications shall be charged according to 49 CFR Chapter I requirements.

(c) Portable containers not subject to DOT jurisdiction (such as, but not limited to, motor fuel containers on industrial and lift trucks, and farm tractors covered in (5) of this section, or containers recharged at the installation) may be filled either by weight, or by volume using a fixed length dip tube gaging device.

(13) LP-gas in buildings. (a) Vapor shall be piped into buildings at pressures in excess of 20 p.s.i.g. only if the buildings or separate areas thereof, (i) are constructed in accordance with this section; (ii) are used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard; (iii) buildings, structures, or equipment under construction or undergoing major renovation.

(b) Liquid may be permitted in buildings as follows:

(i) Buildings, or separate areas of buildings, used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial

processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard; and when such buildings, or separate areas thereof are constructed in accordance with this section.

(ii) Buildings, structures, or equipment under construction or undergoing major renovation provided the temporary piping meets the following conditions:

(A) Liquid piping inside the building shall conform to the requirements of (8) of this section, and shall not exceed three-fourths iron pipe size. Copper tubing with an outside diameter of three-fourths inch or less may be used provided it conforms to Type K of Specifications for Seamless Water Tube, ANSI H23.1-1970 (ASTM B88-1969) (see WAC 296-24-47505 Table H-24). All such piping shall be protected against construction hazards. Liquid piping inside buildings shall be kept to a minimum. Such piping shall be securely fastened to walls or other surfaces so as to provide adequate protection from breakage and so located as to subject the liquid line to lowest ambient temperatures.

(B) A shutoff valve shall be installed in each intermediate branch line where it takes off the main line and shall be readily accessible. A shutoff valve shall also be placed at the appliance end of the intermediate branch line. Such shutoff valve shall be upstream of any flexible connector used with the appliance.

(C) Suitable excess flow valves shall be installed in the container outlet line supplying liquid LP-gas to the building. A suitable excess flow valve shall be installed immediately downstream of each shutoff valve. Suitable excess flow valves shall be installed where piping size is reduced and shall be sized for the reduced size piping.

(D) Hydrostatic relief valves shall be installed in accordance with (10)(1) of this section.

(E) The use of hose to carry liquid between the container and the building or at any point in the liquid line, except at the appliance connector, shall be prohibited.

(F) Where flexible connectors are necessary for appliance installation, such connectors shall be as short as practicable and shall comply with (8)(b) or (9) of this section.

(G) Release of fuel when any section of piping or appliances is disconnected shall be minimized by either of the following methods:

(aa) Using an approved automatic quick-closing coupling (a type closing in both directions when coupled in the fuel line), or

(bb) Closing the valve nearest to the appliance and allowing the appliance to operate until the fuel in the line is consumed.

(cc) Portable containers shall not be taken into buildings except as provided in (6)(a) of this section.

(14) Transfer of Liquids. The employer shall assure that (a) at least one attendant shall remain close to the transfer connection from the time the connections are first made until they are finally disconnected, during the transfer of the product.

(b) Containers shall be filled or used only upon authorization of the owner.

(c) Containers manufactured in accordance with specifications of 49 CFR Part 178 and authorized by 49

CFR Chapter 1 as a "single trip" or "nonrefillable container" shall not be refilled or reused in LP-gas service.

(d) Gas or liquid shall not be vented to the atmosphere to assist in transferring contents of one container to another, except as provided in WAC 296-24-47511(5)(d) and except that this shall not preclude the use of listed pump utilizing LP-gas in the vapor phase as a source of energy and venting such gas to the atmosphere at a rate not to exceed that from a No. 31 drill size opening and provided that such venting and liquid transfer shall be located not less than 50 feet from the nearest important building.

(e) Filling of fuel containers for industrial trucks or motor vehicles from industrial bulk storage containers shall be performed not less than 10 feet from the nearest important masonry-walled building or not less than 25 feet from the nearest important building or other construction and, in any event, not less than 25 feet from any building opening.

(f) Filling of portable containers, containers mounted on skids, fuel containers on farm tractors, or similar applications, from storage containers used in domestic or commercial service, shall be performed not less than 50 feet from the nearest important building.

(g) The filling connection and the vent from the liquid level gages in containers, filled at point of installation, shall not be less than 10 feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(h) Fuel supply containers shall be gaged and charged only in the open air or in buildings especially provided for that purpose.

(i) The maximum vapor pressure of the product at 100°F which may be transferred into a container shall be in accordance with WAC 296-24-47509(2) and 296-24-47511(3). (For DOT containers use DOT requirements.)

(j) Marketers and users shall exercise precaution to assure that only those gases for which the system is designed, examined, and listed, are employed in its operation, particularly with regard to pressures.

(k) Pumps or compressors shall be designed for use with LP-gas. When compressors are used they shall normally take suction from the vapor space of the container being filled and discharge to the vapor space of the container being emptied.

(l) Pumping systems, when equipped with a positive displacement pump, shall include a recirculating device which shall limit the differential pressure on the pump under normal operating conditions to the maximum differential pressure rating of the pump. The discharge of the pumping system shall be protected so that pressure does not exceed 350 p.s.i.g. If a recirculation system discharges into the supply tank and contains a manual shutoff valve, an adequate secondary safety recirculation system shall be incorporated which shall have no means of rendering it inoperative. Manual shutoff valves in recirculation systems shall be kept open except during an emergency or when repairs are being made to the system.

(m) When necessary, unloading piping or hoses shall be provided with suitable bleeder valves for relieving pressure before disconnection.

(n) Agricultural air moving equipment, including crop dryers, shall be shut down when supply containers are being filled unless the air intakes and sources of ignition on the equipment are located 50 feet or more from the container.

(o) Agricultural equipment employing open flames or equipment with integral containers, such as flame cultivators, weed burners, and, in addition, tractors, shall be shut down during refueling.

(15) Tank car or transport truck loading or unloading points and operations. (a) The track of tank car siding shall be relatively level.

(b) A "tank car connected" sign, as covered by DOT rules, shall be installed at the active end or ends of the siding while the tank car is connected.

(c) While cars are on side track for loading or unloading, the wheels at both ends shall be blocked on the rails.

(d) The employer shall insure that an employee is in attendance at all times while the tank car, cars, or trucks are being loaded or unloaded.

(e) A backflow check valve, excess-flow valve, or a shutoff valve with means of remote closing, to protect against uncontrolled discharge of LP-gas from storage tank piping shall be installed close to the point where the liquid piping and hose or swing joint pipe is connected.

(f) Except as provided in (15)(g) of this section, when the size (diameter) of the loading or unloading hoses and/or piping is reduced below the size of the tank car or transport truck loading or unloading connections, the adaptors to which lines are attached shall be equipped with either a backflow check valve, a properly sized excess flow valve, or shutoff valve with means of remote closing, to protect against uncontrolled discharge from the tank car or transport truck.

(g) The requirement of (15)(f) of this section shall not apply if the tank car or transport is equipped with a quick-closing internal valve that can be remotely closed.

(h) The tank car or transport truck loading or unloading point shall be located with due consideration to the following:

- (i) Proximity to railroads and highway traffic.
- (ii) The distance of such unloading or loading point from adjacent property.
- (iii) With respect to buildings on installer's property.
- (iv) Nature of occupancy.
- (v) Topography.
- (vi) Type of construction of buildings.
- (vii) Number of tank cars or transport trucks that may be safely loaded or unloaded at one time.
- (viii) Frequency of loading or unloading.
- (i) Where practical, the distance of the unloading or loading point shall conform to the distances in (6)(b) of this section.

(16) Instructions. Personnel performing installation, removal, operation, and maintenance work shall be properly trained in such function.

(17) Electrical equipment and other sources of ignition. (a) Electrical equipment and wiring shall be of a

type specified by and shall be installed in accordance with WAC ((~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960), for ordinary locations except that fixed electrical equipment in classified areas shall comply with (18) of this section.

(b) Open flames or other sources of ignition shall not be permitted in vaporizer rooms (except those housing direct-fired vaporizers), pumphouses, container charging rooms or other similar locations. Direct-fired vaporizers shall not be permitted in pumphouses or container charging rooms.

NOTE: Liquefied petroleum gas storage containers do not require lightning protection. Since liquefied petroleum gas is contained in a closed system of piping and equipment, the system need not be electrically conductive or electrically bonded for protection against static electricity (see NFPA No. 77-1972-1973, Recommended Practice for Static Electricity).

(c) Open flames (except as provided for in (17)(b) of this section), cutting or welding, portable electric tools, and extension lights capable of igniting LP-gas, shall not be permitted within classified areas specified in Table H-28 (see WAC 296-24-47505) unless the LP-gas facilities have been freed of all liquid and vapor, or special precautions observed under carefully controlled conditions.

(18) Fixed electrical equipment in classified areas. Fixed electrical equipment and wiring installed within classified areas shall comply with Table H-28 (see WAC 296-24-47505) and shall be installed in accordance with WAC ((~~296-24-950 and 296-24-955~~) 296-24-956 through 296-24-960). This provision does not apply to fixed electrical equipment at residential or commercial installations of LP-gas systems or to systems covered by WAC 296-24-47511 or 296-24-47515.

(19) Liquid-level gaging device. (a) Each container manufactured after December 31, 1965, and filled on a volumetric basis shall be equipped with a fixed liquid-level gage to indicate the maximum permitted filling level as provided in (19)(e) of this section. Each container manufactured after December 31, 1969, shall have permanently attached to the container adjacent to the fixed level gage a marking showing the percentage full that will be shown by that gage. When a variable liquid-level gage is also provided, the fixed liquid-level gage will also serve as a means for checking the variable gage. These gages shall be used in charging containers as required in (12) of this section.

(b) All variable gaging devices shall be arranged so that the maximum liquid level for butane, for a 50-50 mixture of butane and propane, and for propane, to which the container may be charged is readily determinable. The markings indicating the various liquid levels from empty to full shall be on the system nameplate or gaging device or part may be on the system nameplate and part on the gaging device. Dials of magnetic or rotary gages shall show whether they are for cylindrical or spherical containers and whether for aboveground or underground service. The dials of gages intended for use

only on aboveground containers of over 1,200 gallons water capacity shall be so marked.

(c) Gaging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube, and slip tube, shall be designed so that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with excess flow valve.

(d) Gaging devices shall have a design working pressure of at least 250 p.s.i.g.

(e) Length of tube or position of fixed liquid-level gage shall be designed to indicate the maximum level to which the container may be filled for the product contained. This level shall be based on the volume of the product at 40°F at its maximum permitted filling density for aboveground containers and at 50°F for underground containers. The employer shall calculate the filling point for which the fixed liquid level gage shall be designed according to the method in this subsection.

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
A	Storage containers other than DOT cylinders.	Within 15 feet in all directions from connections, except connections otherwise covered in Table H-28.	Division 2.
B	Tank vehicle and tank car loading and unloading. ³	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade. (See Figure H-1.)	Division 2.
C	Gage vent openings other than those on DOT cylinders.	Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge.	Division 2.
D	Relief valve discharge other than those on DOT cylinders.	Within direct path of discharge.	Division 1. NOTE—Fixed electrical equipment should preferably not be installed.

TABLE H-28

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
E	Pumps, compressors, gas-air mixers and vaporizers other than direct fired.	Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge except within the direct path of discharge.	Division 2.
	Indoors without ventilation	Entire room and any adjacent room not separated by a gastight partition.	Division 1.
	Indoors with adequate ventilation. ⁴	Within 15 feet of the exterior side of any exterior wall or roof that is not vaportight or within 15 feet of any exterior opening.	Division 2.
	Outdoors in open air at or abovegrade.	Entire room and any adjacent room not separated by a gastight partition. Within 15 feet in all directions from this equipment and within the cylindrical volume between the horizontal equator of the sphere and grade. See Figure H-1.	Division 2.
F	Service station dispensing units.	Entire space within dispenser enclosure, and 18 inches horizontally from enclosure exterior up to an elevation 4 ft. above dispenser base.	Division 1.
		Entire pit or open space beneath dispenser.	
		Up to 18 inches abovegrade within 20 ft. horizontally from any edge of enclosure.	Division 2.
		NOTE: For pits within this area, see Part F of this table.	

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
G	Pits or trenches containing or located beneath LP-gas valves, pumps, compressors, regulators, and similar equipment.	Without mechanical ventilation.	Entire pit or trench — Division 1.
		With adequate mechanical ventilation.	Entire room and any adjacent room not separated by a gastight partition. Within 15 feet in all directions from pit or trench when located outdoors.
		Entire pit or trench — Division 2.	
		Entire room and any adjacent room not separated by a gastight partition. Within 15 feet in all directions from pit or trench when located outdoors.	Division 2.
H	Special buildings or rooms for storage of portable containers.	Entire room	Division 2.
			Division 2.
I	Pipelines and connections containing operational bleeds, drips, vents or drains.	Within 5 ft. in all directions from point of discharge.	Division 1.
		Beyond 5 ft. from point of discharge, same as Part E of this table.	
J	Container filling: Indoors without ventilation.	Entire room	Division 1.
		Indoors with adequate ventilation. ⁴	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.
	Outdoors in open air	Beyond 5 feet and entire room — Division 2. Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade (See Fig. H-1.)	Division 2.

¹The classified area shall not extend beyond an unpierced wall, roof, or solid vaportight partition.

²See chapter 296-46 WAC, and WAC ((296-24-950 and 296-24-955)) 296-24-956 through 296-24-960.

³When classifying extent of hazardous area, consideration shall be given to possible variations in the spotting of tank cars and tank vehicles at the unloading points and the effect these variations of actual spotting point may have on the point of connection.

⁴Ventilation, either natural or mechanical, is considered adequate when the concentration of the gas in a gas-air mixture does not exceed 25 percent of the lower flammable limit under normal operating conditions.

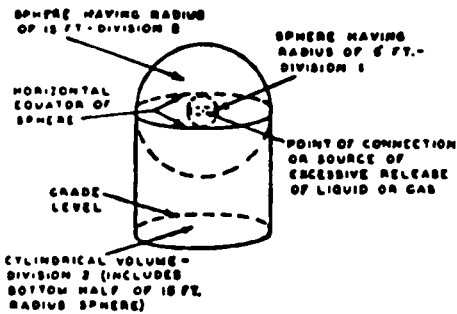


Figure H-1

NOTE: It is impossible to set out in a table the length of a fixed dip tube for various capacity tanks because of the varying tank diameters and lengths and because the tank may be installed either in a vertical or horizontal position. Knowing the maximum permitted filling volume in gallons, however, the length of the fixed tube can be determined by the use of a strapping table obtained from the container manufacturer. The length of the fixed tube should be such that when its lower end touches the surface of the liquid in the container, the contents of the container will be the maximum permitted volume as determined by the following formula:

$$\frac{\text{Water capacity (gals.) of container}^* \times \text{filling density}^{**}}{\text{Specific gravity of LP-gas}^* \times \text{volume correction factor}^{***} \times 100} = \text{Maximum volume of LP-gas}$$

*Measure at 60°F.

**From (12(a)) of this section "filling densities."

***For aboveground containers the liquid temperature is assumed to be 40°F and for underground containers the liquid temperature is assumed to be 50°F. To correct the liquid volumes at these temperatures to 60°F, the following factors shall be used.

(i) Formula for determining maximum volume of liquefied petroleum gas for which a fixed length of dip tube shall be set:

TABLE H-29

VOLUME CORRECTION FACTORS

Specific gravity	Aboveground	Underground
0.500	1.033	1.017
.510	1.031	1.016
.520	1.029	1.015
.530	1.028	1.014
.540	1.026	1.013
.550	1.025	1.013
.560	1.024	1.012
.570	1.023	1.011
.580	1.021	1.011
.590	1.020	1.010

(ii) The maximum volume of LP-gas which can be placed in a container when determining the length of the dip tube expressed as a percentage of total water content of the container is calculated by the following formula.

(iii) The maximum weight of LP-gas which may be placed in a container for determining the length of a fixed dip tube is determined by multiplying the maximum volume of liquefied petroleum gas obtained by the formula in (19)(e)(i) of this section by the pounds of liquefied petroleum gas in a gallon at 40°F for aboveground and at 50°F for underground containers. For example, typical pounds per gallon are specified below:

Example: Assume a 100-gallon total water capacity tank for aboveground storage of propane having a specific gravity of 0.510 of 60°F.

$$\frac{100 \text{ (gals.)} \times 42 \text{ (filling density from (12)(a) of this section)}}{0.510 \times 1.031 \text{ (correction factor from Table H-29)} \times 100} = \frac{4200}{52.6}$$

4200 = $\frac{79.8 \text{ gallons propane, the maximum amount permitted to be placed in a 100-gallon total water capacity aboveground container equipped with a fixed dip tube.}}{52.6}$

Maximum volume of LP-gas (from formula in (19)(e)(i) of this section) x 100 = Maximum percent of LP-gas
 Total water content of container in gallons.

	Aboveground, pounds per gallon	Underground, pounds per gallon
Propane	4.37	4.31
N Butane	4.97	4.92

(f) Fixed liquid-level gages used on containers other than DOT containers shall be stamped on the exterior of the gage with the letters "DT" followed by the vertical distance (expressed in inches and carried out to one decimal place) from the top of container to the end of the dip tube or to the centerline of the gage when it is located at the maximum permitted filling level. For portable containers that may be filled in the horizontal and/or vertical position the letters "DT" shall be followed by "V" with the vertical distance from the top of the container to the end of the dip tube for vertical filling and with "H" followed by the proper distance for horizontal filling. For DOT containers the stamping shall be placed both on the exterior of the gage and on the container. On aboveground or cargo containers where the gages are positioned at specific levels, the marking may be specified in percent of total tank contents and the marking shall be stamped on the container.

(g) Gage glasses of the columnar type shall be restricted to charging plants where the fuel is withdrawn in the liquid phase only. They shall be equipped with valves having metallic handwheels, with excess flow valves, and with extra-heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun. Gage glasses of the columnar type are prohibited on tank trucks, and on motor fuel tanks, and on containers used in domestic, commercial, and industrial installations.

(h) Gaging devices of the float, or equivalent type which do not require flow for their operation and having connections extending to a point outside the container do not have to be equipped with excess flow valves provided the piping and fittings are adequately designed to withstand the container pressure and are properly protected against physical damage and breakage.

(20) Requirements for appliances. (a) Except as provided in (20)(b) of this section, new commercial and industrial gas consuming appliances shall be approved.

(b) Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-gas and is in good condition may be used with LP-gas only after it is properly converted, adapted, and tested for performance with LP-gas before the appliance is placed in use.

(c) Unattended heaters used inside buildings for the purpose of animal or poultry production or care shall be equipped with an approved automatic device designed to shut off the flow of gas to the main burners, and pilot if used, in the event of flame extinguishment.

(d) All commercial, industrial, and agricultural appliances or equipment shall be installed in accordance with the requirements of these standards and in accordance with the following:

(i) Domestic and commercial appliances—NFPA 54-1969, Standard for the Installation of Gas Appliances and Gas Piping.

(ii) Industrial appliances—NFPA 54A-1969, Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises.

(iii) Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines—NFPA 37-1970.

(iv) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment, NFPA 96-1970.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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.

(a) Electrical—WAC 296-24-956 through 296-24-960.

(b) 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.

- (c) Noise—WAC 296-62-09015.
- (d) Commercial diving operations—Chapter 296-37 WAC.
- (e) Safety requirements for scaffolding—WAC 296-24-825.
- (f) Abrasive blasting—WAC 296-24-675.
- (g) Access to employee exposure and medical records—WAC 296-62-052.
- (h) Respiratory protection—WAC 296-62-071.
- (i) Grain elevators—Chapter 296-88 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) Facilities subject to the regulations of the office of pipeline safety regulation of the materials transportation bureau, department of transportation, to the extent such regulations apply.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 overhanging 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))~~ struck-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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 repair((s)) work interferes with communication of warnings or instructions.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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))~~ the employee shall be permitted to operate a crane, winch ~~((or))~~, other power-operated cargo handling apparatus or a 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 1/4(11.4)
1/2(2.2)	4	5	5 1/4(13.3)
5/8(2.5)	5	7	6(15.2)
3/4(2.7)	6	7	6 3/4(17.1)
7/8(3.2)	6	8	7 1/4(18.1)
1 1/8(3.5)	7	8	8 1/4(21.0)
1 1/4(3.8)	7	9	8(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)
¼(%)	(0.6)	¼	(0.1)
½	(1.0)	½	(0.2)
¾	(1.3)	¾	(0.3)
1	(1.6)	1	(0.4)
1½	(1.9)	1½	(0.4)
2	(2.2)	2	(0.5)
3	(2.5)	3	(0.5)
4	(2.9)	4	(0.6)
5	(3.2)	5	(0.6)
6	(3.5)	6	(0.7)
8	(3.8)	8	(0.8)
10	(4.4)	10	(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)	
3/4	(1.9)	3/8	(0.95)	1.4
1	(2.5)	1/2	(1.27)	2.2
1 1/4	(3.2)	5/8	(1.57)	3.2
1 1/2	(3.8)	3/4	(1.90)	4.3
1 3/4	(4.4)	7/8	(2.16)	5.6
2	(5.0)	1	(2.54)	6.7
		1 1/4	(3.18)	8.2
		1 1/2	(3.81)	10.0
		1 3/4	(4.43)	11.9
		2	(5.08)	16.2
		2 1/4	(5.71)	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	630	1190	973	630
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	1-1/2	1.5	2.6	2.1	1.5
4-1/2	1-5/16	1.8	3.1	2.5	1.8
5	1-1/2	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 PALLET BRICH											
	Vertical			40°			45°			30°		
	A	B	C	A	B	C	A	B	C	A	B	C
6x19 CLASSIFICATION												
1/4"	1.3	1.1	1.0	1.0	0.9	0.8	0.8	0.75	0.75	0.7	0.65	0.6
1/2"	2.3	2.0	1.9	1.9	1.7	1.6	1.6	1.5	1.5	1.4	1.3	1.2
3/4"	3.6	3.1	3.0	3.0	2.7	2.6	2.6	2.5	2.5	2.3	2.2	2.0
5/8"	5.1	4.4	4.3	4.3	3.9	3.7	3.7	3.6	3.6	3.3	3.2	2.9
3/4"	7.2	6.0	5.9	5.9	5.3	5.1	5.1	4.9	4.9	4.5	4.3	3.9
7/8"	10.	8.5	8.4	8.4	7.6	7.3	7.3	7.0	7.0	6.5	6.2	5.6
1"	14.	12.	11.	11.	10.	9.6	9.6	9.3	9.3	8.7	8.3	7.6
1-1/8"	19.	16.	15.	15.	14.	13.	13.	12.	12.	11.	10.	9.3
1-1/4"	26.	21.	20.	20.	18.	17.	17.	16.	16.	15.	14.	13.
6x37 CLASSIFICATION												
1-1/4"	26.	24.	21.	21.	21.	19.	19.	17.	17.	16.	15.	14.
1-3/8"	32.	29.	26.	26.	25.	22.	22.	21.	21.	19.	18.	17.
1-1/2"	38.	35.	30.	30.	30.	27.	27.	25.	25.	23.	22.	20.
1-3/4"	51.	47.	41.	41.	41.	37.	37.	34.	34.	31.	29.	27.
2"	66.	61.	53.	53.	52.	46.	46.	43.	43.	39.	37.	34.
2-1/4"	83.	76.	66.	66.	64.	57.	57.	54.	54.	49.	47.	43.

(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	3.5	5.1	7.5	2.1	3.0	4.3
3/8	3.1	4.4	6.4	1.9	2.6	3.7
1/2	3.1	4.4	6.4	1.9	2.6	3.7
5/8	3.2	4.5	6.6	2.0	2.8	3.9
3/4	4.0	5.6	8.1	2.6	3.6	5.0
7/8	6.4	8.9	12.8	4.0	5.5	7.6
1	8.0	11.1	15.7	4.9	6.7	9.3
1-1/8	10.0	13.9	19.8	6.4	8.8	12.1
6x37 CLASSIFICATION						
1-1/4	23.0	31.0	43.0	11.0	15.0	20.0
1-3/8	25.0	33.0	45.0	12.0	16.0	22.0
1-1/2	27.0	36.0	49.0	13.0	18.0	24.0
1-3/4	29.0	39.0	52.0	14.0	19.0	26.0
2	31.0	41.0	55.0	15.0	20.0	28.0

(A) - Socket or Swooped 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	1.8	2.4	3.5	1.5	2.0	2.9	1.2	1.6	2.3	1.0	1.3	1.9
3/8	1.6	2.1	3.0	1.3	1.8	2.6	1.0	1.4	2.0	0.9	1.2	1.7
1/2	1.5	2.0	2.8	1.2	1.6	2.4	0.9	1.3	1.9	0.8	1.1	1.6
5/8	1.6	2.1	3.0	1.3	1.8	2.6	1.0	1.4	2.0	0.9	1.2	1.7
3/4	1.9	2.6	3.7	1.5	2.0	2.9	1.2	1.6	2.3	1.0	1.3	1.9
7/8	2.2	3.0	4.2	1.7	2.3	3.3	1.4	1.9	2.7	1.2	1.6	2.2
1	2.7	3.6	5.0	2.0	2.7	3.8	1.7	2.3	3.3	1.5	2.0	2.8
1-1/8	3.2	4.3	5.9	2.4	3.2	4.5	2.0	2.7	3.8	1.8	2.4	3.3
6x37 CLASSIFICATION												
1-1/4	25.0	33.0	45.0	11.0	15.0	20.0	4.5	6.0	8.0	3.5	4.5	6.0
1-3/8	27.0	36.0	48.0	12.0	16.0	21.0	4.9	6.5	8.7	3.8	5.0	6.7
1-1/2	29.0	39.0	51.0	13.0	17.0	23.0	5.3	7.0	9.3	4.1	5.4	7.3
1-3/4	31.0	41.0	54.0	14.0	18.0	24.0	5.7	7.5	10.0	4.4	5.8	7.8
2	33.0	44.0	58.0	15.0	19.0	25.0	6.1	8.0	10.6	4.7	6.2	8.3

(A) - Socket or Swooped 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			
	Vertical	60°	45°	30°
1/4	1.62	2.02	2.77	3.62
3/8	3.30	4.10	5.50	7.10
1/2	5.10	6.30	8.40	10.80
5/8	6.25	7.75	10.30	13.25
3/4	11.5	14.2	18.7	24.2
7/8	14.2	17.5	23.0	29.5
1	19.5	24.2	31.5	40.5
1-1/8	25.2	31.2	40.5	52.2
1-1/4	28.7	35.7	46.5	59.7
1-3/8	32.5	40.0	52.5	67.5
1-1/2	39.7	49.0	64.0	82.7
1-3/4	42.5	51.5	67.5	86.5
1-7/8	47.0	58.5	75.0	95.0

(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 shall 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~~)) or 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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.

(b) 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))~~ (b) 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))~~ (c) 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))~~ (d) 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))~~ (e) Forklift seat covers. Seats on forklifts shall be provided with a removable waterproof cover when they are exposed to the weather.

~~((x))~~ (f) 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))~~ (g) 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))~~ (h) 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))~~ (i) 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))~~ (j) Counterweights. Counterweights shall be so affixed that they cannot be accidentally dislodged.

~~((e))~~ (k) 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))~~ (1) 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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))~~ employer shall ensure that only employees trained in the procedures required in subsection ~~((...))~~ (4) 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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~~)) original 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, operation, or the operator's view.

(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)) visible, 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 and 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 hooks or moused hooks shall be used.

(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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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))~~ marking 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 clamshell 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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~~) device shall be available within easy reach from any position on or adjacent to the conveyor(s)).

(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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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))~~ WAC 296-56-60098(22) 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) These rules apply to employment within a marine terminal including the loading, unloading, movement, or other handling of cargo, ship's stores, or gear within the terminal or into or out of any land carrier, holding or consolidation area, or any other activity within and associated with the overall operation and functions of the terminal, such as the use and routine maintenance of facilities and equipment.

(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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 shall 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)) assistant director of industrial safety and health.~~

(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)) within 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 to the covering position.

(3) Only cutting tools shall be used to cut metal strapping or banding used to secure cargo.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 flotation 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 Lifesaving 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.

(3) 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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~~)) EXCEPTION: Pier structures used primarily for vehicle traffic ((~~shaft~~)) may 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.

MANLIFTS: ELECTRICAMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

WAC 296-56-60135 ((~~ELECTRIC~~)) MANLIFTS. Reserved.

MANLIFTS—HAND POWER ((~~MANLIFTS~~))AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 are exempt from the provisions of subsection (5) of this section. All other requirements of this section apply.

(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 122~~)) 12 inches ((~~305 cm~~) apart), plus or minus 2 inches, (30 cm, plus or minus 5 cm) from 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 exceeds 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 are 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 man-hole 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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)) A14.1-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;

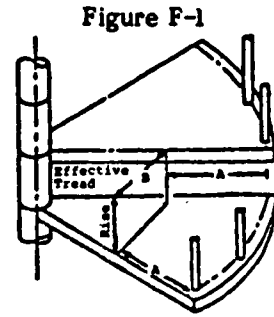
- (iii) Missing or loose bolts, rivets, or fastenings;
- (iv) Defective ropes; or
- (v) Any other structural defect.
- (b) Ladders shall be inspected for defects prior to each day's use, and after any occurrence, such as a fall, which could damage the ladder.
- (6) Ladder usage.
 - (a) Ladders made by 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 ladders 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 ((~~cm~~)) 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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) ((~~Exists~~)) 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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~~))(2).

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 saws 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.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 or have 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.
Soldering	2
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

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 and 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 through 296-24-960 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 through 296-24-960 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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-56-60137 WAIVER AND VARIANCE.

WAC 296-56-60182 WAIVER AND VARIANCE.

AMENDATORY SECTION (Amending Order 84-22, filed 10/30/84)

WAC 296-62-05403 SCOPE AND APPLICATION. (1) This section requires chemical manufacturers or importers to assess the hazards of chemicals which they produce or import, and all employers except those in agriculture (SIC Codes 01, 02 and 07) to provide information to their employees about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels and other forms of warning, material safety data sheets, and information and training. In addition, this section requires distributors to transmit the required information to employers.

(2) This section applies to any chemical which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.

(3) This section applies to laboratories only as follows:

(a) Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced;

(b) Employers shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are readily accessible to laboratory employees; and,

(c) Employers shall ensure that laboratory employees are apprised of the hazards of the chemicals in their workplaces in accordance with WAC 296-62-05415.

(4) This section does not require labeling of the following chemicals:

(a) Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when subject to the labeling requirements of that act and labeling regulations issued under that act by the Environmental Protection Agency;

(b) Any food, food additive, color additive, drug, or cosmetic, including materials intended for use as ingredients in such products (e.g., flavors and fragrances), as such terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and regulations issued under the act, when they are subject to the labeling requirements of that act and labeling regulations issued under that act by the Food and Drug Administration;

(c) Any distilled spirits (beverage alcohols), wine, or malt beverages intended for nonindustrial use, as such

terms are defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that act, when subject to the labeling requirements of that act and labeling regulations issued under that act by the Bureau of Alcohol, Tobacco, and Firearms; and,

(d) Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, when subject to a consumer product safety standard or labeling requirement of those acts, or regulations issued under those acts by the Consumer Product Safety Commission.

(5) This section does not apply to:

(a) Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.) when subject to regulations issued under that act by the Environmental Protection Agency;

(b) Tobacco or tobacco products;

(c) Wood or wood products;

(d) Articles; and,

(e) Foods, drugs, or cosmetics intended for personal consumption by employees while in the workplace.

(f) Any transportation of a hazardous chemical or substance (~~(while being transported)~~), provided such transportation is subject to regulations issued by the United States department of transportation or the Washington utilities and transportation commission.

(g) Any distributor who makes retail sales to the general public of consumer products packaged for distribution to, and used by, the general public, shall not be required to disseminate material safety data sheets to the retail purchasers of such products.

(6) Where there are two or more employers at the same workplace, each employer shall be solely responsible under the provisions of WAC 296-62-054 through 296-62-05425 for his or her own employees.

AMENDATORY SECTION (Amending Order 84-22, filed 10/30/84)

WAC 296-62-05405 DEFINITIONS APPLICABLE TO THIS SECTION. (1) Article - a manufactured item:

(a) Which is formed to a specific shape or design during manufacture;

(b) Which has end use function(s) dependent in whole or in part upon its shape or design during end use; and

(c) Which does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.

(2) Chemical - any element, chemical compound or mixture of elements and/or compounds.

(3) Chemical manufacturer - an employer in SIC Codes 20 through 39 with a workplace where chemical(s) are produced for use or distribution.

(4) Chemical name - the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service (CAS) rules ($(\sigma\sigma)$) of nomenclature, or a name

which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

(5) Combustible liquid – any liquid having a flashpoint at or above 100°F (37.8°C), but below 200°F (93.3°C), except any mixture having components with flashpoints of 200°F (93.3°C), or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.

(6) Common name – any designation or identification such as code name, code number, trade name, brand name or generic name used to identify a chemical other than by its chemical name.

(7) Compressed gas

(a) A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70°F (21.1°C); or

(b) A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C); or

(c) A liquid having a vapor pressure exceeding 40 psi at 100°F (37.8°C) as determined by ASTM D-323-72.

(8) Container – any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical. For purposes of this section, pipes or piping systems are not considered to be containers.

(9) Designated representative – any individual or organization to whom an employee gives written authorization to exercise such employee's rights under this section. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.

(10) Director – the director of the department of labor and industries or his/her designee.

(11) Distributor – a business, other than a chemical manufacturer or importer, which supplies hazardous chemicals to other distributors or to purchasers.

(12) Employee – a worker employed by an employer who may be exposed to hazardous chemicals under normal operating conditions or foreseeable emergencies, including, but not limited to production workers, line supervisors, and repair or maintenance personnel. Office workers, grounds maintenance personnel, security personnel or nonresident management are included if their job performance routinely involves potential exposure to hazardous chemicals.

(13) Employer – a person engaged in a business where chemicals are either used, or are produced for use or distribution.

(14) Explosive – a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.

(15) Exposure or exposed – an employee that is subjected to a hazardous chemical in the course of employment through any route of entry (inhalation, ingestion, skin contact or absorption, etc.), and includes potential (e.g. accidental or possible) exposure.

(16) Flammable – a chemical that falls into one of the following categories:

(a) Aerosol flammable – an aerosol that, when tested by the method described in 16 CFR 1500.45, yields a flame projection exceeding 18 inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;

(b) Gas, flammable:

(i) A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of thirteen percent by volume or less; or

(ii) A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than twelve percent by volume, regardless of the lower limit;

(c) Liquid, flammable – any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99 percent or more of the total volume of the mixture.

(d) Solid, flammable – a solid, other than a blasting agent or explosive as defined in 29 CFR s1910.109(a), that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

(17) Flashpoint – the minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:

(a) Tagliabue closed tester – (see American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

(b) Pensky-Martens closed tester – (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

(c) Setaflash closed tester – (see American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78)).

Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified above.

(18) Foreseeable emergency – any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which could result in an uncontrolled release of a hazardous chemical into the workplace.

(19) Hazardous chemical – any chemical which is a physical hazard or a health hazard (~~except consumer products packaged for distribution to, and used by, the general public, including any product used by an employer or the employer's employees in the same form,~~

~~concentration, and manner as it is sold to consumers, and to the employer's knowledge, employee exposure is not significantly greater than the consumer exposure occurring during principle consumer use of the product)).~~

(20) Hazard warning – any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the hazards of the chemical(s) in the container(s).

(21) Health hazard – a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. Appendix A provides further definitions and explanations of the scope of health hazards covered by this section, and Appendix B describes the criteria to be used to determine whether or not a chemical is to be considered hazardous for purposes of this standard.

(22) Identify – any chemical or common name which is indicated on the material safety data sheet (MSDS) for the chemical. The identity used shall permit cross-references to be made among the required list of hazardous chemicals, the label and the MSDS.

(23) Immediate use – that the hazardous chemical will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.

(24) Importer – the first business with employees within Washington which receives hazardous chemicals produced in other states or countries, for the purpose of supplying them to distributors or purchasers within Washington.

(25) Label – any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals.

(26) Material safety data sheet (MSDS) – written or printed material concerning a hazardous chemical which is prepared in accordance with WAC 296-62-05413.

(27) Mixture – any combination of two or more chemicals if the combination is not, in whole or in part, the result of a chemical reaction.

(28) Organic peroxide – an organic compound that contains the bivalent-O-O-structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

(29) Oxidizer – a chemical other than a blasting agent or explosive as defined in WAC 296-52-030, that initiates or promotes combustion in other materials, thereby causing fire either of itself or [or] through the release of oxygen or other gases.

(30) Physical hazard – a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

(31) Produce – to manufacture, process, formulate, or repackage.

(32) Purchaser – an employer with a workplace who purchases a hazardous chemical for use within that workplace.

(33) Pyrophoric – a chemical that will ignite spontaneously in air at a temperature of 130°F (54.4°C) or below.

(34) Responsible party – someone who can provide additional information on the hazardous chemical and appropriate emergency procedures, if necessary.

(35) Specific chemical identity – the chemical name, Chemical Abstracts Service (CAS) registry number, or any other information that reveals the precise chemical designation of the substance.

(36) Trade secret – any confidential formula, pattern, process, device, information or compilation of information (including chemical name or other unique chemical identifier) that is used in an employer's business, and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it.

(37) Unstable (reactive) – a chemical which in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

(38) Use – to package, handle, react, or transfer.

(39) Water-reactive – a chemical that reacts with water to release a gas that is either flammable or presents a health hazard.

(40) Work area – a room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.

(41) Workplace – an establishment at one geographical location containing one or more work areas.

AMENDATORY SECTION (Amending Order 84-14, filed 6/7/84)

WAC 296-62-05411 LABELS AND OTHER FORMS OF WARNING. (1) The chemical manufacturer, importer, or distributor shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged or marked with the following information:

- (a) Identity of the hazardous chemical(s);
- (b) Appropriate hazard warnings; and
- (c) Name and address of the chemical manufacturer, importer, or other responsible party.

(2) Chemical manufacturers, importers, or distributors shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked in accordance with this section in a manner which does not conflict with the requirements of the Hazardous Materials Transportation Act (18 U.S.C. 1801 et seq.) and regulations issued under that act by the department of transportation.

(3) If the hazardous chemical is regulated by WISHA in a substance-specific health standard, the chemical manufacturer, importer, distributor or employer shall ensure that the labels or other forms of warning used are in accordance with the requirements of that standard.

(4) Except as provided in subsection (5) and (6) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with the following information:

(a) Identity of the hazardous chemical(s) contained therein; and

(b) Appropriate hazard warnings.

(5) The employer may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials in lieu of affixing labels to individual stationary process containers, ~~((as long as the alternative method identifies the containers,))~~ as long as the alternative method identifies the containers to which it is applicable and conveys the information required by subsection (4) of this section to be on a label. The written materials shall be readily accessible to the employees in their work area throughout each work shift.

(6) The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for the immediate use of the employee who performs the transfer.

(7) The employer shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.

(8) The employer shall ensure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers having employees who speak other languages may add the information in their language to the material presented, as long as the information is presented in English as well.

(9) The chemical manufacturer, importer, distributor or employer need not affix new labels to comply with this section if existing labels already convey the required information.

AMENDATORY SECTION (Amending Order 84-22, filed 10/30/84)

WAC 296-62-05413 MATERIAL SAFETY DATA SHEETS. (1) Chemical manufacturers and importers shall obtain or develop a material safety data sheet for each hazardous chemical they produce or import. Employers shall have a material safety data sheet for each hazardous chemical which they use.

(2) Each material safety data sheet shall be in English and shall contain at least the following information:

(a) The identity used on the label, and, except as provided for in WAC 296-62-05417 on trade secrets:

(i) If the hazardous chemical is a single substance, its chemical and common name(s);

(ii) If the hazardous chemical is a mixture which has been tested as a whole to determine its hazards, the chemical and common name(s) of the ingredients which contribute to these known hazards, and the common name(s) of the mixture itself; or,

(iii) If the hazardous chemical is a mixture which has not been tested as a whole:

(A) The chemical and common name(s) of all ingredients which have been determined to be health hazards,

and which comprise 1% or greater of the composition, except that chemicals identified as carcinogens under WAC 296-62-05407(4) shall be listed if the concentrations are 0.1% or greater; and,

(B) The chemical and common name(s) of all ingredients which have been determined to present a physical hazard when present in the mixture;

(b) Physical and chemical characteristics of the hazardous chemical (such as vapor pressure, flash point);

(c) The physical hazards of the hazardous chemical, including the potential for fire, explosion, and reactivity;

(d) The health hazards of the hazardous chemical, including signs and symptoms of exposure, and any medical conditions which are generally recognized as being aggravated by exposure to the chemical;

(e) The primary route(s) of entry;

(f) The WISHA permissible exposure limit, ACGIH threshold limit value, and any other exposure limit used or recommended by the chemical manufacturer, importer, or employer preparing the material safety data sheet, where available;

(g) Whether the hazardous chemical is listed in the National Toxicology Program (NTP) Annual Report on Carcinogens (latest edition) or has been found to be a potential carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest editions), or by WISHA;

(h) Any generally applicable precautions for safe handling and use which are known to the chemical manufacturer, importer or employer preparing the material safety data sheet, including appropriate hygienic practices, protective measures during repair and maintenance of contaminated equipment, and procedures for clean-up of spills and leaks;

(i) Any generally applicable control measures which are known to the chemical manufacturer, importer or employer preparing the material safety data sheet, such as appropriate engineering controls, work practices, or personal protective equipment;

(j) Emergency and first aid procedures;

(k) The date of preparation of the material safety data sheet or the last change to it; and,

(l) The name, address and telephone number of the chemical manufacturer, importer, employer or other responsible party preparing or distributing the material safety data sheet, who can provide additional information on the hazardous chemical and appropriate emergency procedures, if necessary.

(3) If no relevant information is found for any given category on the material safety data sheet, the chemical manufacturer, importer or employer preparing the material safety data sheet shall mark it to indicate that no applicable information was found.

(4) Where complex mixtures have similar hazards and contents (i.e. the chemical ingredients are essentially the same, but the specific composition varies from mixture to mixture), the chemical manufacturer, importer or employer may prepare one material safety data sheet to apply to all of these similar mixtures.

(5) The chemical manufacturer, importer or employer preparing the material safety data sheet shall ensure

that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If the chemical manufacturer, importer or employer becomes newly aware of any significant information regarding the hazards of a chemical, or ways to protect against the hazards, this new information shall be added to the material safety data sheet within three months. If the chemical is not currently being produced or imported the chemical manufacturer or importer shall add the information to the material safety data sheet before the chemical is introduced into the workplace again.

(6) Chemical manufacturers or importers shall ensure that distributors and purchasers of hazardous chemicals are provided an appropriate material safety data sheet with their initial shipment, and with the first shipment after a material safety data sheet is updated. The chemical manufacturer or importer shall either provide material safety data sheets with the shipped containers or send them to the purchaser prior to or at the time of the shipment. If the material safety data sheet is not provided with the shipment, the purchaser shall obtain one from the chemical manufacturer, importer, or distributor as soon as possible.

(7) Distributors shall ensure that material safety data sheets, and updated information, are provided to other distributors and purchasers of hazardous chemicals.

(8) The employer shall maintain copies of the required material safety data sheets for each hazardous chemical in the workplace, and shall ensure that they are readily accessible during each work shift to employees when they are in their work area(s).

(9) Material safety data sheets may be kept in any form, including operating procedures, and may be designed to cover groups of hazardous chemicals in a work area where it may be more appropriate to address the hazards of a process rather than individual hazardous chemicals. However, the employer shall ensure that in all cases the required information is provided for each hazardous chemical, and is readily accessible during each work shift to employees when they are in their work area(s).

(10) Material safety data sheets shall also be made readily available, upon request, to designated representatives and to the director or his/her designee in accordance with the requirements of WAC 296-62-05209.

(11) If a purchaser has not received a material safety data sheet within twenty calendar days after making a written request to the chemical manufacturer, importer, or distributor in accordance with WAC 296-62-05413(6), he/she may make a written request for assistance to the Department of Labor and Industries, Right-to-Know Program, Industrial Hygiene Section, P.O. Box 207, Olympia, Washington 98504. Such written request shall include:

(a) A copy of the purchaser's written request to the chemical manufacturer, importer, or distributor;

(b) The name of the product suspected of containing a hazardous chemical;

(c) The identification number of the product if available;

(d) A copy of the product label if available; and

(e) The name and address of the chemical manufacturer, importer, or distributor from whom the product was obtained.

Upon receipt of a written request for material safety data sheet, the department shall attempt to procure the material safety data sheet from the chemical manufacturer, importer or distributor and upon procurement, shall forward a copy of the material safety data sheet at no cost to the purchaser.

AMENDATORY SECTION (Amending Order 84-22, filed 10/30/84)

WAC 296-62-05421 APPENDIX A—HEALTH HAZARD DEFINITIONS (MANDATORY). Although safety hazards related to the physical characteristics of a chemical can be objectively defined in terms of testing requirements (e.g. flammability), health hazard definitions are less precise and more subjective. Health hazards may cause measurable changes in the body—such as decreased pulmonary function. These changes are generally indicated by the occurrence of signs and symptoms in the exposed employees—such as shortness of breath, a nonmeasurable, subjective feeling. Employees exposed to such hazards must be apprised of both the change in body function and the signs and symptoms that may occur to signal that change.

The determination of occupational health hazards is complicated by the fact that many of the effects or signs and symptoms occur commonly in nonoccupationally exposed populations, so that effects of exposure are difficult to separate from normally occurring illnesses. Occasionally, a substance causes an effect that is rarely seen in the population at large, such as angiosarcomas caused by vinyl chloride exposure, thus making it easier to ascertain that the occupational exposure was the primary causative factor. More often, however, the effects are common, such as lung cancer. The situation is further complicated by the fact that most chemicals have not been adequately tested to determine their health hazard potential, and data do not exist to substantiate these effects.

There have been many attempts to categorize effects and to define them in various ways. Generally, the terms "acute" and "chronic" are used to delineate between effects on the basis of severity or duration. "Acute" effects usually occur rapidly as a result of short-term exposures, and are of short duration. "Chronic" effects generally occur as a result of long-term exposure, and are of long duration.

The acute effects referred to most frequently are those defined by the American National Standards Institute (ANSI) standard for Precautionary Labeling of Hazardous Industrial Chemicals (Z129.1-1982) — irritation, corrosivity, sensitization and lethal dose. Although these are important health effects, they do not adequately cover the considerable range of acute effects which may occur as a result of occupational exposure, such as, for example, narcosis.

Similarly, the term chronic effect is often used to cover only carcinogenicity, teratogenicity, and mutagenicity. These effects are obviously a concern in the workplace, but again, do not adequately cover the area of chronic

effects, excluding, for example, blood dyscrasias (such as anemia), chronic bronchitis and liver atrophy.

The goal of defining precisely, in measurable terms, every possible health effect that may occur in the workplace as a result of chemical exposures cannot realistically be accomplished. This does not negate the need for employees to be informed of such effects and protected from them.

Appendix B, which is also mandatory, outlines the principles and procedures of hazard assessment.

For purposes of this section, any chemicals which meet any of the following definitions, as determined by the criteria set forth in Appendix B are health hazards:

(1) Carcinogen. A chemical is considered to be a carcinogen if:

(a) It has been evaluated by the International Agency for Research on Cancer (IARC), and found to be a carcinogen or potential carcinogen; or

(b) It is listed as a carcinogen or potential carcinogen in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or,

(c) It is regulated by WISHA as a carcinogen.

(2) Corrosive. A chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. For example, a chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described by the U.S. Department of Transportation in Appendix A to 49 CFR Part 173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term shall not refer to action on inanimate surfaces.

(3) Highly toxic. A chemical falling within any of the following categories:

(a) A chemical that has a median lethal dose (LD₅₀) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

(b) A chemical that has a median lethal dose (LD₅₀) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between two and three kilograms each.

(c) A chemical that has a median lethal concentration (LC₅₀) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume, or dust, when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

(4) Irritant. A chemical, which is not corrosive, but which causes a reversible inflammatory effect on living tissue by chemical action at the site of contact. A chemical is a skin irritant if, when tested on the intact skin of albino rabbits by the methods of 16 CFR 1500.41 for four hours exposure or by other appropriate techniques, it results in an empirical score of five or more. A chemical is an eye irritant if so determined under the procedure listed in 16 CFR 1500.42 or other appropriate techniques.

(5) Sensitizer. A chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

(6) Toxic. A chemical falling within any of the following categories:

(a) A chemical that has a median lethal dose (LD₅₀) of more than 50 milligrams per kilogram but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

(b) A chemical that has a median lethal dose (LD₅₀) of more than 200 milligrams per kilogram but not more than 1,000 milligrams per kilogram but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between two and three kilograms each.

(c) A chemical that has a median lethal concentration (LC₅₀) in air of more than 200 parts per million but not more than 2,000 parts per million by volume of gas or vapor, or more than two milligrams per liter but not more than 20 milligrams per liter of mist, fume, or dust, when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

(7) Target organ effects. The following is a target organ categorization of effects which may occur, including examples of signs and symptoms and chemicals which have been found to cause such effects. These examples are presented to illustrate the range and diversity of effects and hazards found in the workplace, and the broad scope employers must consider in this area, but are not intended to be all-inclusive.

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|--|--|
| (a) Hepatotoxins: | Chemicals which produce liver damage. |
| Signs & symptoms: | Jaundice, liver enlargement |
| Chemicals: | Carbon tetrachloride, nitrosamines. |
| (b) Nephrotoxins: | Chemicals which produce kidney damage. |
| Signs & symptoms: | Edema; proteinuria |
| Chemicals: | Halogenated hydrocarbons; uranium. |
| (c) Neurotoxins: | Chemicals which produce their primary toxic effects on the nervous system. |
| Signs & symptoms: | Narcosis; behavioral changes; decrease in motor functions. |
| Chemicals: | Mercury, carbon (disulfide) disulfide. |
| (d) Agents which act on the blood or hematopoietic system: | Decrease hemoglobin function; deprive the body tissues of oxygen. |
| Signs & symptoms: | Cyanosis; loss of consciousness |
| Chemicals: | Carbon monoxide; cyanides. |
| (e) Agents which damage the lung: | Chemicals which irritate or damage the pulmonary tissue. |
| Signs & symptoms: | Cough; tightness in chest; shortness of breath. |
| Chemicals: | Silica; asbestos. |

- (f) Reproductive toxins: Chemicals which affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis).
 Signs & symptoms: Birth defects; sterility
 Chemicals: Lead; DBCP.
- (g) Cutaneous hazards: Chemicals which affect the dermal layer of the body.
 Signs & symptoms: Defatting of the skin; rashes; irritation
 Chemicals: ((Organic solvents; acids))
 Ketones; chlorinated compounds.
- (h) Eye hazards: Chemicals which affect the eye or visual capacity.
 Signs & symptoms: Conjunctivitis; corneal damage.
 Chemicals: Organic solvents; acids.

AMENDATORY SECTION (Amending Order 84-14, filed 6/7/84)

WAC 296-62-05425 APPENDIX C—INFORMATION SOURCES (ADVISORY). The following is a list of available data sources which the chemical manufacturer, importer, or employer may wish to consult to evaluate the hazards of chemicals they produce or import:

(1) Any information in their own company files such as toxicity testing results or illness experience of company employees.

(2) Any information obtained from the supplier of the chemical, such as material safety data sheets or product safety bulletins.

(3) Any pertinent information obtained from the following source list (latest editions should be used):

Condensed Chemical Dictionary
 Van Nostrand ((and)) Reinhold Co.
 135 West 50th Street
 New York, NY 10020

The Merck Index: An Encyclopedia of Chemicals and Drugs
 Merck and Company, Inc.
 126 E. Lincoln Avenue
 Rahway, NJ 07065

IARC Monographs on the Evaluation of the Carcinogenic Risk of Chemicals to Man
 Geneva: World Health Organization
 International Agency for Research on Cancer, 1972-1977
 (Multivolume work)
 49 Sheridan Street
 Albany, New York

Industrial Hygiene and Toxicology, by F.A. Patty
 John Wiley & Sons, Inc.
 New York, NY
 (Five volumes)

Clinical Toxicology of Commercial Products
 Gleason, Gosselin and Hodge

Casarett and Doull's Toxicology: The Basic Science of Poisons
 Doull, Klaassen, and Amdur
 Macmillan Publishing Co., Inc.
 New York, NY

Industrial Toxicology, by Alice Hamilton and Harriet L. Hardy
 Publishing Sciences Group, Inc.
 Action, MA

Toxicology of the Eye, by W. Morton Grant
 Charles C. Thomas
 301-327 East Lawrence Avenue
 Springfield, IL

Recognition of Health Hazards in Industry
 William A. Burgess
 John Wiley and Sons
 605 Third Avenue
 New York, NY 10158

Chemical Hazards of the Workplace
 Nick H. Proctor and James P. Hughes
 J.P. Lipincott Company
 6 Winchester Terrace
 New York, NY 10022

Handbook of Chemistry and Physics
 Chemical Rubber Company
 18901 Cranwood Parkway
 Cleveland, OH 44128

Threshold Limit Values for Chemical Substances and Physical Agents in the Workroom Environment with Intended Changes

American Conference of Governmental Industrial Hygienists
 6500 ((Glenway)) Glenway Avenue, Bldg. D-5
 Cincinnati, OH 45211

NOTE: The following documents are on sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Occupational Health Guidelines
 NIOSH/OSHA (NIOSH Pub. No. 81-123)

NIOSH/OSHA Pocket Guide to Chemical Hazards
 NIOSH Pub. NO. 78-210

Registry of Toxic Effects of Chemical Substances
 U.S. Department of Health and Human Services
 Public Health Service
 Center for Disease Control
 National Institute for Occupational Safety and Health
 (NIOSH Pub. No. 80-102)

The Industrial Environment - Its Evaluation and Control
 U.S. Department of Health and Human Services
 Public Health Service
 Center for Disease Control
 National Institute for Occupational Safety and Health
 (NIOSH Pub. No. 74-117)

Miscellaneous Documents - National Institute for Occupational Safety and Health

- (1) Criteria for a recommended standard...
Occupational Exposure to " _____ "
- (2) Special Hazard Reviews
- (3) Occupational Hazard Assessment
- (4) Current Intelligence Bulletins

BIBLIOGRAPHIC DATA BASES

<u>Service Provider</u>	<u>File Name</u>
Bibliographic Retrieval Services (BRS) Corporation Park, Bldg. 702 Scotia, New York 12302	AGRICOLA BIOSIS PREVIEWS CA CONDENSATES CA SEARCH DRUG INFORMATION MEDLARS MEDOC NTIS POLLUTION ABSTRACTS SCIENCE CITATION INDEX SSIE
Lockheed - DIALOG Lockheed Missiles & Space Company, Inc. P.O. Box 44481	AGRICOLA BIOSIS PREV. 1972-PRESENT BIOSIS PREV. 1969-71 CA CONDENSATES 1970-71

San Francisco, CA 94144

CA SEARCH 1972-76
 CA SEARCH 1977-PRESENT
 CHEMNAME
 CONFERENCE PAPERS INDEX
 FOOD SCIENCE & TECH. ABSTR.
 FOODS ADLIBRA
 INTL. PHARMACEUTICAL
 ABSTR.
 NTIS
 POLLUTION ABSTRACTS
 SCISEARCH 1978-PRESENT
 SCISEARCH 1974-77
 SSIE CURRENT RESEARCH

SDC - ORBIT
 SDC Search Service
 Department No. 2230
 Pasadena, CA 91051

AGRICOLA
 BIOCODES
 BIOSIS/BIO6973
 CAS6771/CAS7276
 CAS77
 CHEMDEX
 CONFERENCE
 ENVIROLINE
 LABORDOC
 NTIS
 POLLUTION
 SSIE

Chemical Information System (CIS)
 Chemical Information Systems, Inc.
 7215 Yorke Road
 Baltimore, MD 21212

Structure & Nomenclature
 Search system
 Acute Toxicity (RTECS)
 Clinical Toxicology of
 Commercial Products
 Oil and Hazardous Materials
 Technical Assistance Data
 System

National Library of Medicine
 Department of Health and
 Human Services
 Public Health Service
 National Institutes of Health
 Bethesda, MD 20209

Toxicology Data Bank (TDB)
 MEDLINE
 TOXLINE
 CANCERLIT
 RTECS

AMENDATORY SECTION (Amending Order 82-22, filed 6/11/82)

WAC 296-62-07302 LIST OF CARCINOGENS.

(1) The following substances are deemed to be carcinogens for the purposes of WAC 296-62-073 through 296-62-07316.

(2) Any reference to carcinogens in WAC 296-62-07304 through 296-62-07316 shall mean only those carcinogens listed in WAC 296-62-07302.

(a) 4-Nitrobiphenyl - Chemical Abstracts Registry Number 92933.

(b) Alpha-Naphthylamine - Chemical Abstracts Registry Number 134327.

(c) 4,4' Methylene bis (2 - chloroaniline) - Chemical Abstracts Service Registry Number 101144.

(d) Methyl chloromethyl ether - Chemical Abstracts Service Registry Number 107302.

(e) 3,3'-Dichlorobenzidine (and its salts) - Chemical Abstracts Service Registry Number 91941.

(f) Bis-Chloromethyl ether - Chemical Abstracts Service Registry Number 542881.

(g) Beta-Naphthylamine - Chemical Abstracts Service Registry Number 91598.

(h) Benzidine - Chemical Abstracts Service Registry Number 92875.

(i) 4-Aminodiphenyl - Chemical Abstracts Service Registry Number 92671.

(j) Ethyleneimine - Chemical Abstracts Service Registry Number 151564.

(k) Beta-Propiolactone - Chemical Abstracts Service Registry Number 57578.

(l) 2-Acetylaminofluorene - Chemical Abstracts Service Registry Number 53963.

(m) 4-Dimethylaminoazobenzene - Chemical Abstract Service Registry Number 60117.

(n) N-Nitrosodimethylamine - Chemical Abstracts Service Registry Number 62759.

AMENDATORY SECTION (Amending Order 81-20, filed 7/27/81)

WAC 296-62-07306 REQUIREMENTS FOR AREAS CONTAINING CARCINOGENS LISTED IN WAC 296-62-07302. (1) A regulated area shall be established by an employer where listed carcinogens are manufactured, processed, used, repackaged, released, handled or stored.

(2) All such areas shall be controlled in accordance with the requirements for the following category or categories describing the operation involved:

(a) Isolated systems. Employees working with carcinogens within an isolated system such as a "glove box" shall wash their hands and arms upon completion of the assigned task and before engaging in other activities not associated with the isolated system.

(b) Closed system operation. Within regulated areas where carcinogens are stored in sealed containers, or contained in a closed system including piping systems with any sample ports or openings closed while carcinogens are contained within:

(i) Access shall be restricted to authorized employees only;

(ii) Employees shall be required to wash hands, forearms, face and neck upon each exit from the regulated areas, close to the point of exit and before engaging in other activities.

(c) Open vessel system operations. Open vessel system operations as defined in WAC 296-62-07304 (2)(l) are prohibited.

(d) Transfer from a closed system. Charging or discharging point operations, or otherwise opening a closed system. In operations involving "laboratory-type hoods," or in locations where a carcinogen is contained in an otherwise "closed system," but is transferred, charged, or discharged into other normally closed containers, the provisions of this section shall apply.

(i) Access shall be restricted to authorized employees only;

(ii) Each operation shall be provided with continuous local exhaust ventilation so that air movement is always from ordinary work areas to the operation. Exhaust air shall not be discharged to regulated areas, nonregulated areas or the external environment unless decontaminated. Clean makeup air shall be introduced in sufficient volume to maintain the correct operation of the local exhaust system.

(iii) Employees shall be provided with, and required to wear, clean, full body protective clothing (smocks, coveralls, or long-sleeved shirt and pants), shoe covers and gloves prior to entering the regulated area.

(iv) Employees engaged in a carcinogen handling operation shall be provided with and required to wear and use a half-face, filter-type respirator for dusts, mists, and fumes, in accordance with chapter 296-62 WAC, of the general safety and health standards. A respirator affording higher levels of protection may be substituted.

EXCEPTION: N-Nitrosodimethylamine is not a dust, mist, or fume at normal temperatures and a positive-pressure supplied-air respirator shall be used.

(v) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified, as required under WAC 296-62-07310 (2), (3) and (4).

(vi) Employees shall be required to wash hands, forearms, face and neck on each exit from the regulated area, close to the point of exit, and before engaging in other activities.

(vii) Employees shall be required to shower after the last exit of the day.

(viii) Drinking fountains are prohibited in the regulated area.

(e) Maintenance and decontamination activities. In clean up of leaks or spills, maintenance or repair operations on contaminated systems or equipment, or any operations involving work in an area where direct contact with carcinogens could result, each authorized employee entering the area shall:

(i) Be provided with and required to wear, clean, impervious garments, including gloves, boots and continuous-air supplied hood in accordance with chapter 296-24 WAC, the general safety and health standards;

(ii) Be decontaminated before removing the protective garments and hood;

(iii) Be required to shower upon removing the protective garments and hood.

(f) Laboratory activities. The requirements of this subdivision shall apply to research and quality control activities involving the use of carcinogens listed in WAC 296-62-07302.

(i) Mechanical pipetting aids shall be used for all pipetting procedures.

(ii) Experiments, procedures and equipment which could produce aerosols shall be confined to laboratory-type hoods or glove boxes.

(iii) Surfaces on which carcinogens are handled shall be protected from contamination.

(iv) Contaminated wastes and animal carcasses shall be collected in impervious containers which are closed and decontaminated prior to removal from the work area. Such wastes and carcasses shall be incinerated in such a manner that no carcinogenic products are released.

(v) All other forms of listed carcinogens shall be inactivated prior to disposal.

(vi) Laboratory vacuum systems shall be protected with high efficiency scrubbers or with disposable absolute filters.

(vii) Employees engaged in animal support activities shall be:

(A) Provided with, and required to wear, a complete protective clothing change, clean each day, including coveralls or pants and shirt, foot covers, head covers, gloves, and appropriate respiratory protective equipment or devices; and

(B) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified as required under WAC 296-62-07310 (2), (3) and (4).

(C) Required to wash hands, forearms, face and neck upon each exit from the regulated area close to the point of exit, and before engaging in other activities; and

(D) Required to shower after the last exit of the day.

(viii) Employees, other than those engaged only in animal support activities, each day shall be:

(A) Provided with and required to wear a clean change of appropriate laboratory clothing, such as a solid front gown, surgical scrub suit, or fully buttoned laboratory coat.

(B) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified as required under WAC 296-62-07310 (2), (3) and (4).

(C) Required to wash hands, forearms, face and neck upon each exit from the regulated area close to the point of exit, and before engaging in other activities.

(ix) Air pressure in laboratory areas and animal rooms where carcinogens are handled and bioassay studies are performed shall be negative in relation to the pressure in surrounding areas. Exhaust air shall not be discharged to regulated areas, nonregulated areas or the external environment unless decontaminated.

(x) There shall be no connection between regulated areas and any other areas through the ventilation system.

(xi) A current inventory of the carcinogens shall be maintained.

(xii) Ventilated apparatus such as laboratory-type hoods, shall be tested at least semi-annually or immediately after ventilation modification or maintenance operations, by personnel fully qualified to certify correct containment and operation.

AMENDATORY SECTION (Amending Order 84-24, filed 12/11/84)

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 (11)(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, or any other person authorized by chapter 49.17 RCW or regulations issued under chapter 49.17 RCW.

(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 results 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 73-3, filed 5/7/73)

WAC 296-62-130 EMERGENCY WASHING FACILITIES. (1) Definitions. (~~Emergency washing facilities shall mean deluge showers, eye wash fountains or available water supply suitable for drenching or cleansing purposes. Every washing facility using nonpotable water shall have signs stating water is nonpotable.~~)

(a) "Emergency washing facilities" means emergency showers, eyewashes, eye/face washes, or other similar units.

(b) "Emergency shower" means a unit that enables a user to have water cascading over the entire body. It shall deliver a minimum of 113.6 liters (30 gallons) per minute of water.

(c) "Eye/face wash" means a device used to irrigate and flush both the face and eyes. It shall deliver not less than 11.4 liters (3 gallons) per minute of water for at least fifteen minutes.

(d) "Eyewash" means a device to irrigate and flush the eyes. It shall deliver not less than 1.5 liters (0.4 gallons) per minute for at least fifteen minutes.

(e) "Personal eyewash" means a portable, supplementary eyewash that supports plumbed units, self-contained units, or both, by delivering immediate flushing for less than fifteen minutes.

(f) "Contact chemical agents" are defined in WAC 296-62-07003.

(2) Facilities Required. (~~Emergency washing facilities shall be readily available in the immediate work area for workmen who may be exposed to the hazards of harmful concentrations of contact chemical agents. Such facilities shall be periodically inspected to ensure that they function correctly and that the quality and quantity of water is satisfactory for emergency washing purposes.~~)

(a) Emergency washing facilities shall be readily available in the immediate work area for workers who may be exposed to harmful concentrations of contact chemical agents. To be readily available, emergency washing facilities shall require no more than ten seconds to reach. They should be within a travel distance no greater than 15.25 meters (50 feet).

(b) Personal eyewash equipment may be used to supplement the requirement for emergency washing facilities, however, in no event shall it be used as a substitute. Such units shall deliver potable water or other medically approved eye flushing solution.

(c) All emergency washing facilities, including personal eyewash equipment, shall be periodically inspected to ensure that they function correctly and that the quality and quantity of water is satisfactory for emergency washing purposes.

(3) All emergency washing facilities using nonpotable water shall have signs stating water is nonpotable.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-155-665 SPECIFIC TRENCHING REQUIREMENTS. (1) As trench construction is a hazardous operation, particular attention shall be given to the protection of the worker, the protection to be governed by the nature of the ground.

(2) No one person shall be allowed to work alone in a trench over four feet in depth unless there is a top person in constant attendance. The top person shall be in addition to the equipment operator when the person in the trench is not in constant view of the equipment operator.

(3) Except in solid rock and compact shale, the sides of all trenches, including embankments, 4 feet or more in depth and 6 feet or more in length, shall be shored, sheeted, braced, sloped or otherwise supported by means of sufficient strength to protect the employees working within them. (See Tables N-1, N-2, N-3, N-4 and N-5.) Trenches less than 4 feet in depth and 6 feet or more in length, shall also be effectively protected when the ground indicates that hazardous ground movement is possible. (See Tables N-1, N-2, N-3, N-4 and N-5.)

(4) When the sloping to the angle of repose does not extend to the bottom of the trench, shoring shall be required to support the vertical part of the trench. The shoring shall extend above the bottom of the slope a minimum of 12 inches to prevent material from sliding into the trench.

(5) The surface of the slope shall be cleaned of boulders, stumps, or other hard masses of earth on the angle of repose slope to eliminate the danger of any such materials sliding or rolling into the trench.

(6) In hard or compact soil, when the outside diameter of the pipe to be laid is 6 feet or larger, the sides of the trench can be vertical at the bottom 4 feet of the trench, providing a 4 foot bench is provided immediately above the vertical portion, and the remaining portion of the trench above the bench is sloped to the angle of repose. (See Table N-4.)

(7) Materials used for sheeting and sheet piling, bracing, shoring, and underpinning, shall be in good serviceable condition, and timbers used shall be sound and free from large or loose knots, and shall be designed and installed so as to provide adequate personnel protection to the bottom of the excavation.

(8) Additional precautions by way of shoring and bracing shall be taken to prevent slides or cave-ins when excavations or trenches are made in locations adjacent to backfilled excavations or trenches, or where excavations or trenches are subjected to vibrations from railroad or highway traffic, the operation of machinery, or any other source.

(9) Where a mechanical digger is used, the bracing shall be placed as close as possible to the lower end of the boom.

(10) When trenches are undercut, they shall be shored as necessary to safely support the overhanging material.

(11) If for any reason prior to, during or subsequent to the placement of the trench bracing system, voids should form in the sides or face of excavation or trench, such voids shall be promptly filled with compacted material or blocking, as required to distribute the load uniformly onto the bracing system.

(12) If a trench is cut alongside an existing structure and the footings of the structure are nearer to the trench than the plane of repose for the soil, they shall be underpinned or the side wall of the trench rigidly supported.

(13) Excavations or trenches made in ledge rock or compact shale shall not require bracing or shoring but shall be inspected by a competent representative of the employer before each shift of work, at which time all loose, shattered or disintegrated rock shall be removed from sides and face of excavation or trench.

(14) Excavated material and superimposed loads shall not be placed nearer than two feet to the sides of the trench, unless bracing has been designed and installed to withstand the load.

(15) Employees entering bell-bottom pier holes shall be protected by the installation of a removable-type casing of sufficient strength to resist shifting of the surrounding earth. Such temporary protection shall be provided for the full depth of that part of each pier hole which is above the bell.

(16) A means of emergency egress shall be decided prior to personnel entering bell-bottom pier holes. Employees expected to enter bell-bottom pier holes shall be instructed as to the hazards of their respective jobs, and in the means of emergency egress.

NOTE: Example of protection: A lifeline, suitable for instant rescue and securely fastened to a shoulder harness, may be worn by each employee entering the shafts. This lifeline could be individually manned and separate from any line used to remove materials excavated from the bell footing.

(17)(a) Minimum requirements for trench timbering shall be in accordance with Table ((N-3))N-5.

(b) Braces and diagonal shores in a wood shoring system shall not be subjected to compressive stress in excess of values given by the following formula:

$$S = 1300 - \frac{20L}{D}$$

$$\text{Maximum ratio } \frac{L}{D} = 50$$

Where:

L = Length, unsupported, in inches.

D = Least side of the timber in inches.

S = Allowable stress in pounds per square inch of cross-section.

(18) When employees are required to be in trenches 4 feet deep or more, an adequate means of exit, such as a ladder or steps, shall be provided and located so as to require no more than 25 feet of lateral travel. An earth ramp is acceptable providing: (a) The stability of the earth is adequate for good footing. (b) The total travel distance does not exceed 25 feet. (c) The trench depth does not exceed 15 feet. (d) Adequate shoring or equivalent protection is provided for the entire escape route.

(19) Bracing or shoring of trenches shall be carried along with the excavation.

(20) Cross braces or trench jacks shall be placed in true horizontal position, be spaced vertically, and be secured to prevent sliding, falling, or kickouts.

(21) Portable trench boxes or sliding trench shields may be used for the protection of personnel in lieu of a shoring system or sloping. Where such trench boxes or shields are used, they shall be designed, constructed, and maintained in a manner which will provide protection equal to or greater than the sheeting or shoring required for the trench.

(22) Backfilling and removal of trench supports shall progress together from the bottom of the trench. Jacks or braces shall be released slowly and, in unstable soil, ropes shall be used to pull out the jacks or braces from above after employees have cleared the trench.

(23) Signalpersons shall be employed to direct equipment when backfilling.

(24) The construction of temporary shoring work shall be done, or supervised, by a competent person, who shall make frequent inspections and issue instructions for its removal.

(25) Workers shall be instructed to immediately report any signs or indications of weakness of shoring or bracing.

(26) Trenching machines (ladder and rotary type). (a) Trenching machine operators shall not get on or off machine while in operation.

(b) Workers shall not work at sloping top of ditch near bucket line.

(c) Excavated material shall be conveyed to pile not closer than within 2 feet of edge of trench.

(d) Trucks hauling excavated material away from trenching machine shall not approach closer to the edge of trench than the trench depth from the surface of ground.

(e) Where side cutters are installed it will be mandatory that persons stay clear of bucket line.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-360-040 NOTIFICATION OF ASSISTANT DIRECTOR'S DETERMINATION. (1) RCW 49.17.160(3) provides that the assistant director is to notify a complainant within ninety days of the complaint of his determination whether prohibited discrimination has occurred. This ninety-day provision is directory, not mandatory. Although every effort will be made to notify complainants of the assistant director's determination within ninety days, there may be instances when it is not possible to do so.

(2) If a complainant receives a determination from the assistant director that prohibited discrimination has not occurred, the complainant may file a written request for review by the director within fifteen working days of receipt of the determination. The request for review must set forth the basis for the request. The request shall be filed by mailing or delivering the request to the Director of Labor and Industries, General Administration Building, Olympia, Washington 98504. Upon review the director may set aside the assistant director's determination, remand the matter for further investigation, or affirm the determination of the assistant director. The director shall notify the complainant of the decision after review.

WSR 85-10-005
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
(Tree Fruit Research Commission)
 [Order 7, Resolution No. 7—Filed April 19, 1985]

Be it resolved by the Washington Tree Fruit Research Commission, acting at the Federal - State Agricultural Service Center, 2015 First Street, Yakima, that it does adopt the annexed rules relating to WAC 16-560-06001.

This action is taken pursuant to Notice No. WSR 85-02-054 filed with the code reviser on January 2, 1985. 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 15.26.155 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 February 13, 1985.

By George Ing
 Chairman

AMENDATORY SECTION (Amending Order 6, Resolution 6, filed 5/1/80)

WAC 16-560-06001 ASSESSMENT RATES. There is hereby levied on all commercial tree fruit produced in this state or held out as being produced in this state for fresh or processing use, an assessment of twenty-five cents per ton on all such tree fruit: PROVIDED, That such assessment for cherries shall be two dollars per ton: PROVIDED FURTHER, That such assessment for apples for fresh shipment shall be at the rate of one and one-quarter cents per hundred pounds gross billing weight.

There is hereby established pursuant to RCW 15.26.155 an additional assessment for an industry services fund for programs related to sanitation, planting, production, harvesting, handling, processing and shipping.

The assessment shall be set annually by the commission, upon approval of two-thirds of the voting members of the commission, to create and maintain this fund at or near one hundred thousand dollars. If this fund should inadvertently exceed one hundred thousand dollars due to larger crops than estimated or the addition of interest earned, the excess shall be credited to the following year's fund.

In consideration of maintaining this industry services fund, the commission shall annually consult with the affected industry and grower organizations.

WSR 85-10-006

**NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY**

[Memorandum—April 16, 1985]

The board of trustees of Western Washington University will hold a planning session on May 1, 1985, from 9:00 a.m. until approximately 5:00 p.m. at Lake-wood. No action will be taken.

The regular meeting of the board of trustees of Western Washington University which was scheduled for May 2, 1985, at 1:30 p.m. is cancelled.

A special meeting of the board of trustees of Western Washington University will be held on May 2, 1985, at 10:00 a.m. in Old Main 340 on the WWU campus.

WSR 85-10-007

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed April 19, 1985]

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 Payment—Hospital care, amending WAC 388-87-070.

It is the intention of the secretary to adopt these rules on an emergency basis on or about April 19, 1985;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

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 June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 18, 1985

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 388-87-070.

Purpose of the Rule: To reduce expenditures to hospitals and implement Section 2314 of Public Law 98-369.

This Rule is Necessary: To maintain expenditures within budgetary limitations as directed by the governor and the state legislature.

Statutory Authority: RCW 74.08.090.

Summary of the Rule: The reduction on payments for hospital services provided to medically indigent and general assistance-unemployable recipients will be increased from an average of 12.7 percent to an average of 50 percent. Regulations providing for adjusting hospital rates to remove the impacts of ownership changes and reevaluation of assets are being adopted.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Jim Sparks, Program Manager, Division of Medical Assistance, LK-11, phone 753-7316.

These rules are necessary as a result of a change in federal law, WAC 388-87-070(7) is necessary to implement Section 2314 of Public Law 98-369.

AMENDATORY SECTION (Amending Order 2195, filed 1/17/85)

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 December 31, 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 December 31, 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
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 January 1, 1985, 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 January 1, 1985, 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:

(i) For the period January 1, 1985, through April 30, 1985:

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

(ii) For the period May 1, 1985, through June 30, 1985, the tables in subsections (4) and (5)(e) of this section shall be modified as follows:

Hospital Group	Percentage Reduction in Payment Rate
1	40
2	50
3	50
4	60
5	60

(6) For outpatient hospital services provided on or after January 1, 1985, payment rates will be determined in accordance with subsection (2) of this section.

(7) Payment rates or amounts to hospitals established by this section will be adjusted as necessary to remove the impacts of ownership changes and revaluation of assets in accordance with section 2314 of Public Law 98-369 and related federal regulations, guidelines, and instructions.

WSR 85-10-008
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2227—Filed April 19, 1985]

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 the department is required by the Budget and Accounting Act, chapter 43.88 RCW, to operate within available appropriations. Due to revised revenue forecasts for the state, Governor Gardner issued Executive Order EO-85-02 on April 2, 1985, directing the department to develop an expenditure reduction plan.

In considering various departmental expenditure reductions, priority was given to reductions which would have the least impact on clients being served.

One expenditure reduction selected is to increase the current 12.7 percent ratable reduction to a 50 percent average ratable reduction on payments to hospitals for general assistance and medically indigent clients admitted May 1, 1985, through June 30, 1985. The department does not anticipate this will result in a reduction in services available to the clients. A total of \$1.5 million in savings is anticipated from this expenditure reduction.

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 April 18, 1985.

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

AMENDATORY SECTION (Amending Order 2195, filed 1/17/85)

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 December 31, 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
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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 December 31, 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
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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

* Plus Psychiatric Hospitals

(5) For inpatient hospital discharges related to admissions occurring on or after January 1, 1985, 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 January 1, 1985, 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:

(i) For the period January 1, 1985, through April 30, 1985:

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

(ii) For the period May 1, 1985, through June 30, 1985, the tables in subsections (4) and (5)(e) of this section shall be modified as follows:

<u>Hospital Group</u>	<u>Percentage Reduction in Payment Rate</u>
<u>1</u>	<u>40</u>
<u>2</u>	<u>50</u>
<u>3</u>	<u>50</u>
<u>4</u>	<u>60</u>
<u>5</u>	<u>60</u>

(6) For outpatient hospital services provided on or after January 1, 1985, payment rates will be determined in accordance with subsection (2) of this section.

(7) Payment rates or amounts to hospitals established by this section will be adjusted as necessary to remove the impacts of ownership changes and revaluation of assets in accordance with section 2314 of Public Law 98-369 and related federal regulations, guidelines, and instructions.

WSR 85-10-009
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
(Transportation Commission)
 [Filed April 19, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning farm vehicles, WAC 468-38-290;

that the agency will at 9:45 a.m., Thursday, May 16, 1985, in Room 1D2, Transportation 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 46.44.090.

The specific statute these rules are intended to implement is RCW 46.44.130 and 46.44.140.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before May 16, 1985.

This notice is connected to and continues the matter in Notice No. WSR 85-06-004 filed with the code reviser's office on February 22, 1985.

Dated: April 18, 1985
 By: Lue Clarkson
 Administrator

WSR 85-10-010
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 85-34—Filed April 19, 1985]

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 this rule conforms state regulations with Pacific Fisheries Management Council recommendations.

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 April 18, 1985.

By Russell W. Cahill
 for William R. Wilkerson
 Director

NEW SECTION

WAC 220-24-02000C LAWFUL ACTS—TROLL FISHERY. Notwithstanding the provisions of WAC 220-24-010, 220-24-020, and WAC 220-24-030, effective immediately it is unlawful to take, fish for, or possess any salmon for commercial purposes taken with troll gear in the waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as follows:

(1) Effective 12:01 a.m. May 1, 1985, it is lawful to take, fish for and possess all salmon species except coho salmon in the above waters except for those waters of a closed conservation zone at the mouth of the Columbia River defined as those waters bounded by a line extending for six nautical miles due west from North Head along 46°18'00" north latitude then southerly to the Columbia River light ship buoy at 46°11'06" north latitude then due east to shore, from which conservation zone no salmon may be taken, fished for, or possessed.

(2) Lawful terminal gear hooks are restricted to barbless hooks except when using whole bait or plugs.

(3) No chinook salmon less than 28 inches in total length may be retained or possessed.

(4) The above waters will close for commercial troll fishing for salmon at 11:59 p.m. May 31, 1985, or when the chinook harvest ceiling of 27,000 chinook salmon is taken from Cape Falcon, Oregon, to the United States-Canada border, whichever is earliest.

(5) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in that portion of Coastal Salmon Management and Catch Reporting Area 4 north of Point of the Arches and inside the 3 mile limit during weekly closed periods extending from 11:59 p.m. Friday to 12:01 a.m. Monday.

(6) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes with purse seine, drag seine, or gill net gear from Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, and 4.

(7) It shall be unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, and 4 or to land in the State of Washington, any salmon taken for commercial purposes contrary to the provisions of Chapter 220-47 WAC relative to seasons and species and as provided in WAC 220-24-020.

WSR 85-10-011
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 85-35—Filed April 19, 1985]

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 5, 6, 6A, 6C, 7, 7A and 7D provide protection for Puget Sound and Canadian origin spring chinook while allowing treaty Indian troll harvest of maturing summer-fall chinook. Restrictions in Areas 6B, 6D, 7B, 7C, 9, 10, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A and the Elwha, Dungeness, Nooksack, Skagit, Stillaguamish, Skokomish, Quilcene, Puyallup and White rivers and Minter Creek provide protection for Puget Sound spring chinook stocks.

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 April 19, 1985.

By Edward P. Manary
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-501 PUGET SOUND COMMERCIAL SALMON FISHERY RESTRICTIONS. Effective April 21, 1985, 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 5, 6, 6A, 6B, 6C, 7, 7A, 7B, 7C, 7D

– Closed to all net gear, and troll gear must release chinook salmon greater than 30 inches in length.

*Areas 6D, 8, 13A – Closed to all commercial fishing.

*Areas 9, 10, 11, 11A, 12, 12A, 12B, 12C, 12D, 13 – Closed to all net gear.

*Elwha, Dungeness, Nooksack, Skagit including all tributaries, Stillaguamish, Skokomish, Quilcene, Puyallup, and White rivers and Minter Creek – Closed to all commercial fishing.

WSR 85-10-012
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 85-36—Filed April 19, 1985]

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 Dungeness River origin spring chinook are in need of protection and no harvestable surplus exists.

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 April 19, 1985.

By Edward P. Manary
for William R. Wilkerson
Director

NEW SECTION

WAC 220-56-12800C PERSONAL USE FISHERY—CLOSED AREA—DUNGENESS BAY. Effective immediately through June 30, 1985, it is unlawful for any person to fish for or possess salmon taken for

personal use from those waters of Puget Sound westerly of a line projected 155 degrees true from Dungeness Spit Light to Kulo Kala Point (Dungeness Bay).

WSR 85-10-013
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order 85-03—Filed April 19, 1985]

I, Glen H. Fiedler, deputy director of the Washington Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Tacoma, city of, WAC 173-19-3514.

This action is taken pursuant to Notice No. WSR 85-05-046 filed with the code reviser on February 20, 1985. 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 April 18, 1985.

By Glen H. Fiedler
Deputy Director

AMENDATORY SECTION (Amending Order DE 84-16, filed 5/9/84)

WAC 173-19-3514 TACOMA, CITY OF. City of Tacoma master program approved April 5, 1977. Revision approved December 5, 1979. Revision approved March 17, 1981. Revision approved November 23, 1981. Revision approved May 24, 1983. (~~Revision approved March 1, 1984.~~) Revision approved March 1, 1984. Revision approved May 9, 1984. Revision approved April 18, 1985.

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 85-10-014
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order 85-03.5—Filed April 19, 1985]

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 Kitsap County, WAC 173-19-260.

This action is taken pursuant to Notice No. WSR 85-05-044 filed with the code reviser on February 20, 1985. 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 April 18, 1985.

By Glen H. Fiedler
Deputy Director

AMENDATORY SECTION (Amending Order DE 84-5, filed 4/2/84)

WAC 173-19-260 KITSAP COUNTY. Kitsap County Master Program approved April 30, 1976. Revision approved October 24, 1977. Revision approved December 22, 1981. Revision approved March 16, 1983. Revision approved March 22, 1984. Revision approved April 18, 1985.

WSR 85-10-015
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
[Order 1850—Filed April 22, 1985—Eff. June 1, 1985]

I, Michael V. Schwisow, deputy director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to board membership, Washington Alfalfa Seed Commission, WAC 16-529-030.

This action is taken pursuant to Notice No. WSR 85-02-003 filed with the code reviser on December 21, 1984. These rules shall take effect at a later date, such date being June 1, 1985.

This rule is promulgated pursuant to chapter 15.65 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 April 19, 1985.

By Michael V. Schwisow
Deputy Director

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-030 BOARD MEMBERSHIP. (1) The board shall consist of eight members. Six members shall be affected producers elected as provided in WAC 16-529-020 through 16-529-120. One member shall be an affected handler elected as provided in WAC 16-529-020 through 16-529-120. The director shall appoint one member of the board who is neither an affected producer nor an affected handler to represent the department and the public.

(2) For the purpose of nomination and election of producer members of the board, the affected area of the

state of Washington shall be divided into three representative districts as follows:

(a) District I shall have two board members, being positions 1 and 2, and shall include the counties of Adams, Chelan, Douglas, Ferry, Franklin, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, and Stevens.

(b) District II shall have ~~((two))~~ one board member(s), being position(s) 3 ~~((and 4))~~, and shall include the counties of Benton, Kittitas, Klickitat, and Yakima.

(c) District III shall have ~~((two))~~ three board members, being positions 4, 5, and 6, and shall include the counties of Asotin, Columbia, Garfield, Walla Walla, and Whitman.

(3) The handler member of the board shall be position 7.

(4) The member of the board to be appointed by the director shall be position 8.

WSR 85-10-016
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed April 22, 1985]

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 388-96-020 Nursing homes—Prospective cost-related reimbursement.
 Amd WAC 388-96-773 Nursing homes—Adjustment to prospective rates;

that the agency will at 10:00, Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

The authority under which these rules are proposed is RCW 74.09.120 and 74.46.800.

The specific statute these rules are intended to implement is RCW 74.09.120 and chapter 74.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-

7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 19, 1985

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

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amending chapter 388-96 WAC.

Purposes of the Rule Changes: WAC 388-96-020 is amended to clarify that standards for setting Medicaid reimbursement rates contained in statute are set forth in full in chapter 388-96 WAC; and 388-96-773 is amended to clarify the intent of the secretary of the Department of Social and Health Services in adopting WAC 388-96-773: (1) To bar adjustments to prospective Medicaid reimbursement rates for costs that are, or have been, subject to management control or negotiation, such as increases resulting from lease escalation clauses included in lease agreements; and (2) to limit rate adjustments for economic trends and conditions, including such trends as insurance premium increases, tax increases and utility rate increases, to the inflation adjustment authorized by the legislature. This clarification is necessary because interpretations of this WAC rule by administrative law judges and review judges have been in conflict with the secretary's intent and in conflict with the intent of the governing statutory authority.

Reasons These Rule Changes are Necessary: To remove ambiguous wording; to clarify that standards for setting Medicaid reimbursement rates contained in statute are set forth in full in the applicable WAC chapter; and to clarify departmental and legislative intent due to recent interpretations of a regulation contrary to such intent.

Statutory Authority: RCW 74.09.120 and 74.46.800.

Summaries of the Rule Changes: WAC 388-96-020 requires the department to follow statutory standards for setting Medicaid rates as set forth in chapter 388-96 WAC; and 388-96-773 clarifies when the department is authorized and when it is not authorized to grant Medicaid rate adjustments.

Person Responsible for Drafting, Implementing and Enforcing the Rules: Mike Wills, Manager, Rate Management Program, Bureau of Nursing Home Affairs, mailstop OB-31, phone (206) 753-3477, scan 234-3477.

These rules are proposed by the state of Washington Department of Social and Health Services.

These rules are not necessary due to a federal law, federal court decision or state court decision.

Economic Impact on Small Businesses: The above-described amendments are expected to have no significant financial impact on nursing homes, whether classified as small businesses or not. The language of WAC 388-96-773 is being amended not to effect a substantive change but to make clear what has always been the departmental and legislative intent behind the rule since its adoption.

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-020 PROSPECTIVE COST-RELATED REIMBURSEMENT. The prospective cost-related reimbursement system is

the system used by the department to pay for skilled nursing facility services and intermediate care facility services provided to medical care recipients. Reimbursement rates for such services will be determined in accordance with the principles, methods, and standards contained in this chapter and in chapter 74.46 RCW as set forth in this chapter.

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-773 ((REVISIONS OF)) ADJUSTMENTS TO PROSPECTIVE RATES. (1) Prospective rates ((are intended as)) shall be maximum payment rates for contractors for the periods to which they apply, except as otherwise provided in this section. Rate adjustments shall not be granted for cost increases which are or were subject to management control or negotiation including, but not limited to, all lease cost increases; cost increases which can reasonably be expected to be met from a contractor's existing or available resources, except as otherwise authorized in subsections (2) and (4) of this section; or for cost increases ((attributable to reasons)) not expressly authorized in subsections (2), (3), and (4) of this section ((and in chapter 74.46 RCW)).

(2) Adjustments to prospective rates ((may)) shall be granted by the department for the following ((reasons)):

(a) The facility's average debility score for the latest available twelve-month period differs from the score employed in establishing the facility's preceding July 1st rate by ten percent or more;

(b) Changes in staffing levels required by the department; or

(c) ((Other reasons deemed sufficient by the department which are established and documented by a contractor in the course of an administrative review conducted pursuant to WAC 388-96-901 and 388-96-904.

((3)) Adjustments to prospective rates shall be granted by the department ((for)) Capital additions, improvements, or replacements made as a condition of survey, licensure, or certification. Contractors requesting an adjustment to a prospective rate pursuant to this subsection must submit:

(i) A financial analysis which sufficiently discloses the increased costs and an estimate of the rate increase, computed according to allowable methods, necessary to fund the costs; and

(ii) A detailed written justification for granting the adjustment.

(3) The department may grant a prospective rate increase to meet the costs of eliminating circumstances or conditions particular to a facility which are beyond the control of the contractor and which threaten the health or safety of patients. Rate adjustments granted pursuant to this subsection shall cover only that portion of the cost which cannot be met from the contractor's existing or available resources. Existing or available resources shall include all funds in all components of the contractor's Medicaid rate, including return on equity or investment.

Contractors requesting an adjustment pursuant to this subsection must submit:

(a) A financial analysis which sufficiently demonstrates the increased costs cannot be funded from existing resources and which demonstrates the extent of such underfunding; and

(b) A detailed written justification for granting the adjustment.

(4) ((Contractors requesting an adjustment to a prospective rate shall:

(a) Provide a detailed written explanation of the reasons the adjustment is necessary;

(b) A financial analysis which sufficiently demonstrates the increased costs cannot be funded from existing resources available to the contractor; and

(c) An estimate of the rate and adjustment computed according to allowable methods, necessary to fund the increased costs.

((5)) Adjustments requested pursuant to subsection (2) of this section shall not be granted unless the department determines the contractor will incur substantial hardship as determined by applicable facts and circumstances, provided that, hardship shall not be deemed to exist by the department unless the increased costs are expected to equal or exceed ten cents per patient day.

((6)) Adjustments for economic trends and conditions shall be provided exclusively by means of inflation adjustments ((pursuant to WAC 388-96-719)) as authorized by the legislature. Economic trends and conditions include, but are not limited to, increases in the following: Municipal, county, state, or federal taxes and assessments; insurance premiums whether paid to a public agency or private carrier; interest rates; utility costs whether paid to a public or private supplier; and prices of goods or services.

((7)) (5) The department shall inform a contractor of the disposition of a rate adjustment request within sixty days after its receipt by the department if the request is adequately documented and meets the conditions set forth in ((subsection (4) of)) this section. Unless otherwise specified, a ((revised)) rate adjustment shall be effective on the first day of the month in which it is issued by the department.

WSR 85-10-017
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed April 22, 1985]

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 388-96-010 Nursing homes—Terms.

Amd WAC 388-96-224 Nursing homes—Final settlement.

It is the intention of the secretary to adopt these rules on an emergency basis on or about April 22, 1985;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

The authority under which these rules are proposed is RCW 74.09.120 and 74.46.800.

The specific statute these rules are intended to implement is RCW 74.09.120 and chapter 74.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 19, 1985

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

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045. Amending chapter 388-96 WAC.

Purposes of the Rule Changes: WAC 388-96-010 is amended to delete a definition of "appraisal" which is unnecessary for administration of the Medicaid program by the Department of Social and Health Services and which conflicts with legislation made effective July 1,

1983; and 388-96-224 is amended to clarify that the department may issue a two-part Medicaid cost reimbursement settlement for 1981 in order to implement litigation settlement agreements between the department and Medicaid contractors which have been ordered by the court in the UNH II and UNH III litigation (Thurston County Cause Nos. 59035, 80-2-01440-1 and 81-2-00076-0).

Reasons These Rule Changes are Necessary: To conform a regulatory definition to recently-enacted legislation and to make clear that the department has authority to issue two-part settlements for six-month periods in order to follow a recent court order.

Statutory Authority: RCW 74.09.120 and 74.46.800.

Summaries of the Rule Changes: WAC 388-96-010, obsolete definition of "appraisal" deleted; and 388-96-224, specifically allows the department to issue two-part Medicaid settlements for 1981 in order to comply with litigation settlement agreements as ordered by the court.

Person Responsible for Drafting, Implementing and Enforcing the Rules: Mike Wills, Manager, Rate Management Program, Bureau of Nursing Home Affairs, mailstop OB-31, phone (206) 753-3477, scan 234-3477.

These rules are proposed by the state of Washington Department of Social and Health Services.

These rules are necessary in part due to a state court decision, Thurston County Cause Nos. 59035, 80-2-01440-1 and 81-2-00076-0.

Economic Impact on Small Businesses: The above-described amendments are expected to have no significant financial impact on nursing homes, whether classified as small businesses or not.

Emergency Adoption Justification: The changes must be adopted on an emergency, as well as a permanent basis because substantial improvements in services to clients will result and because they are necessary to comply with recent legislation and to comply with a recent court order and settlement. Specifically, the definition of "appraisal" in WAC 388-96-010 conflicts with RCW 74.46.020(33), which was made effective July 1, 1983, by restricting individuals qualified to perform appraisals of nursing homes and medical equipment to those belonging to specific organizations. No requirement of membership in designated organizations exists in the statute. The Thurston County superior court agreed final judgment in the consolidated actions commonly known as UNH II and III (Cause Nos. 59035, 80-2-01440-1 and 81-2-00076-0) requires the department to distribute judgment funds to Medicaid contractors for the period January 1, 1978, through June 30, 1981. The department is obligated to compare distributions to Medicaid overpayments for the period for each contractor to arrive at a net amount to be distributed or recovered. Because the judgment does not affect the second half of 1981, a two-part settlement for calendar year 1981 is necessary; the amendment to WAC 388-96-224 provides specific authority to do this.

AMENDATORY SECTION (Amending Order 2172, filed 12/4/84)

WAC 388-96-010 TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" - Activities providing information, usually quantitative and often expressed in monetary units, for decision-making, planning, evaluating performance, controlling resources and operations, and external financial reporting to investors, creditors, regulatory authorities, and the public.

(2) "Accrual method of accounting" - A method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" - Activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

(4) "Allowable costs" - See WAC 388-96-501.

(5) "Ancillary care" - Services required by the individual, comprehensive plan of care provided by qualified therapists or by support personnel under their supervision.

(6) ("Appraisal" - The process of establishing the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by an individual professionally designated either by the American Institute of Real Estate Appraisers as a member, appraisal institute (MAI), or by the Society of Real Estate Appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). Appraisal includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(7) "Arm's-length transaction" - A transaction resulting from good-faith bargaining between a buyer and seller who have adverse bargaining positions in the marketplace. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

((8)) (7) "Assets" - Economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges which are not resources but which are recognized and measured in accordance with generally accepted accounting principles.

((9)) (8) "Bad debts" - Amounts considered to be uncollectable from accounts and notes receivable.

((10)) (9) "Beds" - Unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

((11)) (10) "Beneficial owner" - Any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection ((11)) (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose of or to direct the disposition of such pledged ownership interest will be exercised: PROVIDED, That

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection ~~((+1+))~~ (10)(b) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct ~~((or to direct))~~ the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

~~((+2))~~ (11) "Capitalization" - The recording of an expenditure as an asset.

~~((+3))~~ (12) "Capitalized lease" - A lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

(14)) (13) "Cash method of accounting" - A method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

~~((+5))~~ (14) "Change of ownership" - A change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home enterprise is transferred by the contractor to another party;

(iii) The nursing home enterprise is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event occurs which dissolves the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions;

(ii) If the contractor is a corporation, some or all of its stock is transferred.

~~((+6))~~ (15) "Charity allowances" - Reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

~~((+7))~~ (16) "Contract" - A contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

~~((+8))~~ (17) "Contractor" - An entity which contracts with the department to deliver care services to medical care recipients in a facility and which entity is responsible for operational decisions.

~~((+9))~~ (18) "Courtesy allowances" - Reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

~~((+0))~~ (19) "CSO" - The local community services office of the department.

~~((+1))~~ (20) "Department" - The department of social and health services (DSHS) and employees.

~~((+2))~~ (21) "Depreciation" - The systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

~~((+3))~~ (22) "Donated asset" - An asset which the contractor acquired without making any payment for the asset in the form of cash, property, or services. An asset is not a donated asset if the contractor

made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

~~((+4))~~ (23) "Entity" - An individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

~~((+5))~~ (24) "Equity capital" - Total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

~~((+6))~~ (25) "Exceptional care recipient" - A medical care recipient determined by the department to require exceptionally heavy care.

~~((+7))~~ (26) "Facility" - A nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

~~((+8))~~ (27) "Fair market value" - Prior to January 1, 1985, the price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell. Beginning January 1, 1985, the replacement cost of an asset, less observed physical depreciation, on the date the fair market value is being determined.

~~((+9))~~ (28) "Financial statements" - Statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

~~((+0))~~ (29) "Fiscal year" - The operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

~~((+1))~~ (30) "Generally accepted accounting principles" - Accounting principles approved by the financial accounting standards board (FASB).

~~((+2))~~ (31) "Generally accepted auditing standards" - Auditing standards approved by the American institute of certified public accountants (AICPA).

~~((+3))~~ (32) "Goodwill" - The excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. Also, the excess of the price paid for an asset over the fair market value of the asset.

~~((+4))~~ (33) "Historical cost" - The actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((+5))~~ (34) "ICF" - When referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

~~((+6))~~ (35) "Imprest fund" - A fund which is regularly replenished in exactly the amount expended from it.

~~((+7))~~ (36) "Interest" - The cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

~~((+8))~~ (37) "Intermediate care facility" - A licensed facility certified to deliver intermediate care services to medical care recipients.

~~((+9))~~ (38) "Joint facility costs" - Any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

~~((+0))~~ (39) "Lease agreement" - A contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

~~((+1))~~ (40) "Levels of care" - The classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

~~((+2))~~ (41) "Medical care program" - Medical assistance provided under RCW 74.09.500 or authorized state medical care services.

((43)) (42) "Medical care recipient" - An individual determined eligible by the department for the services provided in chapter 74.09 RCW.

((44)) (43) "Multiservice facility" - A facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

((45)) (44) "Net book value" - The historical cost of an asset less accumulated depreciation.

((46)) (45) "Net invested funds" - The net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year. Assets associated with central or home offices or otherwise not on the nursing home premises are not included in net invested funds.

((47)) (46) "Nonallowable costs" - Same as "unallowable costs."

((48)) (47) "Nonrestricted funds" - Funds which are not restricted to a specific use by the donor, e.g., general operating funds.

((49)) (48) "Nursing home" - A home, place, or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing and/or intermediate care services are delivered.

((50)) (49) "Operating lease" - A lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

((51)) (50) "Owner" - A sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

((52)) (51) "Ownership interest" - All interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

((53)) (52) "Patient day" - A calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

((54)) (53) "Per diem (per patient day) costs" - Total allowable costs for a fiscal period divided by total patient days for the same period.

((55)) (54) "Professionally designated real estate appraiser" - An individual regularly engaged in the business of providing real estate valuation services for a fee, and deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examination on valuation practice and theory, and, by virtue of membership in such organization, required to subscribe and adhere to certain standards of professional practice as such organization prescribes.

((56)) (55) "Prospective daily payment rate" - The rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

((57)) (56) "Qualified therapist":

(a) An activities specialist having specialized education, training, or at least one year's experience in organizing and conducting structured or group activities;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional, either a qualified therapist or a therapist, approved by the department having specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker graduated from a school of social work;

(f) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; or

(h) An occupational therapist graduated from a program in occupational therapy, or having the equivalent of such education or training, and meeting all requirements of state law.

((58)) (57) "Recipient" - A medical care recipient.

((59)) (58) "Records" - Those data supporting all financial statements and cost reports including, but not limited to, all general and

subsidiary ledgers, books of original entry, invoices, schedules, summaries, and transaction documentation, however such data are maintained.

((60)) (59) "Regression analysis" - A statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

((61)) (60) "Related care" - Includes the director of nursing services, activities and social services programs, medical and medical records specialists, and consultation provided by medical directors, pharmacists, occupational, physical, speech, and other therapists, and mental health professionals as defined in law and regulation.

((62)) (61) "Related organization" - An entity under common ownership and/or control with, or which has control of or is controlled by, the contractor. Common ownership exists if an entity has a five percent or greater beneficial ownership interest in the contractor and any other entity. Control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution, whether or not the power is legally enforceable and however exercisable or exercised.

((63)) (62) "Relative" - Spouse; natural parent, child, or sibling; adopted child or adoptive parent; stepparent, stepchild, stepbrother, stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

((64)) (63) "Restricted fund" - A fund for which the use of the principal and/or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the contractor has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

((65)) (64) "Secretary" - The secretary of the department of social and health services (DSHS).

((66)) (65) "Skilled nursing facility" - A licensed facility certified to deliver skilled nursing care services to medical care recipients.

((67)) (66) "SNF" - When referring to a facility, a skilled nursing facility. When referring to a level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

((68)) (67) "Start-up costs" - The one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

((69)) (68) "Title XIX" - The 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

((70)) (69) "Unallowable costs" - Costs which do not meet every test of an allowable cost.

((71)) (70) "Uniform chart of accounts" - A list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

((72)) (71) "Vendor number" - A number assigned to each contractor delivering care services to medical care recipients.

((73)) (72) "Working capital" - Total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.

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 2025, filed 9/16/83)

WAC 388-96-224 FINAL SETTLEMENT. (1) If an audit is conducted, the department shall issue a final settlement report to the contractor after completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations. The final settlement shall be by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. The final settlement report shall compare the prospective rate at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect as verified by audit, to the contractor's audited allowable costs for the reporting period. All authorized

shifting, cost savings, and upper limits to rates shall be taken into account on a cost center basis. If the contractor is pursuing an administrative or judicial review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement report in order to recover overpayments based on audit findings or determinations not in dispute on review or appeal.

(2) For the 1981 cost report period, the department shall issue one settlement for the year which shall be composed of two parts: One relating to January 1, 1981, through June 30, 1981, and one relating to July 1, 1981, through December 31, 1981. For the first six months of 1981, the settlement shall be computed taking into account the court order and agreement between the department and Medicaid contractors for the UNH II and III period (January 1, 1978, through June 30, 1981). For the second six months of 1981, the settlement shall be computed in accordance with principles and instructions contained in regulations applicable to 1981 settlements, except for the requirement that a settlement cover an entire cost report year.

(3) A contractor shall have thirty days after receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, a final settlement report shall not be subject to review.

~~((3))~~ (4) If no audit is conducted by the department, the preliminary settlement report shall become the final settlement report.

~~((4))~~ (5) A final settlement will be reopened by the department if necessary to make adjustments based upon findings resulting from an audit performed pursuant to ~~(section 5(4), chapter 67, Laws of 1983 1st ex. sess)~~ RCW 74.46.105. A final settlement may also be reopened to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's medical care recipients, pursuant to RCW 74.46.180(5).

WSR 85-10-018
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2228—Filed April 22, 1985]

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 388-96-010 Nursing homes—Terms.
- Amd WAC 388-96-224 Nursing homes—Final settlement.

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 the changes must be adopted on an emergency, as well as a permanent basis because substantial improvements in services to clients will result and because they are necessary to comply with recent legislation and to comply with a recent court order and settlement. Specifically, the definition of "appraisal" in WAC 388-96-010 conflicts with RCW 74.46.020(33), which was made effective July 1, 1983, by restricting individuals qualified to perform appraisals of nursing homes and medical equipment to those belonging to specific organizations. No requirement of membership in designated organizations exists in the statute. The Thurston County superior court agreed final judgment in the consolidated actions commonly known as UNH II and III (Cause Nos. 59035, 80-2-01440-1 and 81-2-

00076-0) requires the department to distribute judgment funds to Medicaid contractors for the period January 1, 1978, through June 30, 1981. The department is obligated to compare distributions to Medicaid overpayments for the period for each contractor to arrive at a net amount to be distributed or recovered. Because the judgment does not affect the second half of 1981, a two-part settlement for calendar year 1981 is necessary; the amendment to WAC 388-96-224 provides specific authority to do this.

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

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 74.46.800 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 74.46 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 April 19, 1985.

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

AMENDATORY SECTION (Amending Order 2172, filed 12/4/84)

WAC 388-96-010 *TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.*

(1) "Accounting" – *Activities providing information, usually quantitative and often expressed in monetary units, for decision-making, planning, evaluating performance, controlling resources and operations, and external financial reporting to investors, creditors, regulatory authorities, and the public.*

(2) "Accrual method of accounting" – *A method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.*

(3) "Administration and management" – *Activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.*

(4) "Allowable costs" – *See WAC 388-96-501.*

(5) "Ancillary care" – *Services required by the individual, comprehensive plan of care provided by qualified therapists or by support personnel under their supervision.*

(6) ~~("Appraisal" – The process of establishing the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by an individual professionally designated either by the American Institute of Real Estate appraisers as a member, appraisal institute (MAI), or by the Society of Real Estate Appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). Appraisal~~

~~includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.~~

~~(7))~~ "Arm's-length transaction" – A transaction resulting from good-faith bargaining between a buyer and seller who have adverse bargaining positions in the marketplace. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

~~((8))~~ (7) "Assets" – Economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges which are not resources but which are recognized and measured in accordance with generally accepted accounting principles.

~~((9))~~ (8) "Bad debts" – Amounts considered to be uncollectable from accounts and notes receivable.

~~((10))~~ (9) "Beds" – Unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

~~((11))~~ (10) "Beneficial owner" – Any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection ~~((11))~~ (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately

upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised: PROVIDED, That

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection ~~((11))~~ (10)(b) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct ~~((or to direct))~~ the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

~~((12))~~ (11) "Capitalization" – The recording of an expenditure as an asset.

~~((13))~~ (12) "Capitalized lease" – A lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

~~((14))~~ (13) "Cash method of accounting" – A method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

~~((15))~~ (14) "Change of ownership" – A change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home enterprise is transferred by the contractor to another party;

(iii) The nursing home enterprise is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event occurs which dissolves the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to

the contractor's general approval of daily operating decisions;

(ii) If the contractor is a corporation, some or all of its stock is transferred.

((+6)) (15) "Charity allowances" – Reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

((+7)) (16) "Contract" – A contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

((+8)) (17) "Contractor" – An entity which contracts with the department to deliver care services to medical care recipients in a facility and which entity is responsible for operational decisions.

((+9)) (18) "Courtesy allowances" – Reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

((+0)) (19) "CSO" – The local community services office of the department.

((+1)) (20) "Department" – The department of social and health services (DSHS) and employees.

((+2)) (21) "Depreciation" – The systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

((+3)) (22) "Donated asset" – An asset which the contractor acquired without making any payment for the asset in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

((+4)) (23) "Entity" – An individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

((+5)) (24) "Equity capital" – Total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

((+6)) (25) "Exceptional care recipient" – A medical care recipient determined by the department to require exceptionally heavy care.

((+7)) (26) "Facility" – A nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

((+8)) (27) "Fair market value" – Prior to January 1, 1985, the price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell. Beginning January 1, 1985, the replacement cost of an asset, less observed physical depreciation, on the date the fair market value is being determined.

((+9)) (28) "Financial statements" – Statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

((+0)) (29) "Fiscal year" – The operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

((+1)) (30) "Generally accepted accounting principles" – Accounting principles approved by the financial accounting standards board (FASB).

((+2)) (31) "Generally accepted auditing standards" – Auditing standards approved by the American institute of certified public accountants (AICPA).

((+3)) (32) "Goodwill" – The excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. Also, the excess of the price paid for an asset over the fair market value of the asset.

((+4)) (33) "Historical cost" – The actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

((+5)) (34) "ICF" – When referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

((+6)) (35) "Imprest fund" – A fund which is regularly replenished in exactly the amount expended from it.

((+7)) (36) "Interest" – The cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

((+8)) (37) "Intermediate care facility" – A licensed facility certified to deliver intermediate care services to medical care recipients.

((+9)) (38) "Joint facility costs" – Any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

((+0)) (39) "Lease agreement" – A contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

((+1)) (40) "Levels of care" – The classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

((+2)) (41) "Medical care program" – Medical assistance provided under RCW 74.09.500 or authorized state medical care services.

((+3)) (42) "Medical care recipient" – An individual determined eligible by the department for the services provided in chapter 74.09 RCW.

((44)) (43) "Multiservice facility" – A facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

((45)) (44) "Net book value" – The historical cost of an asset less accumulated depreciation.

((46)) (45) "Net invested funds" – The net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year. Assets associated with central or home offices or otherwise not on the nursing home premises are not included in net invested funds.

((47)) (46) "Nonallowable costs" – Same as "unallowable costs."

((48)) (47) "Nonrestricted funds" – Funds which are not restricted to a specific use by the donor, e.g., general operating funds.

((49)) (48) "Nursing home" – A home, place, or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing and/or intermediate care services are delivered.

((50)) (49) "Operating lease" – A lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

((51)) (50) "Owner" – A sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

((52)) (51) "Ownership interest" – All interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

((53)) (52) "Patient day" – A calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

((54)) (53) "Per diem (per patient day) costs" – Total allowable costs for a fiscal period divided by total patient days for the same period.

((55)) (54) "Professionally designated real estate appraiser" – An individual regularly engaged in the business of providing real estate valuation services for a fee, and deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examination on valuation practice and theory, and, by virtue of membership in such organization, required to subscribe and adhere to certain standards of professional practice as such organization prescribes.

((56)) (55) "Prospective daily payment rate" – The rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

((57)) (56) "Qualified therapist":

(a) An activities specialist having specialized education, training, or at least one year's experience in organizing and conducting structured or group activities;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional, either a qualified therapist or a therapist, approved by the department having specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker graduated from a school of social work;

(f) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; or

(h) An occupational therapist graduated from a program in occupational therapy, or having the equivalent of such education or training, and meeting all requirements of state law.

((58)) (57) "Recipient" – A medical care recipient.

((59)) (58) "Records" – Those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, invoices, schedules, summaries, and transaction documentation, however such data are maintained.

((60)) (59) "Regression analysis" – A statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

((61)) (60) "Related care" – Includes the director of nursing services, activities and social services programs, medical and medical records specialists, and consultation provided by medical directors, pharmacists, occupational, physical, speech, and other therapists, and mental health professionals as defined in law and regulation.

((62)) (61) "Related organization" – An entity under common ownership and/or control with, or which has control of or is controlled by, the contractor. Common ownership exists if an entity has a five percent or greater beneficial ownership interest in the contractor and any other entity. Control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution, whether or not the power is legally enforceable and however exercisable or exercised.

((63)) (62) "Relative" – Spouse, natural parent, child, or sibling; adopted child or adoptive parent; step-parent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-

in-law, sister-in-law, grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

((64)) (63) "Restricted fund" - A fund for which the use of the principal and/or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the contractor has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

((65)) (64) "Secretary" - The secretary of the department of social and health services (DSHS).

((66)) (65) "Skilled nursing facility" - A licensed facility certified to deliver skilled nursing care services to medical care recipients.

((67)) (66) "SNF" - When referring to a facility, a skilled nursing facility. When referring to a level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

((68)) (67) "Start-up costs" - The one-time pre-opening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

((69)) (68) "Title XIX" - The 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

((70)) (69) "Unallowable costs" - Costs which do not meet every test of an allowable cost.

((71)) (70) "Uniform chart of accounts" - A list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

((72)) (71) "Vendor number" - A number assigned to each contractor delivering care services to medical care recipients.

((73)) (72) "Working capital" - Total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.

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 2025, filed 9/16/83)

WAC 388-96-224 FINAL SETTLEMENT. (1) If an audit is conducted, the department shall issue a final settlement report to the contractor after completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations. The final settlement shall be by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. The final settlement report shall compare the prospective rate at which the contractor was paid

during the report period, weighted by the number of patient days reported for the period each rate was in effect as verified by audit, to the contractor's audited allowable costs for the reporting period. All authorized shifting, cost savings, and upper limits to rates shall be taken into account on a cost center basis. If the contractor is pursuing an administrative or judicial review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement report in order to recover overpayments based on audit findings or determinations not in dispute on review or appeal.

(2) For the 1981 cost report period, the department shall issue one settlement for the year which shall be composed of two parts: One relating to January 1, 1981, through June 30, 1981, and one relating to July 1, 1981, through December 31, 1981. For the first six months of 1981, the settlement shall be computed taking into account the court order and agreement between the department and Medicaid contractors for the UNH II and III period (January 1, 1978, through June 30, 1981). For the second six months of 1981, the settlement shall be computed in accordance with principles and instructions contained in regulations applicable to 1981 settlements, except for the requirement that a settlement cover an entire cost report year.

(3) A contractor shall have thirty days after receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, a final settlement report shall not be subject to review.

((74)) (4) If no audit is conducted by the department, the preliminary settlement report shall become the final settlement report.

((75)) (5) A final settlement will be reopened by the department if necessary to make adjustments based upon findings resulting from an audit performed pursuant to ((section 5(4), chapter 67, Laws of 1983 1st ex. sess)) RCW 74.46.105. A final settlement may also be reopened to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's medical care recipients, pursuant to RCW 74.46.180(5).

WSR 85-10-019

**NOTICE OF PUBLIC MEETINGS
HOSPITAL COMMISSION**

[Memorandum—April 19, 1985]

The State Hospital Commission will meet in Seattle at the Vance Airport Inn on Thursday, May 9, 1985, at 9:30 a.m. The hospitals scheduled for informal hearing have previously filed with the commission their annual budget and rate requests and their requests for amendments to their previously approved budget and rates. Staff findings and recommendations will be transmitted to the scheduled hospitals and to members of the Hospital Commission in accordance with WAC 261-20-135. Such information is on file in the commission's office and is available for inspection.

Meetings of the State Hospital Commission are scheduled for June 13, 1985, at the Yakima Holiday Inn, Yakima and June 27, 1985, at the Vance Airport Inn, Seattle.

WSR 85-10-020

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed April 23, 1985]

The Washington State Department of Agriculture has withdrawn from consideration the notice regarding chapter 16-42 WAC which was given in WSR 84-24-063, filed December 5, 1984, and continued in the notice filed January 15, 1985, contained in WSR 85-03-061.

The department will conduct a public hearing on the proposed rules relating to chapter 16-42 WAC (relating to the use of biological products in animal health care).

The hearing will be held on Thursday, May 23, 1985, at 10:00 a.m. in the Large Conference Room of the General Administration Building, Olympia.

Mike Willis
Assistant Director
Livestock Services Division

WSR 85-10-021

**NOTICE OF PUBLIC MEETINGS
GREEN RIVER
COMMUNITY COLLEGE**

[Memorandum—April 19, 1985]

Green River Community College, District No. 10, pursuant to RCW 42.30.075, will be changing the date of its regular meeting from Thursday, May 16, 1985, to Wednesday, May 15, 1985.

WSR 85-10-022

**ADOPTED RULES
COUNCIL FOR
POSTSECONDARY EDUCATION**

[Order 1/85, Resolution No. 85-44—Filed April 23, 1985]

Be it resolved by the Council for Postsecondary Education, acting at the Transportation Building, Conference Room 2F22, Maple Park Drive, Olympia, Washington, that it does adopt the annexed rules relating to the displaced homemaker program, chapter 250-44 WAC.

This action is taken pursuant to Notice No. WSR 85-06-058 filed with the code reviser on March 6, 1985. 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 28B.04 RCW, as amended, 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 April 16, 1985.

By Carl A. Trendler
Executive Coordinator

AMENDATORY SECTION (Amending Order 2-82, Resolution No. 82-54, filed 7/12/82)

WAC 250-44-040 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Act" means the Displaced Homemaker Act(~~(+)~~), chapter 28B.04 RCW, as amended.

(2) "Advisory committee" means the advisory committee established pursuant to WAC 250-44-030.

(3) "Appropriate job opportunities" means opportunities to be gainfully employed, as defined in subsection (9) of this section, in jobs which build upon all relevant skills and potential skills of the individual displaced homemaker, including opportunities in jobs which in the past may not generally have been considered traditional for women.

(4) "Center" means a multipurpose service center as defined in subsection (10) of this section.

(5) "Council" means the council for postsecondary education.

(6) "Displaced homemaker" means an individual who:

(a) Has worked in the home for ten or more years providing unsalaried household services for family members on a full-time basis; and

(b) Is not gainfully employed;

(c) Needs assistance in securing employment; and

(d) Meets one of the following criteria;

(i) Has been dependent on the income of another family member but is no longer supported by that income; or

(ii) Has been dependent on federal assistance but is no longer eligible for that assistance; or

(iii) Is supported as the parent of minor children by public assistance or spousal support, but whose youngest child is within two years of reaching majority.

(7) "Executive coordinator" means the executive coordinator of the council.

(8) "Executive officer" of the sponsoring organization means the chief executive or senior officer of the organization.

(9) "Gainfully employed" means employed for salary or wages on a continuing basis and earning at least ~~\$(9,000)~~10,200 on an annual basis ~~\$(750)~~850 monthly or ~~\$(174)~~213 weekly.

(10) "Multipurpose service center" means a center contracted for under the act, which either provides directly, or provides information about and referral to, each type of program of service as defined in subsection (14) of this section.

(11) "Objective" means a purpose of a program of service which can be quantified and for which objective measurements of performance can be established.

(12) "Displaced homemaker program" means the program of contracts for multipurpose service centers and programs of service for displaced homemakers authorized by the act.

(13) "Program" means a program of service as defined in subsection (14) of this section.

(14) "Program of service" means one of the specific services listed in subdivisions (a) through (g) of this subsection, and meeting the criteria set forth in the subdivision.

(a) Job counseling services, which shall:

(i) Be specifically designed for displaced homemakers;

(ii) Counsel displaced homemakers with respect to appropriate job opportunities (as defined in subsection (3) of this section); and

(iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development.

(b) Job training and job placement services, which shall:

(i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which prepare the displaced homemaker to be gainfully employed as defined in subsection (9) of this section;

(ii) Develop, through cooperation with state and local government agencies and private employers, model training and placement programs for jobs in the public and private sectors;

(iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and

(iv) Assist in identifying community needs and creating new jobs in the public and private sectors.

(c) Health counseling services, including referral to existing health programs, which shall:

(i) Include general principles of preventative health care;

(ii) Include health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;

(iii) Include family health care and nutrition;

(iv) Include alcohol and drug abuse; and

(v) Include other related health care matters as appropriate.

(d) Financial management services, which shall:

(i) Provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans and other related financial matters; and

(ii) Include referral, wherever feasible and appropriate, to public legal assistance programs staffed by attorneys.

(e) Educational services, which shall:

(i) Include outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and

(ii) Include information about such other programs as the council may determine to be of interest and benefit

to displaced homemakers, and for which appropriate informational materials have been provided by the council.

(f) Legal counseling and referral services, which shall:

(i) Be limited to matters directly related to problems of displaced homemakers;

(ii) Be supplemental to financial management services as defined in subdivision (d) of this subsection; and

(iii) Emphasize referral, wherever feasible and appropriate, to public legal assistance programs staffed by attorneys.

(g) General outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the council may determine to be of interest and benefit to displaced homemakers, and for which the council distributes appropriate informational materials.

(15) "Reaching majority" means reaching age 18.

(16) "Sponsoring organization" means a public institution, agency or governmental entity, or a chartered private nonprofit institution or organization which has legal authority to submit an application, enter into a contract, and provide the programs of service covered by the application, and which agrees to provide supervision and financial management to ensure compliance with the terms and conditions of the contract.

(17) "Training for service providers" means activities which provide training for persons serving the needs of displaced homemakers.

(18) "Statewide outreach and information services" means activities designed to make general outreach and information services for displaced homemakers available throughout Washington in areas not directly served by multipurpose service centers or other programs of service under the displaced homemaker program.

AMENDATORY SECTION (Amending Order 2/84, Resolution No. 84-76, filed 7/3/84)

WAC 250-44-050 UTILIZATION OF AVAILABLE CONTRACT FUNDS. (1) Each biennium the executive coordinator shall issue contract application guidelines which shall establish criteria for specific utilization of available contract funds. The guidelines shall set forth:

(a) The maximum contract amount for a multipurpose service center to be provided (~~((from funds available))~~) depending on available funds under the act during the ~~((1983-85))~~ 1985-87 biennium shall ~~((be \$3,800))~~ not exceed \$4,000 per month.

(b) The maximum contract amount for a contract for a program or programs of service (~~((from funds available))~~) depending on available funds under the act during the ~~((1983-85))~~ 1985-87 biennium shall ~~((be \$2,500))~~ not exceed \$2,700 per month.

(c) A reservation of funds for contracts to provide state-wide outreach and information services and/or training for service providers.

(2) At least two multipurpose service centers in major population centers will be supported under the displaced homemaker program, provided adequate funds have been appropriated.

(3) Remaining funds will be used for contracts selected to provide geographic dispersion of displaced homemaker multipurpose service centers and programs of service.

AMENDATORY SECTION (Amending Order 2/84, Resolution No. 84-76, filed 7/3/84)

WAC 250-44-110 LENGTH OF CONTRACT PERIODS. Contract periods for contracts awarded under the act shall be in accordance with each application proposal, subject to contract application guidelines issued by the executive coordinator.

(1) Contracts for operation of multipurpose service centers during the ~~((1983-85))~~ 1985-87 biennium may cover operations beginning as early as ~~((September 1, 1984))~~ July 1, 1985 and ending June 30, ~~((1985))~~ 1987.

(2) Contracts for operation of programs of services during the ~~((1983-85))~~ 1985-87 biennium may cover operations beginning as early as ~~((September 1, 1984))~~ July 1, 1985 and ending June 30, ~~((1985))~~ 1987.

AMENDATORY SECTION (Amending Order 2-82, Resolution No. 82-54, filed 7/12/82)

WAC 250-44-120 PAYMENTS UNDER APPROVED CONTRACTS. Payments to sponsoring organizations under approved contracts for multipurpose service centers, programs of service, and training for service providers shall be authorized and processed according to the following procedure:

(1) Payments will be made ~~((f, t))~~, one month at a time ~~((f, t))~~; unless less frequent payments are requested by the contractor.

(2) Sponsoring organizations will submit requests for payment ~~((in a))~~ on Invoice Voucher A 19-x form and ~~((containing))~~ to contain information specified by the executive coordinator to include ~~((information on))~~:

(a) ~~((Total payments received to date;~~

~~(b) Estimated expenditures to date;~~

~~(c) Estimated expenditures for the month just completed; and~~

~~(d) Balance required to cover estimated expenditures))~~ Actual expenditures for request period;

(b) Expenditures listed by the following categories: Personnel, travel, facilities, advertising, supplies/materials, communications, and other.

(3) Upon approval of the request for payment, and receipt of the quarterly report for the most recent completed quarter under the contract, the executive coordinator will authorize disbursement of the funds.

(4) Requests for payments must be received in the council office at least two weeks prior to the requested payment date.

AMENDATORY SECTION (Amending Order 2/84, Resolution No. 84-76, filed 7/3/84)

WAC 250-44-130 CALENDAR AND CLOSING DATES FOR LETTERS OF INTENT, APPLICATIONS AND AWARDS. (1) Sponsoring organizations wishing to apply for contracts to continue operation of

multipurpose service centers, shall submit to the executive coordinator a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by ~~((Monday, June 18, 1984))~~ Wednesday, April 10, 1985 as specified in the contract application guidelines.

(2) The executive coordinator or his designee will screen the letters of intent for multipurpose service centers, prepare a list of all eligible sponsoring organizations which filed letters of intent and distribute the list to all organizations on the list, by ~~((Monday, June 25, 1984))~~ Wednesday, April 17, 1985 or seven days from the filing date for letters of intent as specified in the contract application guidelines.

(3) Applications for contracts for multipurpose service centers may be submitted by sponsoring organizations on the list pursuant to subsection ~~((2))~~ (2) of this section. The closing dates for such applications by Monday, ~~((July 9, 1984))~~ May 13, 1985 as specified in the contract application guidelines.

(4) Sponsoring organizations wishing to apply for contracts to operate programs of service and a state-wide outreach and information services program shall submit to the executive coordinator a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by ~~((Monday, June 18, 1984))~~ Wednesday, April 10, 1985.

(5) The executive coordinator or his designee will screen the letters of intent for programs of service and a state-wide outreach and information services program, prepare a list of all eligible sponsoring organizations which filed letters of intent, and distribute the list to all organizations on the list, by ~~((Monday, June 25, 1984))~~ Wednesday, April 17, 1985, or seven days from the filing date for letters of intent as specified in the contract application guidelines.

(6) Applications for contracts for programs of service and a state-wide outreach and information services program may be submitted by sponsoring organizations on the list pursuant to subsection ~~((5))~~ (5) of this section by Monday, ~~((July 9, 1984))~~ May 13, 1985 as specified in the contract application guidelines.

(7) The executive committee of the council will approve awards of contracts, provided qualifying applications were received by the closing dates specified in this section and in the guidelines.

(8) In the event that available funds for contracts under the act are not fully utilized after approval of contracts the executive coordinator may either establish a new calendar for further consideration of applications and award of contracts or award supplemental funds to existing centers and programs by amendment of contracts in effect.

WSR 85-10-023
NOTICE OF PUBLIC MEETINGS
URBAN ARTERIAL BOARD
 [Memorandum—April 24, 1985]

SPECIAL MEETING
 URBAN ARTERIAL BOARD
 SEA-TAC OFFICE CENTER
 13 COINS BUILDING (SOUTH TOWER)
 18000 PACIFIC HIGHWAY SOUTH (SUITE 500)

Beginning at 2:00 p.m., Friday, April 26, 1985.

WSR 85-10-024
ADOPTED RULES
COUNCIL ON HEARING AIDS
 [Order PL 526—Filed April 24, 1985]

Be it resolved by the Washington State Council on Hearing Aids, acting at Seattle, Washington, that it does adopt the annexed rules relating to the fitting and dispensing of hearing aids, amending WAC 308-50-320, adding new sections WAC 308-50-390, 308-50-400, 308-50-410 and repealing WAC 308-50-060, 308-50-070, 308-50-080 and 308-50-300.

This action is taken pursuant to Notice No. WSR 85-06-055 filed with the code reviser on March 6, 1985. 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 18.35.161 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 April 9, 1985.

By Thomas S. Rees, Ph.D.
 Chairman

AMENDATORY SECTION (Amending Order PL 469 [159], filed 7/3/84 [2/8/74])

WAC 308-50-320 DOCUMENTATION OF REFERRALS. A licensee or trainee shall document (~~all referrals for inspection by the department~~) the name of the referral source for all persons who are fit with a hearing aid. Documentation shall consist of ~~(the)~~ a name and address of the referral source and the date of such referral. Should the referral source be the person being fit with the hearing aid, this information shall also be recorded as the referral source.

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

NEW SECTION

WAC 308-50-390 MINIMUM STANDARDS FOR FITTING AND DISPENSING LOCATIONS.

(1) The hours of business of each hearing aid establishment shall be prominently and continuously displayed and visible to the public at each regular place or places of business owned or operated by that establishment.

(2) All such regular place or places of business or any activities emanating therefrom shall meet the minimum standards for facilities and equipment essential for the testing of hearing and the fitting and dispensing of hearing aids as set forth in WAC 308-50-110.

(3) The term "place or places of business" means a location where a licensee engages or intends to engage in the fitting and dispensing of hearing aids at a permanent address(es) open to the public on a regular basis.

NEW SECTION

WAC 308-50-400 NOTICE OF AVAILABILITY AND LOCATION OF FOLLOW UP SERVICES. Every licensee shall provide to a hearing aid purchaser, in writing prior to the signing of the contract, notice of availability of services. The notice shall include the specific location of the follow up service, including date and time if applicable.

NEW SECTION

WAC 308-50-410 SURETY BONDING — SECURITY IN LIEU OF BONDING. Every establishment shall file a bond or security in lieu of a bond as required by RCW 18.35.240. An establishment means any facility engaged in the fitting and dispensing of hearing aids. For bonding purposes, a facility means any established place at a permanent address, open to the public on a regular basis, adapted primarily for housing and operating equipment which a fitter/dispenser uses to perform tests and procedures for selection and adaption of hearing aids, and attended by a licensed fitter/dispenser. Activities emanating from a bonded establishment which project fitting and dispensing services from the establishment to temporary locations for the convenience of the public shall be regarded as functions of that establishment and need not be bonded separately. Examples of such activities include mobile fitting and dispensing units, home visitations, community center visitations, and itinerant services provided at public places of commerce or accommodation.

REPEALER

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

WAC 308-50-060 PLACE(S) OF BUSINESS IN WASHINGTON

WAC 308-50-070 MOBILE HEARING AID DISPENSING UNITS

WAC 308-50-080 TEMPORARY OR ITINERANT ACTIVITIES PROHIBITED

WAC 308-50-300 UNFAIR OR DECEPTIVE PRACTICES, UNETHICAL CONDUCT AND UNFAIR METHODS OF COMPETITION — CANVASSING

WSR 85-10-025

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Osteopathic Medicine and Surgery)

[Order PL 527—Filed April 24, 1985]

Be it resolved by the Washington State Board of Osteopathic Medicine and Surgery, acting at Seattle, Washington, that it does adopt the annexed rules relating to osteopathic medicine and surgery examination, WAC 308-138-055.

This action is taken pursuant to Notice No. WSR 85-06-009 filed with the code reviser on February 22, 1985. 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 18.57.005 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 April 22, 1985.

By Judy Mayo
Executive Secretary

AMENDATORY SECTION (Amending Order PL 321, filed 11/29/79)

WAC 308-138-055 OSTEOPATHIC MEDICINE AND SURGERY EXAMINATION. (1) Washington examination. Applicants for licensure as osteopathic physicians must pass the Federation of State Licensing Board (FLEX) ~~((medical examination with a FLEX weighted average of at least seventy five percent))~~ with a minimum score of seventy five on each component of the FLEX I and II Examination, and obtain at least a seventy five percent overall average ((when the score)) on a board administered examination on osteopathic principles and practices. ~~((is factored into the score for Day II of the FLEX examination.))~~

(2) Examination waiver or reciprocity. An applicant who has passed the examination given by the National Board of Osteopathic Examiners may be granted a license without further examination. The board may accept certain other state examinations which conform to the requirements of Washington law. The minimum passing score will depend upon the quality of the examination as determined by the board. Partial waiver may be given for examinations which do not meet Washington state requirements. In the event that a Washington osteopathic principles and practices examination is required it will be considered in the same manner as subsection (1).

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 85-10-026

ADOPTED RULES

DEPARTMENT OF LICENSING

(Dental Hygiene Examining Committee)

[Order PL 528—Filed April 24, 1985]

Be it resolved by the Washington State Dental Hygiene Examining Committee, acting at Seattle, Washington, that it does adopt the annexed rules relating to the examination results, amending WAC 308-25-030.

This action is taken pursuant to Notice No. WSR 85-06-053 filed with the code reviser on March 6, 1985. 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 18.29.031 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 April 19, 1985.

By Peggy A. Conner
Chairman

AMENDATORY SECTION (Amending Order PL 459, filed 2/1/84)

WAC 308-25-030 EXAMINATION RESULTS.

(1) In order to pass the examination the applicant must:

(a) Attain a score of 65% in the written theory examination section, OR submit proof of successful completion of the National Board of Dental Hygiene Examination and a score of 75% in any required additional written examination;

(b) Successfully complete the prophylaxis case;

(c) Successfully complete the anesthetic practical examination and;

(d) Successfully complete the restorative practical examination.

(2) An applicant who passes at least two of the following examination sections may elect to retake only the examination sections failed; PROVIDED, that if the applicant has not passed all sections of the examination at the next examination administration offered then the entire examination must be retaken. The examination sections are:

(a) Prophylaxis case

(b) Anesthetic practical

(c) Restorative practical

(d) Additional written examination.

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 85-10-027
PROPOSED RULES
PUBLIC DISCLOSURE COMMISSION
 [Filed April 24, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Disclosure Commission intends to adopt, amend, or repeal rules concerning mini campaign reporting, amending WAC 390-16-150;

that the agency will at 9 a.m., Tuesday, June 25, 1985, in the 2nd Floor Conference Room, Evergreen Plaza 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 June 25, 1985.

The authority under which these rules are proposed is RCW 42.17.370(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 25, 1985.

Dated: April 24, 1985
 By: Graham E. Johnson
 Administrator

STATEMENT OF PURPOSE

Title: WAC 390-16-150 Mini campaign reporting.

Description of Purpose: Specify reporting required in very small, inexpensive political campaigns.

Statutory Authority: RCW 42.17.370(7).

Summary of Rule: Requires a single report, at the beginning of a campaign, if anticipated spending will not exceed \$500.

Reasons Supporting Proposed Action: The change from \$200 to \$500 is because of the increased costs of advertising and other typical campaign expenditures in recent years.

Agency Personnel Responsible for Drafting: Graham E. Johnson, Administrator; Implementation and Enforcement: David R. Clark, Assistant Administrator.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: None.

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

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: None.

AMENDATORY SECTION (Amending Order 82-04, filed 6/28/82)

WAC 390-16-150 MINI CAMPAIGN REPORTING. No candidate as that term is defined in RCW 42.17.020(5) and no political committee whose principal purpose is the support of one candidate and whose organization is known to and countenanced by that candidate (hereafter candidate's committee) shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in this ((regulation)) rule in any election campaign for public office in which the aggregate expenditures in the campaign will not exceed the amount of the filing fee provided by law plus a sum not to exceed ((two)) five hundred dollars.

(1) Any candidate or candidate's committee shall register and file the C-1 registration statement with the commission and county elections officer of the county wherein the candidate resides within fourteen days of the time he publicly announces his candidacy, files for office or the committee is formed, whichever is earliest. The C-1 shall state his intent to use the mini campaign reporting system.

(2) The C-1 registration shall include a statement by the candidate that no contribution or contributions from any source other than the candidate's personal resources within the aggregate contributions received exceeds one hundred dollars.

WSR 85-10-028
EMERGENCY RULES
PUBLIC DISCLOSURE COMMISSION
 [Order 85-02—Filed April 24, 1985]

Be it resolved by the Public Disclosure Commission, acting at 403 Evergreen Plaza Building, FJ-42, Olympia, WA 98504-3342, that it does adopt the annexed rules relating to mini campaign reporting, amending WAC 390-16-150.

We, the Public Disclosure 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 change will affect many 1985 election campaigns. This action had to be taken prior to printing forms and instructions for use in 1985.

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

This rule is promulgated pursuant to RCW 42.17.370(1) which directs that the Public Disclosure Commission has authority to implement the provisions of the Open Government Act.

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 April 23, 1985.

By Graham E. Johnson
 Administrator

AMENDATORY SECTION (Amending Order 82-04, filed 6/28/82)

WAC 390-16-150 MINI CAMPAIGN REPORTING. No candidate as that term is defined in RCW 42.17.020(5) and no political committee whose principal purpose is the support of one candidate and whose organization is known to and countenanced by that candidate (hereafter candidate's committee) shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in this ((regulation)) rule in any election campaign for public office in which the aggregate expenditures in the campaign will not exceed the amount of the filing fee provided by law plus a sum not to exceed ((two)) five hundred dollars.

(1) Any candidate or candidate's committee shall register and file the C-1 registration statement with the commission and county elections officer of the county wherein the candidate resides within fourteen days of the time he publicly announces his candidacy, files for office or the committee is formed, whichever is earliest. The

C-1 shall state his intent to use the mini campaign reporting system.

(2) The C-1 registration shall include a statement by the candidate that no contribution or contributions from any source other than the candidate's personal resources within the aggregate contributions received exceeds one hundred dollars.

WSR 85-10-029

ADOPTED RULES

LIQUOR CONTROL BOARD

[Order 158, Resolution No. 167—Filed April 24, 1985]

Be it resolved by the Washington State Liquor Control Board, acting at the Office of the Liquor Control Board, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA, that it does adopt the annexed rules relating to licensing and operation of bonded wine warehouses, new section WAC 314-24-220.

This action is taken pursuant to Notice No. WSR 85-07-052 filed with the code reviser on March 20, 1985. 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 Liquor Control Board as authorized in RCW 66.24.185, 66.08.030, 66.98.070 and chapter 34.04 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 April 24, 1985.

By L. H. Pedersen
Chairman

NEW SECTION

WAC 314-24-220 LICENSING AND OPERATION OF BONDED WINE WAREHOUSES. (1) There shall be a license for bonded wine warehouses pursuant to RCW 66.24.185, and this type of license shall be known as a class N license. Applications for a bonded wine warehouse license shall be on forms prescribed by the board and shall be accompanied by such information as the board may request including, but not limited to, a written description of the proposed method of shipping, receiving, inventory control, and security.

(2) The bonded wine warehouse shall be physically separated from any other use in such manner as prescribed by the board, and as a condition of license approval, the applicant must furnish the board appropriate documentation indicating the location of the bonded wine warehouse is properly zoned for the intended use.

(3) A bonded wine warehouse may provide storage for a domestic winery and for a United States winery outside the state of Washington holding a Washington certificate of approval. The wine must be under federal bond, and the Washington wine tax provided in RCW

66.24.210 shall not be due until the wine is removed from bond and shipped to a licensed Washington wine wholesaler or, pursuant to RCW 66.12.020, to the liquor control board who will be responsible to pay the tax based on their purchases.

(4) Every bonded wine warehouse licensee shall, on or before the twentieth day of each month, submit to the board for the previous month, upon forms furnished by the board or acceptable to the board, reports showing all receipts and shipments of wine and the total inventory on hand at the bonded warehouse.

(5) Shipments from the bonded wine warehouse may only be made to licensed Washington wine wholesalers, the liquor control board, the producing winery, another bonded wine warehouse or for export. Invoicing shall be by the titleholder. The titleholder shall report shipments to, and returns from the bonded wine warehouse and sales to Washington wine wholesalers, and/or the liquor control board on the twentieth day of the month following the month of shipment and/or sale on forms furnished by, or acceptable to, the board.

(6) At no time shall title to wine stored at the bonded wine warehouse pass to the operator of the bonded wine warehouse.

(7) "Storage of bottled wine only" as used in RCW 66.24.185(1) shall mean the storage of wine packaged for sale at retail (i.e., other than in bulk form).

(8) As a condition precedent to license issuance, a bonded wine warehouse licensee shall guarantee payment to the state of any and all taxes under RCW 66.24.210 in the event the winery or other entity storing wine in the bonded wine warehouse fails to immediately pay such tax when due. Such guarantee shall be in the form of the bond referred to in subsection (9) of this section.

(9) As required by RCW 66.24.185(5) every holder of a bonded wine warehouse license must, at all times when said license is in force, have in effect and on file with the board a bond executed by a surety authorized to do business in the state of Washington, in a form approved by the board and in the amount of five thousand dollars.

WSR 85-10-030

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 85-06—Filed April 24, 1985]

I, Glen H. Fiedler, deputy director of the Washington Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Hoquiam, city of, WAC 173-19-2204.

This action is taken pursuant to Notice No. WSR 85-07-061 filed with the code reviser on March 20, 1985. 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 April 23, 1985.

By Glen H. Fiedler
Deputy Director

AMENDATORY SECTION (Amending Order DE 80-30, filed 7/3/80 [7/31/80])

WAC 173-19-2204 HOQUIAM, CITY OF. City of Hoquiam master program approved April 14, 1976. Revisions approved July 29, 1980. Revision approved April 23, 1985.

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

WSR 85-10-031

**NOTICE OF PUBLIC MEETINGS
INVESTMENT BOARD**

[Memorandum—April 24, 1985]

Notice is hereby given that the regular meeting of the State Investment Board scheduled for May 13, 1985, has been changed to June 18, 1985. The meeting will begin at 9:00 a.m. in the Financial Center, Unigard Board Room, 18th Floor, 1215 4th Avenue, Seattle, Washington.

WSR 85-10-032

ADOPTED RULES

**UTILITIES AND TRANSPORTATION
COMMISSION**

[Order R-228, Cause No. TV-1871—Filed April 24, 1985]

In the matter of amending WAC 480-12-350 relating to motor carriers insurance.

This action is taken pursuant to Notice No. WSR 85-07-018 filed with the code reviser on March 13, 1985. This rule change hereinafter adopted shall take effect pursuant to RCW 34.04.040(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 85-07-018 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, April 24, 1985, in the Commission's Hearing Room, Sixth Floor, Highways-Licenses Building,

Olympia, Washington, before Chairman Sharon L. Nelson and Commissioners Robert W. Bratton and Robert D. Casad.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to April 19, 1985. Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments orally at 9:00 a.m., Wednesday, April 24, 1985, in the Commission's Hearing Room, Sixth Floor, Highways-Licenses Building, Olympia, Washington.

At the April 24, 1985, meeting the commission considered the rule change proposal. No written or oral comments were received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-350 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-12-350 as amended will change existing insurance requirements for taxicabs to require taxicabs with permits issued under chapter 81.80 RCW to meet the insurance requirements of RCW 46.72.040 and 46.72.050 and file proof of same.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-350 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

DATED at Olympia, Washington, this 24th day of April, 1985.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Robert W. Bratton, Commissioner
Richard D. Casad, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-218, Cause No. TV-1804, filed 9/6/84)

WAC 480-12-350 INSURANCE. Within ten days after the date an applicant is notified his application has been granted, and before permit shall be issued, the applicant shall file with the commission evidence of liability and property damage insurance having been written by a company authorized to write such insurance in the state of Washington, covering each motor vehicle as defined in RCW 81.80.010 used or to be used under the permit granted, in the amount shown on the following table:

	July 1 1983	January 1 1985
Commodity Transported		
(1) Property (nonhazardous)	\$ 500,000	\$ 750,000

Commodity Transported	July 1 1983	January 1 1985
(2) Hazardous substances, as defined in 49 CFR 171.8 transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A or B explosives, poison gas (Poison A), liquified compressed gas or compressed gas; or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455.	1,000,000	5,000,000
(3) Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	500,000	1,000,000
(4) Any quantity of Class A or B explosives; any quantity of poison gas (Poison A); or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455.	1,000,000	5,000,000

The above amounts do not apply to taxicabs whose only operation subject to commission jurisdiction is the operation of express service under a permit issued pursuant to chapter 81.80 RCW: PROVIDED, That such carrier is in compliance with the provisions of RCW 46.72.040 and 46.72.050. Such carrier must also comply with the reporting requirements set forth in this section.

Applications for permits to operate as temporary common carriers or temporary contract carriers shall be accompanied by evidence of insurance coverage as required herein.

Failure to file and keep such insurance in full force and effect shall be cause for dismissal of an application or cancellation of a permit.

Evidence of insurance shall be submitted on a "uniform motor carrier bodily injury and property damage liability certificate of insurance," (Form E) filed in triplicate with the commission. Insurance presently on file for existing permit holders shall be sufficient: PROVIDED, The requirements set forth above are in effect.

WSR 85-10-033
PROPOSED RULES
UNIVERSITY OF WASHINGTON
 [Filed April 25, 1985]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the University of Washington intends to adopt, amend, or repeal rules concerning the use regulations and service schedule for the University of Washington Law Library as amending existing sections WAC 478-168-060 through 478-168-090 and adopting new sections WAC 478-168-092 through 478-168-096.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 14, 1985.

The authority under which these rules are proposed is RCW 28B.20.130.

The specific statute these rules are intended to implement is RCW 28B.20.130.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before June 14, 1985.

Dated: April 16, 1985
 By: Elsa Kircher Cole
 Assistant Attorney General

STATEMENT OF PURPOSE

Re: Proposed new or amendatory rules, WAC 478-168-060 through 478-168-090.

Statutory Authority: RCW 28B.20.130, chapter 223, Laws of 1969 ex. sess. (RCW 28B.20.130), and section 2, chapter 279, Laws of 1971 ex. sess. (RCW 28B.15.031).

Purpose of the Rule(s): Libraries, as an instructional arm of the University of Washington exist primarily to contribute to the university's teaching and research function.

Summary of the Rule(s): Access to the Law Library by outsiders is limited to persons having need of legal materials. That access may be further limited by the law librarian when necessary to serve UW faculty and UW law school students effective UW law school faculty and UW law school students have priority when other patrons need the same materials. The library serves students, faculty and staff of other university departments, faculty of other colleges and universities, librarians, judge members of the Washington bar and persons who have a degree from the law school. The librarian has discretion to set priorities of use among all groups of outside patrons. Identification cards are required for all UW law students and all other users must present proper ID and register.

Reasons Which Support the Proposed Action: The Law Library is housed in a new building and the facilities do not fit the old rules. The library name is changed. Outside users have grown from 375 to 11,572 registered users since the WAC rules were adopted. Without some restriction there is not space for seating of law students nor enough books to support their study. Law students from other schools, students from other universities, high schools, community colleges, attorneys, are primary outside users. The threat to safety of law students and staff requires identification and registration.

Name of Person or Organization Proposing the Rule(s): The Law Library Committee of the School of Law Faculty, governmental.

Agency Personnel Responsible for Drafting: Above committee under Professor James H. Hardisty, Chairman, Law Faculty Member, phone 543-2261; Implementation: Professor Elizabeth R. Wilkins, Law Librarian and Faculty Member, phone 543-4089; and Enforcement: Professor Wilkins and library staff, Law Librarian, phone 543-4089.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action or State Court Action: No.

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): The proposed changes in the

Washington Administrative Code as it affects the Marian Gould Gallagher Law Library's policies cover WAC 478-168-060 through 478-168-090 and proposed new sections WAC 478-168-092, 478-168-094 and 478-168-096.

The purpose of the need for change in the WAC is threefold:

Outdated Sections: The present sections were filed on August 7, 1972. Since that time, the new Condon Hall has been built, the Law Library as a part of the School of Law has moved off campus, changed its name from Law Library to Marian Gould Gallagher Law Library and no longer has facilities for some parts of the library addressed in the old section.

Outside Registered Users Growth: Outside registered users have grown from 375 in old Condon to 11,500 outside registered users in new Condon, off campus. This figure includes all users who are neither UW law students nor law faculty of the School of Law. In order to perform our primary function, i.e., to serve the students and faculty of the School of Law, some regulation of the volume of usage by outsiders must be put into effect. The sheer number of persons vying for seats in the reading room or in the unassigned carrels on the upper floors is a frustrating and disruptive factor for UW law students, such as those assigned in the basic legal skills classes, require use of materials that are barely enough to serve UW students, let alone outsiders.

The opening of the University of Puget Sound School of Law in 1974 after the UW School of Law moved off campus must be recognized as creating some problems with space and materials. The fact that UPS has a night school means that many students live in Seattle, commute to classes in Tacoma and return here to do their research. We provide them the same service as any other outside user.

The increase in the number of attorneys each year, not only located in Seattle but in the outlying areas and across the state, are potentially new patrons of this library. The underfunding of the King County Law Library has led to the discontinuance of some subscriptions of that collection and increased the number of attorneys who now rely upon the Law Library to fill their needs.

The number of classes offered by the University of Washington in other disciplines which require the use of legal materials has grown considerably in the last ten years and should be expected to continue the growth.

And last, the community colleges, City University and high schools assigning classwork or entering national debate competition come from all over the western part of the state to use our legal resources. In last year's high school debate competition, we had busloads of students from Bellingham to the north and Puyallup to the south. The University of Puget Sound Law School, near Puyallup, does not allow outside users without a \$5 per day fee. Over 200 high school debaters were using our materials at a time our first-year students had need for the same materials. UW law students must compete for space and materials with this class of users.

The Threat to the Safety of Law Students and Staff and the Loss of Property from Outsiders who Enter the Building: A series of incidents including the presence of

exhibitionists; the assault upon one woman law student; transients' use of Condon's restrooms to bathe; thefts of food, typewriters, wallets, etc., seems to indicate a need for tightening of regulations and enforcement thereof as an appropriate action. At the insistence of representatives of the new law school student body, student identification of outside users has been in effect since last spring. Visitor ID tags worn at all times will encourage students to question strangers without visible ID. Our library staff, including students, who work nights and weekends take precautionary measures of carrying walkie-talkies when they clear out the upper floors at closing time.

Condon Hall is a single purpose building. Its primary purpose has been to support the faculty and the School of Law curriculum. Every effort has been made to serve other classes of patrons but if we are going to successfully serve our own people, some restrictions seem appropriate.

AMENDATORY SECTION (Amending Order 72-3, filed 8/7/72)

WAC 478-168-060 USE REGULATIONS AND SERVICE SCHEDULE FOR THE MARIAN GOULD GALLAGHER LAW LIBRARY. (1) The Marian Gould Gallagher Law Library will be open while law school is in session:

(a) During the regular academic quarters (autumn, winter, spring) at least 90 hours per week.

(b) During the summer quarter at least 80 hours per week.

(2) When the law school is not in session, the law library will remain open at least 30 hours per week.

(3) The law library may close on university holidays without regard to the closure's effect on the total open hours for that week.

(4) Subject to the availability of funds, hours may be extended beyond these minimum to meet patron needs.

AMENDATORY SECTION (Amending Order 72-3, filed 8/7/72)

WAC 478-168-070 USE REGULATIONS AND SERVICE SCHEDULE FOR THE MARIAN GOULD GALLAGHER LAW LIBRARY—USE OF ~~((THE))~~ FACILITIES. (1) Access to the Marian Gould Gallagher Law Library is limited. Only University of Washington faculty and University of Washington law school students may use the library as a study hall (i.e., for use not related to that library's materials). In general, the reading room ((and seating on open stack floors are)) is open for use ((to)) by any person having need of the library's legal materials ((shelved there. The library is closed to nonlaw students and nonlawyers for use as a study hall (i.e., for use not related to that law library's materials))). However, when necessary to serve University of Washington faculty and University of Washington law school students effectively, the law librarian may restrict access to the library or any part of the library.

(2) The faculty library is for the use of University of Washington law faculty only, but books may be taken by library staff from the faculty library for the limited use of other patrons.

~~((3) The attorney's library is for the use of members of the Washington bench and bar only, except when scheduled through the office of the dean for seminar meetings and conferences of the law school.))~~

AMENDATORY SECTION (Amending Order 72-3, filed 8/7/72)

WAC 478-168-080 USE REGULATIONS AND SERVICE SCHEDULE FOR THE MARIAN GOULD GALLAGHER LAW LIBRARY—~~((CIRCULATION REGULATIONS))~~ USE OF MATERIALS. ~~((The))~~ (1) In the use of library materials the Marian Gould Gallagher Law Library serves the students, faculty and staff of the law school, the students, faculty and staff of other university departments, faculty of other colleges and universities, librarians of other libraries, ((and)) judges, members of the Washington ((bench and)) bar and persons who have a degree from the law school. ((Law school students and law faculty have priority when various classes of)) The law librarian has discretion to specify other groups of patrons and to set priorities of use among all groups of patrons. However, University

of Washington law school faculty and law school students have priority when other patrons need the same materials.

((1) Reference books. Many law library books are reference books to be used in the library. "In the library" is defined here as meaning in the reading room, the seating on open stack floors, established typing rooms, classrooms, the law students' lounge and conference rooms, or the law review offices.))

(2) ((General reference books. Because of the reference nature, the following should be limited to three day loans: Court reports, encyclopedias, digests, statutes and briefs.)) Circulation regulations may differ according to type of material and usage.

(3) ((Reserve books. Books on reserve at any of the library service desks may be checked out for use in the library and are due at closing time on the same day. Reserve books may be charged out for overnight use at 9 p.m. Monday through Friday and Sunday, and at 3 p.m. on Saturday, these books are due at 9:30 the following morning (or at 1:30 p.m. on Sunday, if the library is then open):

Current and unbound issues of Anglo-American law reviews may be borrowed from the reserve collection on three day loan and are due within an hour after the library opens on the third day.)) Because of the reference nature of much of the collection, many of the books do not circulate and must be used in the library. The law librarian shall define the phrase "in the library."

(4) ((Special reserve books. Class assignments and examination reviews often increase the demand for certain books which are then placed on special reserve, the loan period for such books is usually two hours. Any desk attendant may place a book on special reserve when the demand warrants it, but only the circulation librarians may remove a book from special reserve. Special reserve books loaned for overnight use are due at 8:10 the following morning (or 12:30 p.m. on Sunday if the library is then open):

(5) Two-week books. Collateral reading and reference materials not in demand for law school assignments may be charged out for two weeks, and may be renewed once unless a patron demand has developed since the initial loan. Loans of two-week books to out-of-the-city borrowers may be made initially for three weeks, to allow time for transit through the mails. Two-week books sent to the inter-library loan division of the university libraries will be initially charged for four weeks.

(6) Indefinite and extended loans. Law faculty may borrow library materials for indefinite periods with the exception of: Looseleaf services, current periodicals shelved in the reserve stack or material which has been placed on special reserve. Indefinite loans to faculty may be recalled by the circulation librarians when the materials are needed for student use. Extended loans to other borrowers are granted with the permission of the circulation librarians.

(7) The circulation staff is authorized to make short-term out-of-library loans of restricted material or to extend a loan period for other material when it is apparent that the value of the particular book to a prospective borrower outweighs the value of keeping it on the shelf for someone who might call for it. All books loaned under such conditions are subject to recall.)) Each borrower is responsible for materials which he or she checks out at the circulation desks.

AMENDATORY SECTION (Amending Order 72-3, filed 8/7/72)

WAC 478-168-090 SERVICE SCHEDULES—APPLICATION. Service schedules apply to the main library, undergraduate library, and branch libraries except the Marian Gould Gallagher Law Library.

NEW SECTION

WAC 478-168-092 STUDENT IDENTIFICATION CARDS—CONDITIONS OF USE. (1) To ensure prompt access to the library collection, University of Washington law school students must carry official law school identification cards issued at the time of enrollment in the school.

(2) An identification card is authorized for use only by the student whose name appears on the card.

(3) Student identification must be presented for the completion of each in-person circulation transaction.

(4) Each student must maintain current validation of the student's card.

(5) Each student shall keep the library informed of changes of name and address.

NEW SECTION

WAC 478-168-094 OFFICIAL REGISTRATION OF OTHER LIBRARY USERS. (1) All library users other than University of Washington law school faculty and staff and University of Washington law school students must complete a registration card for library records at the main circulation desk.

(2) Information required includes name, permanent address, telephone number, and user category.

(3) Each borrower shall keep the library informed of changes of name, permanent address, telephone number, and user category.

NEW SECTION

WAC 478-168-096 DAILY REGISTRATION BY LIBRARY USERS—PROCEDURES. (1) All eligible library users other than University of Washington law school faculty and staff and University of Washington law school students must present identification and register at the main circulation desk upon entering and leaving the library.

(2) Proper identification shall be as specified by the law librarian.

(3) When in the law library, all eligible library users other than University of Washington law school faculty and staff and University of Washington law school students must display a visitor's permit on the person or at the workplace when there. Visitor's permits are issued at the time of daily registration.

(4) Permits must be returned to the main circulation desk upon leaving the library.

(5) Failure to return permits may result in the revocation of library privileges.

WSR 85-10-034

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 85-37—Filed April 25, 1985]

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 salmon are available for a subsistence fishery.

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 April 25, 1985.

By William R. Wilkerson
Director

NEW SECTION

WAC 220-32-05900H *KLICKITAT RIVER—SUBSISTENCE. Effective immediately through June 8, 1985, those individuals possessing treaty fishing rights*

pursuant to the Yakima treaty may take, fish for or possess salmon for subsistence purposes with dip net gear from 6:00 p.m. Tuesday, to 6:00 p.m. Saturday in that portion of the Klickitat River between the swinging bridge, approximately one and one-half miles upstream, and a monument located in Section 25, Township 3N, Range 12E, a distance of 25 feet downstream from the entrance to the upper Klickitat Falls Fishway No. 5.

WSR 85-10-035
PROPOSED RULES
CORRECTIONS STANDARDS BOARD

[Filed April 25, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Corrections Standards Board intends to adopt, amend, or repeal rules concerning specific physical plant standards, amending WAC 289-12-030(2);

that the agency will at 9:00 a.m. or later, Friday, June 21, 1985, in the Empire Room, the Whitman Motor Inn, 197 North Second, Walla Walla, 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 70.48.050(5) and 70.48.070.

The specific statute these rules are intended to implement is RCW 70.48.050(5) and 70.48.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 14, 1985.

Dated: April 17, 1985

By: Robert W. Cote
 Executive Secretary

STATEMENT OF PURPOSE

Title: Specific physical plant standards.

Description of Purpose: To clarify a possible ambiguity to respect to space requirements for prisoners housed in dormitories. Facilities are to provide 60 square feet of semiprivate sleeping area per prisoner, in addition to the 35 square feet of dayroom space per prisoner required by WAC 289-12-030 (2)(a)(i).

Statutory Authority: RCW 70.48.050 (5)(a) and 70.48.070.

Summary of Rule: This rule provides that jail dormitories are to have a capacity of 8 to 10 males or 4 to 10 females. It also specifies that there is to be a minimum floor space of 60 square feet per prisoner in semiprivate sleeping areas and dayroom space as required by WAC 289-12-030 (2)(a)(i) (35 square feet per prisoner but not less than 144 square feet) and a minimum ceiling height of 10 feet if double bunks are used.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert W. Cote, Executive Secretary, Corrections Standards Board, 110 East 5th Avenue, Mailstop GB-12, Olympia, WA 98504, (206) 753-5790, scan 234-5790.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Amendments are proposed by the Corrections Standards Board.

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

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: None.

Small Business Economic Impact Statement: None.

AMENDATORY SECTION (Amending Resolution No. 85-02, filed 2/7/85)

WAC 289-12-030 NEW FACILITIES. (1) Initial planning for new facilities. The design planning of all new detention and correctional facilities shall include:

(a) Obtaining the participation of the community and surrounding governing units in site selection and planning; and

(b) Analyzing the present and future qualitative function and quantitative workload of the proposed facility, giving optimum consideration to alternatives to confinement.

(2) Specific physical plant standards. (Detention and correctional facilities except as otherwise noted.)

(a) Functional areas.

(i) Sleeping and living areas shall be designed to provide adequate confinement, reasonable prisoner to prisoner privacy, sight and sound surveillance and protection for prisoners and staff. For such purposes, the following are the design criteria for state funding of new construction or renovation of detention and correctional facilities. Modifications thereto shall be considered under the provisions of WAC 289-12-035.

(A) Single occupancy cells: Seventy-two square feet or larger with not less than eight foot ceilings. A single occupancy cell should contain not less than fifty square feet of clear floor space.

(B) Day room areas: A minimum of thirty-five square feet per prisoner, but not less than a total of one hundred forty-four square feet.

(C) Dormitories, when included: A minimum and maximum capacity of eight to ten males or four to ten females and sixty square feet of floor space per prisoner in semi-private sleeping areas (~~including~~). The dormitory shall also include day room space, as provided in (2)(a)(i)(B) above, and not less than ten foot ceilings if double bunks are used.

(ii) Program, recreation and exercise areas. Detention and correctional facilities shall provide adequate indoor program and recreation area(s) and a multipurpose outdoor exercise and activity area with toilet facilities.

(iii) Kitchen and dining facilities.

(A) When kitchen facilities are included, such facilities shall be adequate for the sanitary preparation of three nutritionally balanced meals per day and shall meet the requirements of chapter 248-84 WAC.

(B) Dining area(s) shall allow conversational opportunities in adequate surroundings. Meals shall not be served in cells, except where necessary for the health, security and/or well-being of prisoners and staff.

(iv) Examining room, infirmary and medical isolation.

(A) Detention and correctional facilities shall provide space to be used as a medical examining room. This space may be multipurpose, but when used as an examining room it shall provide sight and sound privacy and be equipped with natural spectrum fluorescent lighting, a handwashing lavatory with a gooseneck spout, either foot, knee, push plate, electric eye beam, or equivalent faucet controls, and sufficient lockable storage for medical equipment and supplies.

(B) When an infirmary is located within the facility, infirmary space shall allow a minimum of three feet between the perimeter of each bed and walls, beds, and any fixed obstruction: **PROVIDED**, That this three foot requirement does not apply to the distance between the head of a bed and the wall. The infirmary shall be equipped with its own lavatory, toilet, shower and bathtub.

(C) If medical isolation facilities are located within the jail such facilities shall conform to applicable standards of WAC 248-18-530 and 248-18-718.

(v) Visitation and confidential consultation.

(A) Space for visitation shall be included in detention and correctional facilities. Such space shall allow surveillance and the degree of control over physical contact deemed necessary by jail management for

visible control, and shall simultaneously provide adequate seating for prisoners and their visitor(s).

(B) Detention and correctional facilities shall provide adequate facilities for confidential consultation(s).

(vi) Laundry. If laundry facilities are provided within the jail, such facilities shall be adequate for sanitary washing and drying of the jail laundry. Separate areas should be arranged for storage and sorting of soiled laundry and for the sorting, folding and storage of clean laundry.

(vii) Storage. Detention and correctional facilities shall include one or more secure storage area(s) for the storage of prisoner personal clothing and property and for necessary jail equipment and supplies.

(viii) Supervisory stations.

(A) Sufficient space and equipment for the facility supervisor shall be provided in an area secure from prisoner access. An adequate control room shall be secure from any unauthorized access and it shall be capable of controlling access to the facility by the general public.

(B) Sight and sound surveillance equipment, where used, shall be monitored in the control room and remote control operating devices shall also be in the control room. The control room shall be equipped with a sink and toilet.

(ix) Booking and reception areas. The booking area(s) shall include, but not be limited to, restroom facilities with shower, a "strip search" room, holding cell(s) (may be multiple occupancy), telephone, and space for photographing, fingerprinting, delousing, intoxication determinations and health screening.

(b) Structural criteria. Subject to appropriate modifications on a case-by-case basis under the provisions of WAC 289-12-035, the following structural criteria shall apply to all state funded new construction or remodeling of detention and correctional facilities:

(i) Building codes. All standards contained in the current Washington state building code established by RCW 19.27.030, the electrical wiring provisions of chapter 19.28 RCW, and more restrictive local standards shall be followed in all new jail construction.

(ii) Materials for walls, floors and ceilings. In all jail facilities, walls, floors and ceilings shall be constructed with materials adequate to attain the degree of security required for each area of the facility. Such materials shall be easily cleanable, provide minimum sound transmission and fire protection. Polyurethane, neoprene or similar type materials shall not be used in padded cells. All paint used in a jail facility shall be fire resistant and nontoxic.

(iii) Entrances and exits.

(A) Detention and correctional facilities shall have two secure vestibules for ingress and egress.

(B) Elevators shall have no less than six feet by eight feet inside dimensions.

(C) A secure area shall be provided for loading and unloading prisoners.

(iv) Windows and/or skylights. Windows and/or skylights shall be sufficient to provide natural light to all living areas, yet locations shall assure security from escape and introduction of contraband.

(v) Noise level. Noise level shall conform to the requirements of chapter 173-60 WAC (Maximum environmental noise levels).

(c) Utilities. Subject to the appropriate modifications on a case-by-case basis under the provisions of WAC 289-12-035, the following criteria for utilities will apply to all state funded new construction or remodeling of detention and correctional facilities:

(i) Prisoner living areas, inspection corridors, and vestibules shall have secure lights with outside switch control. No electrical conduit shall be accessible from any cell, though each living unit may contain outlets and switches, provided they are unilaterally controllable by staff.

(ii) Lighting. Illumination at all times shall be adequate for security and surveillance, and daytime and evening illumination shall be sufficient to permit prisoners to read in their cells (thirty foot candles at thirty inches minimum, one hundred foot candles at thirty inches for medical examining areas, fifty foot candles at thirty inches for work areas).

(iii) Water supply. There shall be an adequate supply of sanitary hot and cold water available at all times to prisoners. Hot water for general use shall be adequate.

(iv) Plumbing—Toilets, lavatories, showers and floor drains.

(A) There shall be at least one toilet and lavatory for every eight prisoners. Separate facilities shall be provided for each sex.

(B) A minimum of one shower head shall be provided for every ten prisoners.

(C) Floor drains shall be constructed to serve all cells, dormitories and other areas where necessary to facilitate cleaning. Floor drains shall be located outside the cell space to reduce the incidence of tampering and flooding. Plumbing connection and pipes shall be secure from uncontrolled access by prisoners.

(v) Heating, ventilation and air conditioning.

(A) The systems shall maintain mean temperatures between sixty-five and eighty-five degrees F.

(B) The ventilating system shall provide for the number of air changes per hour as specified in the Uniform Building Code.

(d) Support systems.

(i) Fire detection and suppression. All jails shall have smoke and fire detection and alarm equipment. Fire alarm systems shall conform to all state and local fire regulations. Sprinklers shall not be required within cells and conflicting requirements of local code provisions are preempted, when all other applicable code provisions relating to fire safety are met and an effective smoke control system is incorporated in the facility design.

(ii) Emergency power. All detention and correctional facilities shall be equipped with emergency power sources with sufficient capacity to maintain communications and alarm systems, to move one jail elevator, where one exists, to provide minimum lighting within the facility and perimeter and for the preparation of a light meal.

(3) Minimum security facilities. Jail facilities shall be constructed to totally separate areas for housing prisoners who are allowed to go outside the jail regularly from all other prisoner areas.

(4) Holding facilities. Holding facilities shall be secure. Such facilities shall have adequate lighting, heat, ventilation and fire detection and suppression equipment. Each holding facility cell shall be equipped with a bed, toilet, lavatory and a drinking fountain. A telephone shall be accessible.

WSR 85-10-036

PROPOSED RULES

GAMBLING COMMISSION

[Filed April 25, 1985]

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 section WAC 230-08-025 and new section WAC 230-08-035;

that the agency will at 10:00 a.m., Thursday, June 13, 1985, in the Tye Motor Inn, 500 Tye Drive, 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 9.46.070 (5), (6), (8), (11) and (14).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 13, 1985.

Dated: April 25, 1985

By: Ronald O. Bailey
Deputy Director

STATEMENT OF PURPOSE

Title: WAC 230-08-025 Accounting records to be maintained by distributors and manufacturers; and 230-08-035 Yearly physical inventory and sales cutoff to be conducted by distributors.

Description of Purpose: Amends rules to accounting records for manufacturers and distributors; and yearly inventory for distributors.

Statutory Authority: RCW 9.46.070 (5), (6), (8), (11) and (14).

Summary of Proposed Rules and Reasons Supporting Action: WAC 230-08-025 requires the accounting for the user fee; and 230-08-035 requires distributors to inventory all gambling equipment yearly.

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.

These rules were 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 132, filed 4/21/83) #2

WAC 230-08-025 ACCOUNTING RECORDS TO BE MAINTAINED BY DISTRIBUTORS AND MANUFACTURERS. Every licensed distributor and manufacturer shall keep and maintain a complete set of records that are reconciled on a monthly basis. ~~((which))~~ These records must include all details of all activities of the licensee ~~((related to the conduct of the licensed activity))~~. All transactions must be recorded in the month they occur. Each of these records shall be maintained for a period of not less than three years from the end of the licensee's fiscal year. These records shall be recorded using the double entry accounting system prepared in accordance with generally accepted accounting principles, or other comprehensive basis of accounting, and on the same basis as the licensee's federal income tax return, and shall include but not necessarily be limited to the following records ~~((by month))~~:

~~((1. Sales invoices—every licensee shall use, for the purpose of recording sales of any and all types of goods and services, a general sales invoice which meets the following criteria and sets out the following information:~~

~~a. Prenumbered consecutively using a number not less than four digits;~~

~~b. The date of sale. For distributors only, if the date of delivery is different, then also the delivery date;~~

~~c. The customer name and adequate business address;~~

~~d. A full description of each item sold including any state identification stamp number;~~

~~e. The quantity and sales price of each individual item including individual items of merchandise to be used as prizes on punchboards and pull tabs;~~

~~f. The gross amount of each sale to each customer;~~

~~g. The sales invoice shall be prepared in at least three parts and distributed and maintained as follows:~~

~~(1) One shall be issued to the customer;~~

~~(2) One shall be retained in an invoice file by customer name;~~

~~(3) One shall be retained in an invoice file by invoice number or in an alternative manner that accounts for each invoice numerically. This provision may be waived if the licensee receives written commission approval;~~

~~h. Credit memos for returned items shall be prepared in the same detail as items a through g above.~~

~~2. Sales journal—the sales journal shall contain at least, but not be limited to, the following by month:~~

~~a. The date of the sale;~~

~~b. The invoice number of the sale;~~

~~c. The customer name or person remitting a payment;~~

~~d. Sales shall be categorized at least by the following:~~

~~(1) Punchboards that pay out cash prizes;~~

~~(2) Punchboards that pay out merchandise prizes;~~

~~(3) Pull tabs that pay out cash prizes;~~

~~(4) Pull tabs that pay out merchandise prizes;~~

~~(5) Pull tab dispensing devices;~~

~~(6) Merchandise: Only that which is used as a prize on a punchboard or series of pull tabs;~~

~~(7) Other types of sales including but not limited to, equipment leases, equipment sales, and bingo supplies;~~

~~e. Total amount of the invoice;~~

~~3. Cash disbursements book (check register)—this record shall include a recording of all checks issued by the licensee, cash payments made by the licensee or payment made by any other means and shall contain at least, but not limited to, the following information by month:~~

~~a. The date the check was issued or payment made;~~

~~b. The number of the check issued;~~

~~c. The name of the payee;~~

~~d. Expenses shall be categorized by type;~~

~~All expenses by the licensee, both respecting its expenditures relating to gambling and nongambling activities, shall be documented by invoices or other appropriate supporting documents;~~

~~4. Cash receipts—all cash receipts shall be recorded in an original book of entry whether it be a sales journal, a check register, or a separate cash receipts journal, and at a minimum shall include a recording of not only cash sales, but also cash received from all sources, and shall contain at least, but not limited to, the following by month:~~

~~a. The date the payment was received;~~

~~b. The name of the person remitting the payment;~~

~~c. The amount of payment received;~~

~~5. General ledger—each licensee whose gambling related sales exceed \$500,000 per year, shall have a general ledger which shall contain, in addition to all other accounts by month, a separate sales account for each type of sale:))~~

~~(1) Sales Invoices—Invoices, in a format prescribed by the commission, shall be used to record each separate sale of goods or services. The following minimum standards shall apply to invoices:~~

~~(a) Invoices shall be preprinted with at least a four (4) digit consecutive number which does not repeat for a minimum of ten thousand (10,000) invoices;~~

~~(b) Each invoice must be numerically accounted for from the date of purchase through three years following the end of the year in which they were used to record sales. All voided invoices must be retained;~~

~~(c) Each invoice must be at least three (3) parts and legible when completed. They shall be distributed and maintained as follows:~~

~~(i) One copy shall be issued to the customer;~~

~~(ii) One copy shall be filed by customer name; and~~

~~(iii) One copy shall be filed by invoice number or in an alternative manner that accounts for each invoice numerically.~~

~~(d) Invoices used to record gambling related goods or services shall be prepared in detail to include at least the following:~~

~~(i) The date delivered to the operator: PROVIDED, That C.O.D. shipments may be referenced to shipping documents;~~

~~(ii) The customer's name and an address adequate to identify the customer;~~

~~(iii) A full description of each item sold including the name, state identification stamp number, and the size of each punchboard and pull tab series;~~

~~(iv) The quantity and sales price of each individual item, including the price of each item of merchandise to be used as a prize, including those sold as part of a package; and~~

~~(v) The gross amount of the sale, any tax, and the total user fee collected per WAC 230-04-201.~~

~~(2) Credit Memos—A record shall be made for all returned items. Returns of punchboards and pull tabs must also comply with WAC 230-08-170(3). The following shall apply to returns:~~

~~(a) A memo must be prepared, maintained, and contain all the information in subsections (1)(a), (b), (c), and (d) above: PROVIDED, That sales invoices may be used as credit memos for returned items if the following conditions are met:~~

~~(i) The invoice is clearly marked as a credit memo; and~~

~~(ii) No sales items are contained on the same invoice.~~

~~(b) All credit memos for punchboards and pull tabs must contain the date sold and the invoice number of the original sale.~~

~~(3) Sales Journal—A record of all sales must be maintained in sufficient detail to complete the monthly and quarterly reports to the commission. An entry of sales, sales returns and rental transactions must be made at least once every seven (7) days and a cut off made at the end of each month. Sales and sales returns may not be combined or netted. They may be included in the same line entry if separated. Each~~

entry must be traceable to an original invoice or other sales/credit document: PROVIDED, That transactions may be batched if a separate record, which reconciles each entry, is made. The sales journal must provide at least the following information:

- (a) The date or dates included in each entry;
- (b) The invoice number or numbers included in each entry. Entries may only include batches of invoices that are consecutively issued: PROVIDED, That batches of nonconsecutively issued invoices may be entered if other itemized support is maintained;
- (c) Punchboards and pull tab series transactions by size category, dollar amount and number sold;
- (d) Pull tab dispensing devices;
- (e) Merchandise: Only that which is used as a prize on a punchboard or series of pull tabs.
- (f) Other types of sales including but not limited to, equipment leases, equipment sales, and bingo supplies;
- (g) Sales tax collected;
- (h) User fees collected; and
- (i) Total amount of the sales for each column and line entry.

(4) Cash Disbursement Journal – A record shall be made of all disbursements made by check, cash or other modes of payment. All expenditures, for either gambling or nongambling expenses, shall be documented by invoices or other appropriate supporting documents. This record shall include at least the following information:

- (a) The date the check was issued or payment made;
 - (b) The check number issued, if applicable;
 - (c) The name of the payee; and
 - (d) Expense category summarized by type.
- (5) Cash Receipts Journal – A record shall be made of all checks, cash or other modes of payment received from all sources by each licensee. This record shall include at least the following information:

- (a) The date the payment was received;
 - (b) The name of the person remitting the payment; and
 - (c) The amount of payment received.
- (6) General Ledger – Each licensee whose gambling related sales or rentals exceeds \$500,000 per year shall maintain a record setting out the following items by category:

- (a) Assets;
 - (b) Liabilities;
 - (c) Owners equity;
 - (d) Revenue accounts; and
 - (e) Expense accounts.
- ((6-)) (7) Bank reconciliation – a bank reconciliation shall be performed each month. In addition, all undeposited funds at year end shall be reconciled in an account titled cash on hand.
- ((7-)) (8) Copies of all financial data which support tax reports to any and all governmental agencies.
- ((8-)) (9) An alternative format may be used for sections 1, 2, ((and)) 3, and 4 upon advance written approval from the commission. ((Each of these records shall be maintained for a period of not less than three years from the end of the licensee's fiscal year.))

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 230-08-035 YEARLY PHYSICAL INVENTORY AND SALES CUTOFF TO BE CONDUCTED BY DISTRIBUTORS. A physical inventory must be conducted within 7 days of each distributor's fiscal year end and prior to the effective date of this rule. The commission shall be notified at least 72 hours prior to the start of the inventory count. The count will include all punchboards and pull tab series in the distributor's and their representative's possession and ending invoice and receiving document numbers. All inventory count sheets and supporting records must be retained for at least three years. Written approval may be obtained from the commission to conduct the physical count at other than within 7 days of fiscal year end. The count shall be separated by at least the following:

- (1) Number of punchboards by size category as defined in table 1 and 2 in WAC 230-04-201; and
- (2) Number of pull tab series by size category as defined in table 1 and 2 in WAC 230-04-201.

WSR 85-10-037
ADOPTED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
 [Order 85-01—Filed April 29, 1985]

I, R. A. Virant, director of the Department of General Administration, do promulgate and adopt at Olympia, Washington, the annexed rules dealing with the flying of various flags at the east and west campus flag plazas, WAC 236-20A-010.

This action is taken pursuant to Notice No. WSR 85-07-057 filed with the code reviser on March 20, 1985. 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 43.19.125 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 April 23, 1985.

By R. A. Virant
 Director

AMENDATORY SECTION (Amending Order 76-3, filed 3/15/76)

WAC 236-20A-010 FLAG PLAZAS. The flag plazas on the east and west capitol campus are designated as the official locations for display of the United States and Washington state flags on the state capitol grounds. The United States flag and the Washington state flag will be flown permanently at these locations. ~~((The American Revolution Bicentennial flag will be flown at the west campus flag plaza during the American Bicentennial year.))~~

The flags of visiting United States governors and ~~((of foreign))~~ dignitaries and other flags may be flown at the discretion of the governor of the state of Washington.

No other flags will be flown on any poles at the east or west capitol flag plazas.

WSR 85-10-038
NOTICE OF PUBLIC MEETINGS
HOSPITAL COMMISSION
 [Memorandum—April 26, 1985]

The State Hospital Commission will meet in Seattle at the Vance Airport Inn on Thursday, May 9, 1985, at 8:30 a.m. The hospitals scheduled for informal hearing have previously filed with the commission their annual budget and rate requests and their requests for amendments to their previously approved budget and rates. Staff findings and recommendations will be transmitted to the scheduled hospitals and to members of the Hospital Commission in accordance with WAC 261-20-135.

Such information is on file in the commission's office and is available for inspection.

The meeting of the State Hospital Commission scheduled for May 23, 1985, has been cancelled. Meetings of the commission are scheduled for June 13, 1985, at the Holiday Inn, Yakima, and June 27, 1985, at the Vance Airport Inn, Seattle.

WSR 85-10-039
EMERGENCY RULES
LOTTERY COMMISSION
 [Order 73—Filed April 29, 1985]

Be it resolved by the Washington State Lottery Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to:

- New WAC 315-11-160 Definitions for Instant Game Number 16 ("People's Choice").
- New WAC 315-11-161 Criteria for Instant Game Number 16.
- New WAC 315-11-162 Ticket validation requirements for Instant Game Number 16.

We, the Washington State Lottery 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 Game 16 will start before permanent rules can be adopted. Delay in implementation would be contrary to the public interest.

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

This rule is promulgated pursuant to RCW 67.70.040 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 April 4, 1985.

By Duane Kovacevich
 Deputy Director

NEW SECTION

WAC 315-11-160 DEFINITIONS FOR INSTANT GAME NUMBER 16 ("PEOPLE'S CHOICE"). (1) *Play symbols:* The following are the "play symbols:" "\$2.00," "\$5.00," "10.00," "20.00," "50.00," "\$100\$," and "\$5,000." One of these play symbols appears under each of the six rub-off spots on the front of the ticket.

(2) *Validation number:* The unique nine-digit number on the lower right portion of the front of the ticket. The number is covered by latex which is overprinted "DO NOT REMOVE".

(3) *Pack-ticket number:* The ten-digit number of the form 6000001-000 printed on the front of the ticket.

The first seven digits of the pack-ticket number for Instant Game Number 16 constitute the "pack number" which starts at 6000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(4) *Captions:* The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 16, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$2.00	TWO\$
\$5.00	FIVE\$
10.00	TENS
20.00	TWENTY\$
50.00	FIFTY\$
\$100\$	HUNDRED
\$5000	FIVE-THOU

(5) *Agent verification codes:* Codes consisting of small letters found under the removable covering on the front of the ticket which the licensed agent uses to verify instant winners below \$25. For Instant Game Number 16, the agent verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The agent verification codes used by the licensed agent to verify lower tier prizes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00
TTY	\$20.00

(6) *Pack:* A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-161 CRITERIA FOR INSTANT GAME NUMBER 16. (1) The price of each instant game ticket shall be \$1.00.

(2) *Determination of prize winning tickets:* An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three \$2.00 play symbols – Win \$2.00
- Three \$5.00 play symbols – Win \$5.00
- Three 10.00 play symbols – Win \$10.00
- Three 20.00 play symbols – Win \$20.00
- Three 50.00 play symbols – Win \$50.00
- Three \$100\$ play symbols – Win \$100.00
- Three \$5000 play symbols – Win \$5,000

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 16 set forth in WAC 315-11-162, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Instant prize winning tickets shall be redeemed in the manner set forth on the back of the ticket and in the player's brochure.

(6) There shall be no grand prize drawing.

(7) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 16 and/or

(b) Vary the number of tickets sold in Instant Game Number 16 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(8) The lottery shall conduct in conjunction with Instant Game Number 16 an incentive program pursuant to WAC 315-04-190(3). The purpose of the program is to increase sales of lottery tickets through increased and more effective use of point-of-sale material.

(a) The program shall be conducted as follows:

(i) Four drawings, using licensed agent numbers, will be held during Instant Game Number 16 at times and places and pursuant to procedures established by the director. At each drawing, twenty-five primary and five alternate licensed agent numbers will be drawn.

(ii) Licensed agents whose number is drawn and whose license is active and accounts receivable are current within thirty days at the time of the drawing will be qualified for further participation in the program. Agents whose license is inactive or accounts receivable are not current within thirty days at the time of the drawing will be disqualified and replaced by a licensed agent whose number was drawn as an alternate number.

(iii) Licensed agents selected for further participation at any drawing will not be eligible for participation in future drawings.

(iv) Lottery personnel shall visit each licensed agent qualified for further participation to determine whether point-of-sale material is displayed at each checkout area where lottery tickets are sold. Those agents with point-of-sale material displayed at each such checkout area will be eligible for the finalist drawing.

(v) The finalist drawing will be held at a time and place and pursuant to procedures established by the director. Six winners will be drawn from those agents eligible for the finalist drawing.

(b) Each of the six winners will receive a vacation package for two persons to one of the following locations: Disneyland; Reno, Nevada; Palm Springs, California; Colorado; Alaska; Hawaii; or Mexico. The vacation package will include air fare and double occupancy hotel accommodations for seven days and six nights subject to availability.

(i) Vacations must be taken between August 1, 1985, and December 1, 1985; provided, trips may not be taken during holidays.

(ii) Winners must choose the destination and dates of their vacation package not later than July 15, 1985.

(iii) The vacation packages awarded under this program have no cash value; however, they are fully transferable.

(iv) The cost of each vacation package shall not exceed one thousand four hundred dollars.

(v) Each winner shall be liable for the federal income tax due, if any, as a result of being awarded the vacation package.

(c) Washington state liquor control board stores and agencies are not eligible to participate in this incentive program.

NEW SECTION

WAC 315-11-162 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 16. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 16 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbol	Mead 15 Point Archer font
Captions	Mead 5 x 11 Matrix font
Pack-Ticket Number	OCR-A Size 1 Condensed font
Validation Number	OCR-A Size 1 Condensed font
Agent Verification Code	Mead 7 x 12 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and the agent verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-160(1) and each of the captions must be exactly one of those described in WAC 315-11-160(4).

(2) Removal of part or all of the latex overprinted "DO NOT REMOVE" covering of the validation number will not invalidate an otherwise valid ticket.

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

WSR 85-10-040
ADOPTED RULES
DEPARTMENT OF NATURAL RESOURCES
 [Order 443—Filed April 29, 1985]

I, Brian J. Boyle, Commissioner of Public Lands, Department of Natural Resources, do promulgate and adopt at Olympia, Washington, the annexed rules relating to establishment of rules and regulations relating to leasing for coal exploration and mining on state trust lands managed by the Department of Natural Resources.

This action is taken pursuant to Notice Nos. WSR 85-04-062 and 85-08-017 filed with the code reviser on February 6, 1985, and March 29, 1985. 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 79.01.668 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 79.01.668 which directs that the Commissioner of Public Lands has authority to implement the provisions of RCW 79.01.652 through 79.01.696.

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 April 29, 1985.

By Brian J. Boyle
 Commissioner of Public Lands

Chapter 332-14 WAC

Coal Leasing Rules & Regulations

NEW SECTION

WAC 332-14-010 DEFINITIONS. The following terms are applicable when used in the chapter and shall be defined as follows unless the context clearly requires otherwise:

- (1) "Abandon" means the removal of all drilling and production equipment from the site and the restoration of the surface of the site to standards set forth by the Office of Surface Mining in 30 CFR, Part 947, "Surface Mining and Reclamation Operation Under a Federal Program for the State of Washington" or a federally approved state program.
- (2) "Auction" means competitive lease bidding by oral or sealed bids or a combination thereof.
- (3) "Blending" means combining two or more grades of coal to achieve desired chemical or combustive properties.
- (4) "Coal" means a black or brownish-black solid combustible substance which has been subjected to the natural process of coalification and which falls within the classification of coal by rank for lignite, subbituminous, bituminous or anthracite as defined in the American Society of Testing Material Standards.
- (5) "Coal mining lease" means a lease not to exceed twenty years entitling the operator to develop, mine and market a known coal resource on state lands.

(6) "Coal option contract" means a one-year agreement entitling its holder to explore for coal on one section or 640 acres, whichever is larger and to remove up to 250 tons of coal for testing purposes.

(7) "Commingling" means the mixing of coal from the leased premises with coal from land other than the leased premises.

(8) "Department" means the department of natural resources.

(9) "Development" means any work which occurs after exploration and which furthers coal production.

(10) "Exploration" means investigation to determine presence, quantity and quality of coal resources by geologic, geophysical, geochemical or other means.

(11) "Exploration drill hole" means an exploratory drill hole constructed for the purpose of determining depth, thickness, quality and quantity of coal for the identification of underlying rock formations in which the coals occur and the determination of hydrological conditions.

(12) "Gross Receipts from Mining" means the fair market price per ton according to rank as prepared for market at the first point of sale or commercial use.

(13) "Grout" means a cementing agent which is used for plugging and sealing exploration drill holes.

(14) "Improvements, structures, and development work" means anything considered a fixture in law or the removal of overburden or the diversion of drainage or other work preparatory to removal of coal, placed upon or attached to state lands that has added value to the state's interest therein.

(15) "Logical Mining Unit" means contiguous lands or lands in reasonable proximity in which the recoverable coal reserves can be developed in an efficient, economical, and orderly manner as a unit with due regard to recoverable coal reserves. A logical mining unit may consist of one or more state leases under the control of a single lessee and may include intervening or adjacent lands in private or public ownership.

(16) "Mine" means any excavation made for production of coal for commercial sale or use.

(17) "Office of Surface Mining" means United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement or its successor.

(18) "Plug and abandon" means the placing of permanent plugs in a coal exploration drill-hole in such a way and at such intervals as are necessary to prevent future leakage of either fluid or gases from the drill hole to the surface or from one aquifer to another.

(19) "Production" means the work of extracting and preparing coal in commercial quantities for market or for consumption.

(20) "Reclamation" means rehabilitation of surface-mined areas to those required standards set forth by the Office of Surface Mining in 30 CFR, Part 947, "Surface Mining and Reclamation Operation Under a Federal Program for the State of Washington" or by a federally approved state program.

(21) "SEPA" means the State Environmental Policy Act, Chapter 43.21C RCW.

(22) "State land" means land where all or part of the subsurface coal rights are owned by the state and are managed by the department.

(23) "Surface rights" means the rights to the use of the surface of the property not including subsurface rights.

(24) "Ton" means ton as defined by RCW 79.01.668.

(25) "Treatment" means improving the physical or chemical properties of coal.

(26) "Washing" means the separation of coal from undesired contaminants through use of a fluid medium.

NEW SECTION

WAC 332-14-020 JURISDICTION. These rules shall be applicable to all state lands which the department is authorized to lease for the purpose of prospecting, developing and extracting coal resources. These rules are promulgated pursuant to RCW 79.01.652 through RCW 79.01.696.

NEW SECTION

WAC 332-14-030 LANDS AVAILABLE FOR EXPLORATION AND LEASING - AUTHORITY TO WITHHOLD. State lands subject to the management of the department shall be available for coal exploration in accordance with these regulations. The department is not required to offer any tract of land for coal exploration or coal mining unless it determines that the interests of the state would be served.

NEW SECTION

WAC 332-14-040 APPLICATIONS. Applications for coal option contracts or coal mining leases shall be filed with the department in Olympia, Washington on forms provided by the department. An applicant may file more than one application and acquire more than one option contract or mining lease. Each application for a coal option contract or a coal mining lease shall be accompanied by a fee of one dollar per acre for the lands applied for but in no case less than fifty dollars. Fees shall be based upon acreages as determined by the department.

NEW SECTION

WAC 332-14-050 REFUND OF APPLICATION FEES. If an application for a coal option contract or a coal mining lease is rejected by the department, application fees may be refunded after deducting expenses incurred in investigating the character of the land.

NEW SECTION

WAC 332-14-060 COAL OPTION CONTRACT AND COAL MINING LEASE - AREA - TERM. One government surveyed section of land or up to 640 acres, whichever is the larger area, may be the subject of a coal option contract or a coal mining lease. The term of a coal option contract may not exceed one year. The term of a coal mining lease may not exceed twenty years. The acreage in a single application does not need to be contiguous. The total area of a coal option contract

or a coal mining lease shall be limited to a logical mining unit as determined by the department.

NEW SECTION

WAC 332-14-070 COAL OPTION CONTRACT

The department may issue a coal option contract after investigation of the character of the state lands if the department deems it to be in the best interests of the state. An option contract may be conditioned or denied based upon the department's analysis of potential environmental impacts arising from applicant's proposed exploration activities upon the premises. Applications will be considered received by the department upon the date of its arrival at the department's Olympia office. Applications for an option contract will not be considered during the term of an existing option contract. If more than one application for a coal option contract is received on the same day for the same premises, the successful applicant will be chosen by drawing lots. The coal option contract will be prepared by the department and mailed to the applicant for execution. Applicant shall have thirty days from the date of the mailing to sign and return the option contract to the department. Failure to return the signed contract within the specified period may result in the rejection of the application.

NEW SECTION

WAC 332-14-080 CONVERTING COAL OPTION CONTRACT - LEASE. To convert a coal option contract to a coal mining lease, the holder must submit an application for conversion on a form provided by the department. Applicant shall provide a detailed report of the results of its investigation and exploration together with its proposed plan of development for the extraction and production of coal and a proposed reclamation plan. The plan will be used as a basis for SEPA analysis and evaluation of environmental impacts.

NEW SECTION

WAC 332-14-090 COAL MINING LEASES - ENVIRONMENTAL ANALYSIS. The department may condition or deny a coal mining lease based upon analysis of potential adverse environmental impacts. If a coal mining lease is awarded at public auction and is subsequently denied based upon potential adverse environmental impacts, all bid deposits will be refunded.

NEW SECTION

WAC 332-14-100 PROCEDURE FOR AWARD OF COAL MINING LEASE AT PUBLIC AUCTION. The department may offer coal mining leases for lands known to contain workable coal at public auction and award the lease to the highest bidder. Public bidding shall be by sealed bid followed by oral auction. Oral bidding will be confined to persons previously submitting sealed bids. Notice of the public auction shall be given at least thirty days prior to the auction in two newspapers of general circulation, one of which shall be in the county in which the premises are located. The notice shall specify the following:

1. Place, date, and hour of the auction;
2. Legal description of the premises;
3. Royalty rates per RCW 79.01.668;
4. The minimum acceptable bonus bid.

Sealed bids shall be submitted in accordance with the notice of auction and shall be accompanied by a certified check for one-fifth of the total bid, together with the entire first year's minimum annual per acre royalty as established in the proposed lease. Unsuccessful sealed bidders will have their deposits refunded. A successful oral bidder shall submit payment within ten days of an additional payment to equal one-fifth of its total bid.

The coal lease will be awarded to the highest bidder, provided that it is duly executed and returned to the department with the balance of the bid. If an executed coal lease and the required payments are not received by the department within thirty days of the date of the auction, the proposed lease may be awarded to the next highest bidder and any monies deposited by the defaulting bidder shall be forfeited to the department.

Award of a coal mining lease does not authorize any surface disturbing activities thereunder until SEPA requirements have been satisfied by the lessee.

NEW SECTION

WAC 332-14-110 CONSOLIDATION OF LEASES. The holder of two or more coal mining leases may apply to the department for consolidation of leases in order to facilitate operations. If the department finds, after investigation and examination, that the proposed consolidation will be in the best interests of the state, approval will be issued.

NEW SECTION

WAC 332-14-120 RE-LEASE OF COAL LEASES. An existing lessee may make application to re-lease the premises for a like term from the department. If the department receives no other application and, after inspection and investigation regarding the development and improvement of the premises during original lease term, determines that it is in the best interests of the state to re-lease the premises, it shall fix the royalties for the ensuing term and issue a renewal lease for a term up to twenty years. If application is received from a new applicant, the state shall lease the premises at public auction.

If a person other than the original lessee shall be awarded the lease, they shall assume reclamation obligations and reimburse the original lessee for the value of the structures, improvements or development work which adds value to the premises as determined by the department. When bids are evaluated, the department shall extend a preference to the existing lessee to meet the terms of a higher competing offer.

An application for re-lease shall be filed with the department at least sixty days, but not more than one year prior to expiration of the lease. Unless a timely application for re-lease is made, the department will not recognize any added premises values nor will reimbursement be required of a new lessee.

NEW SECTION

WAC 332-14-130 LEASE-MINIMUM ANNUAL ROYALTY. The lessee shall pay the first year's minimum annual per acre royalty prior to execution of the lease. Each subsequent minimum per acre royalty payment shall be paid in advance each year. Minimum per acre royalty payment shall be credited against production royalties due for the same lease year.

NEW SECTION

WAC 332-14-140 LATE ROYALTY PAYMENTS - INTEREST RATE. Past due royalty payments shall bear interest at the highest rate permitted by RCW 19.52.020 per month. Costs of collection, including attorney's fees, shall be recoverable in addition to interest.

NEW SECTION

WAC 332-14-150 PROCEDURE WHERE SURFACE RIGHTS ENCUMBERED. The holder of a coal option contract or a coal lessee shall have a right of action in the superior court of the county in which the premises are located to ascertain and determine the amount of damages, if any, which will accrue to the holder of surface rights by reason of the exercise of any of the exploratory, prospecting or mining rights conveyed by the department if agreement cannot be reached regarding damages. The term of any coal option contract or coal mining lease shall begin thirty days after the entry of the final judgment in such action, if the action has been pursued with due diligence.

NEW SECTION

WAC 332-14-160 SURETY ARRANGEMENTS. The lessee shall file a corporate surety bond, cash bond, savings account assignment or other surety arrangement satisfactory to the department, in an amount determined by the department, in order to guarantee performance of the terms and conditions of an option contract or mining lease. Such surety arrangement shall be submitted for approval prior to commencing operations and shall be not less than one thousand dollars for an option contract and not less than ten thousand dollars for a mining lease. The department may, during the term of contract or lease, increase the amount of the surety arrangement for operational changes requiring increased levels of performance. The department may authorize a single surety arrangement for more than one state lease held by a person.

NEW SECTION

WAC 332-14-170 PLAN OF ACTIVITIES - COAL OPTION CONTRACT. The applicant for a coal option contract shall submit a plan of activities which shall include but is not limited to the following:

- (1) The type, location, and schedule of exploratory drilling and trenching activities;
- (2) Location of other significant activities, including type and depth of drilling, trenching, and adit construction;

(3) Proposed roads;

(4) Reclamation, including method of plugging and sealing drill holes and adits;

(5) Proposed erosion control plans for roads, landings, drilling platforms, and trenches; and

(6) Proximity to surface water including proposed stream crossings.

If the holder of a coal option contract desires changes to the approved plan of activities, department approval is required.

NEW SECTION

WAC 332-14-180 PLAN OF DEVELOPMENT/OPERATION/RECLAMATION - COAL MINING LEASE. The successful bidder for a coal mining lease pursuant to RCW 79.01.672 shall submit a plan for mining to include a fully detailed plan for orderly development and extraction of coal and reclamation of the premises. The plan will be used as a basis for SEPA analysis and evaluation of environmental impacts.

NEW SECTION

WAC 332-14-190 RECLAMATION - FEDERAL PERMIT REQUIRED. All surface mining and reclamation activities shall be in accordance with the terms of a surface mine reclamation permit obtained from the U.S. Department of the Interior, Office of Surface Mining and Enforcement or a federally approved state permit.

NEW SECTION

WAC 332-14-200 DILIGENCE AND FORFEITURE. The holder of any coal mining lease shall expend at least fifty thousand dollars per year in exploration, mine development, mine operation, or reclamation activities on the premises, or on the logical mining unit of which the lands are a part unless a written waiver is issued by the department. Proof of such expenditure shall be submitted to the department on the anniversary date of the lease. By mutual agreement the diligence requirement may be met by an in lieu payment of said amount to the state. Failure to expend this amount of money may result in forfeiture of the coal lease. Applicants for coal leases shall identify the logical mining unit in which the lands applied for lie. In the event the department, after investigation and examination, finds that the proposed logical mining unit will be in the best interest of the state, such designation of a logical mining unit will be approved. In the event the department finds that the proposed logical mining unit will not be in the best interest of the state, the diligence requirements shall apply only to the lands included within the lease. The boundaries of a designated logical mining unit may be adjusted if a coal lease is renewed.

NEW SECTION

WAC 332-14-210 ASSIGNMENTS. Coal mining leases are assignable in accordance with RCW 79.01-.292. Coal option contracts are not assignable.

NEW SECTION

WAC 332-14-220 TIMBER. No timber owned by the state shall be cut, removed or destroyed by a holder of a coal option contract or coal mining lease prior to approval by the department. Holder shall mark all timber proposed to be cut, removed or destroyed and the department shall appraise the timber. The department shall have the option of selling the timber or allowing the holder to cut, remove or destroy it upon payment of the appraised value.

NEW SECTION

WAC 332-14-230 USE OF PREMISES. On premises consumption and blending, commingling, washing or storage of coal may be authorized as a part of an approved plan of development and mining without payment of additional compensation to the department.

NEW SECTION

WAC 332-14-240 RIGHT TO AUDIT BUSINESS RECORDS. The department may, during normal business hours, examine the premises, improvements, operations or production facilities and may inspect books, records or federal income tax returns of the lessee in order to ascertain the production of coal and to determine compliance with the terms and conditions of the coal lease, approved development, mining or reclamation plans or these regulations.

NEW SECTION

WAC 332-14-250 PLUGGING AND ABANDONMENT PROCEDURES FOR EXPLORATION DRILL HOLES. All exploration drill holes shall be properly plugged and abandoned by the holder of any coal option contract or coal mining lessee according to the following requirements:

1. No drill holes shall be plugged and abandoned until the method and manner of plugging has been approved by the department. Drill holes not necessary for hydrological monitoring measurements shall be plugged and abandoned as soon as practical following drilling and probing. Hydrological monitoring holes shall be cased and capped while in use.

2. All drill holes in which gas is present, or which exhibit artesian ground water flow, or which encounter ground water zones, shall be plugged with grout, cement or approved gel. These plugs shall extend a minimum of 100 feet above and below all ground water zones or to the top and bottom of the hole.

3. Plugs below the water level of the drill hole must be made by a method which precludes dilution of the plugging material.

4. All exploration drill holes must have surface plugs sufficient to effect a permanent seal. The top of the plug must be installed deeper than three feet below the original surface with a permanent identification monument in the soil above the plug.

5. Unused drilling supplies and debris extraneous to drilling operations must be removed from the premises and the excavation must be backfilled to its approximate

original land surface. Each drill site shall be graded to its approximate original contour and shall be left in a stable condition. Within thirty days after completion of all exploration activities, the lessee shall file a sworn statement on a form provided by the department setting forth in detail the methods used in sealing all drill holes and restoring the premises to a stable condition.

NEW SECTION

WAC 332-14-260 ACCESS ROAD CONSTRUCTION AND MAINTENANCE STANDARDS. Access roads authorized to be constructed and/or maintained on state lands or under right of way easement agreements shall conform to standards approved by the department.

NEW SECTION

WAC 332-14-270 EXPLORATION REPORTS - CONFIDENTIALITY. A coal option contract holder or a coal mining lessee shall submit a semi-annual report to the department of all geophysical, geologic and qualitative coal data, analyses and maps which are gathered or prepared during exploration activities on the premises. This report shall include sampling information, geologic, geophysical and driller's logs and all analytical results. Sampling or drilling points shall be referenced by bearing and distances from identifiable land marks or by legal description. Such data, analyses or maps shall be confidential and not available for public inspection or copying for five years from the date of filing the report.

NEW SECTION

WAC 332-14-280 COMPLIANCE WITH OTHER LAWS. All development or production activities authorized by the lease shall be conducted in accordance with applicable federal and state laws, rules and regulations. Compliance shall be the sole responsibility of the holder of any coal option contract or coal mining lessee and not the responsibility of the department.

**WSR 85-10-041
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed April 29, 1985]**

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 adult protective services, amending WAC 388-15-120;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

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

The specific statute these rules are intended to implement is RCW 74.34.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 25, 1985

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 388-15-120.

Purpose of the Rule Change: To amend rules related to the provision of protective services to dependent adults 18 years of age and older and vulnerable adults 60 years of age and older.

These Changes are Necessary: Due to the July 1, 1985, implementation of the mandatory reporting section of the elder abuse bill; section 9 (codified within RCW 74.34.010 - 74.34.090).

Summary of Rule Change: Effective July 1, 1985, social workers, employees of the Department of Social and Health Services, or health care practitioners including but not limited to doctors, nurses, psychologists and pharmacists having reasonable cause to believe that a vulnerable adult has suffered abuse, exploitation, neglect or abandonment shall make an immediate report to the department.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule Change: Becky Martelli, Program Manager, Bureau of Aging and Adult Services, mailstop OB 43G, phone 753-1245.

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

AMENDATORY SECTION (Amending Order 2141, filed 8/15/84)

WAC 388-15-120 ADULT PROTECTIVE SERVICES. (1) Adult protective services are those services provided to prevent, correct, improve, or remedy the situations of dependent adults eighteen years of age or older, vulnerable adults sixty years of age or older, or other adults similarly unable to protect interests vital to their safety and well-being. Requests for protection may come from the person at risk or others concerned for his or her welfare.

(2) To qualify for protective services, ~~((there))~~ elements must exist ~~((elements))~~ of abuse, neglect, exploitation, or living conditions or life style constituting a danger to mental or physical health or safety of the client or others, and there must be no one willing and able to assist the adult responsibly.

(3) Definitions(-):

(a) ~~((A "dependent adult" is a person over the age of eighteen years who has been found to be legally incompetent pursuant to chapter 11.88 RCW or found so disabled under that chapter as to be unable to provide for his or her own protection through the criminal justice system))~~ "Abuse" means an act of physical or mental mistreatment or injury which harms or threatens a person through action or inaction by another individual.

(b) ~~((A "vulnerable adult" is a person sixty years of age or older having [the functional, mental, or physical inability to care for himself or herself.]))~~ "Adult dependent person" means a person over the age of eighteen years who has been found legally incompetent pursuant to chapter 11.88 RCW or found disabled to such a degree pursuant to said chapter that such protection is indicated.

(c) ~~((A "Abuse" is an act of physical or mental mistreatment or injury harming or threatening a person with harm through action or inaction by another individual))~~ "Exploitation" means the illegal or improper use of a vulnerable adult or that adult's resources for another person's profit or advantage.

(d) "Neglect" ~~((is an act or omission by another individual constituting a clear and present danger to a person's physical or mental welfare and safety))~~ means a pattern of conduct resulting in deprivation of care necessary to maintain minimum physical and mental health.

(e) ~~((A "Exploitation" is an act of making illegal or improper use of another person or his or her resources for one's own advantage or profit, or in a fashion not benefiting the client))~~ "Vulnerable adult" means a person sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself.

~~((A "Living conditions or life style constituting a danger to mental or physical health or safety of the client or others" means adults living in a condition or life style in which they are endangering their own physical or mental health or safety, or that of others.))~~

(4) Any social worker, employee of the department, or health care practitioner licensed under Title 18 RCW, including, but not limited to doctors, nurses, psychologists, and pharmacists, having reasonable cause to believe a vulnerable adult has suffered abuse, exploitation, neglect, or abandonment shall make an immediate oral report to the department followed by a written report to be mailed within five working days. Persons making oral reports must be advised of this written report requirement by the adult protective worker when the initial oral report is received. The department shall respond to all reports, from any source, of abuse, neglect, exploitation, and abandonment of dependent or vulnerable adults. Responsibility for the adult protective service investigation lies with the CSO service worker who ~~((with))~~ shall determine if a valid adult protective situation exists.

(5) Adult protective service cases are normally of an emergency nature and remain adult protective cases only until the emergency situation is stabilized, usually ninety days or less.

(a) Any individual may receive adult protective services regardless of his or her recipient status or level of gross income.

(b) ~~((Supportive))~~ Support services ~~((such as))~~ including, but not limited to, chore may be provided without regard to income only when the services are essential to, and a subordinate part of, the adult protective services plan ~~((, and cannot))~~. Support services shall not be provided if the only basis of the inclusion in a care plan is prevention of future exploitation or danger.

(c) Authorization to extend adult protective services is required if, in the judgment of the service worker, it is essential to provide the service beyond ninety days. If supportive services are also necessary during the extended period, such services may be continued as long as the services are an integral part of the adult protective services plan.

(d) If continuation of ~~((supportive))~~ support services such as chore is needed after adult protective services are terminated, these services ~~((could))~~ may be continued if the client qualifies under the usual eligibility requirements for the service.

(6) Services may include but are not limited to the following:

(a) Provision of counseling to the client or other individuals, and taking necessary actions to alleviate the immediate problem.

(b) Assisting in locating and obtaining medical care and mental health services.

(c) Assisting in locating necessary legal services.

(d) Arranging for support services to resolve the problem without relocating the client so the client is able to remain in his or her present abode.

(e) Assisting with relocation, including help to locate suitable housing.

(f) Seeking help of law enforcement officials in situations of grave danger to the client.

(g) Acting as advocate for adults whose civil rights and financial entitlements are at risk.

(7) A person may receive protective services, provided the person requests or affirmatively consents to receive the services. If the person withdraws or refuses consent, services shall not be provided. The department may bring an action under chapter 11.88 RCW if the department determines a vulnerable adult lacks the ability or capacity to consent.

(8) The department may seek an injunction to prevent interference with an investigation concerning an allegation of abuse, neglect, exploitation, or abandonment of a vulnerable adult.

(9) Goals for adult protective services shall be limited to those specified in WAC 388-15-010(1)(c), (d), and (e). Also see WAC 388-15-010(2).

WSR 85-10-042
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed April 29, 1985]

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 388-86-050 Inpatient hospital care.
Amd WAC 388-87-012 Conditions of payment—Consultant's and specialist's services fees;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

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 June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 25, 1985

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 388-86-050 and 388-87-012.

Purpose of the Rule Change: To update regulations on hospital stay and approval requirements.

Reason These Rules are Necessary: Changes in division policy.

Statutory Authority: RCW 74.08.090.

Summary of Rule Change: Length of hospital stay to be based on the 1983 edition of Length of Stay in PAS Hospitals, United States Western Region. Use of more than one specialist for consultation will no longer require the approval of the medical director. Psychological evaluations will no longer require a referral from a physician.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule Change: Jim Sparks, Program Manager, Division of Medical Assistance, mailstop LK-11, phone 753-7316.

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

AMENDATORY SECTION (Amending Order 2157, filed 10/3/84)

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))~~ 1983 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. 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 categorically needy and medically needy individuals under age twenty-one and age sixty-five and older.

(d) Medicaid payments will be made for care in an approved psychiatric facility for categorically 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) 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.

AMENDATORY SECTION (Amending Order 1684, filed 7/29/81)

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

(2) A copy of the consultation report may be requested.

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

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

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

(6) Payment ~~((will be made))~~ for a psychological evaluation ~~((only when a physician has obtained the necessary approval to refer an eligible patient, whom he is treating, for such evaluation))~~ requires prior approval of the local medical consultant. Treatment by a psychologist is not provided.

WSR 85-10-043
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 85-38—Filed April 29, 1985]

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 salmon are available for a subsistence fishery.

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 April 29, 1985.

By Gene DiDonato
for William R. Wilkerson
Director

NEW SECTION

WAC 220-32-055000I YAKIMA RIVER—SUBSISTENCE FISHERY. *Effective immediately until further notice, it is unlawful for persons possessing treaty fishing rights under the Yakima Treaty to fish for or possess salmon taken for subsistence purposes from the waters of the Yakima River except as provided for in this section:*

(1) *Lawful fishing areas are in the vicinity of Horn Rapids, Prosser, Sunnyside and Wapato Dams, except that it is unlawful to fish within 30 feet of fish bypass structures or fish ladders and it is unlawful to fish in the west branch at Wapato Dam until the fish ladder is operational.*

(2) *Lawful fishing periods are:*

6:00 a.m. May 3 to 6:00 p.m. May 4;

6:00 a.m. May 17 to 6:00 p.m. May 18;

6:00 a.m. May 31 to 6:00 p.m. June 1;

6:00 a.m. June 14 to 6:00 p.m. June 15;

6:00 a.m. June 28 to 6:00 p.m. June 29;

6:00 a.m. July 12 to 6:00 p.m. July 13, 1985

(3) *Lawful fishing gear is limited to dip net or rod and reel using bait or lures.*

WSR 85-10-044
PROPOSED RULES
HORSE RACING COMMISSION
[Filed April 29, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Horse Racing Commission intends to adopt, amend, or repeal rules relating to limited sweepstakes parimutuel wagering, adopting WAC 260-48-329;

that the agency will at 1:00, Tuesday, June 4, 1985, in the Washington Horse Breeders Association Sales Pavilion, S.E. Corner of Longacres Race Track Grounds, 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 67.16.020 and 67.16.040.

The specific statute these rules are intended to implement is RCW 67.16.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before May 29, 1985.

Dated: April 29, 1985

By: Bill Aliment
Executive Secretary

STATEMENT OF PURPOSE

In the matter of amending WAC 260-70-100 [260-48-329] relating to the rules of horse racing.

WAC 260-48-329 is proposed for adoption as indicated in the notice of intention to adopt rules filed this date with the code reviser.

This new rule is proposed pursuant to RCW 67.16.020, 67.16.040 and 67.16.175, under the general rule-making authority of the Washington Horse Racing Commission.

The new rule is for the following reasons: The adoption of WAC 260-48-329 is intended to define the conditions for a special type of multiple wager sometimes referred to as the "Pick Six" or the "Big Six." It allows for the establishment of a parimutuel pool consisting of amounts contributed for a selection, for win only, in each of six races designated by the association with the approval of the commission. Each person who buys a limited sweepstakes ticket shall designate the winning horse in each of the six races comprising the limited sweepstakes. It could also be applied to the winning horse in each of four races.

Bill Aliment, Executive Secretary, Suites B and C, 210 East Union Avenue, Olympia, Washington 98504, telephone number 753-3741, and members of the commission staff were responsible for the drafting of the proposed rule and are to be responsible for its implementation and enforcement.

The proponent of the rule is the Washington Horse Racing Commission, Warren Chinn, Chairman.

The Washington Horse Racing Commission recommends the adoption of the rule. It was drafted in consultation with members of the horse racing industry.

WAC 260-48-329 is necessary as the result of RCW 67.16.175.

This certifies that copies of this statement are on file with the Racing Commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Secretary of the Senate and to the Chief Clerk of the House of Representatives.

Small Business Economic Impact Statement: The adoption of WAC 260-48-329 is not anticipated to affect more than twenty percent of all industries, nor more than ten percent of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

NEW SECTION

WAC 260-48-329 LIMITED SWEEPSTAKES. (1) The limited sweepstakes parimutuel pool is not a parlay and has no connection with or relation to any other parimutuel pool conducted by the association, nor to any win, place, and show pool shown on the totalisator, nor to the rules governing the distribution of such other pools.

(2) A limited sweepstakes parimutuel ticket shall be evidence of a binding contract between the holder of the ticket and the association, and said ticket shall constitute an acceptance of the limited sweepstakes provisions and rules contained in RCW 67.16.105, 67.16.170, and 67.16.175.

(3) A limited sweepstakes may be given a distinctive name by the association conducting the meeting, subject to approval of the commission.

(4) The limited sweepstakes parimutuel pool consists of amounts contributed for a selection for win only in each race designated by the

association with the approval of the commission. Each person purchasing a limited sweepstakes ticket shall designate the winning horse in each of the races comprising the limited sweepstakes.

(5) Those horses constituting an entry of coupled horses or those horses coupled to constitute the field in a race comprising the limited sweepstakes shall race as a single wagering interest for the purpose of the limited sweepstakes parimutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry or the field selection shall remain as the designated selection to win in that race for the limited sweepstakes calculation and the selection shall not be deemed a scratch.

(6) The limited sweepstakes parimutuel pool shall be calculated as follows:

(a) A portion to be called the major share of up to one hundred percent of the net amount in the parimutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of parimutuel tickets which correctly designate the official winner in each race comprising the limited sweepstakes.

(b) A portion to be called the minor share if the major share is less than one hundred percent of the net amount in the parimutuel pool subject to distribution among the holders of parimutuel tickets which correctly designate the second most official winners, but less than the total of all races comprising the limited sweepstakes for that day or night.

(c) In the event there is no parimutuel ticket properly issued which correctly designates the official winner in each of the races comprising the limited sweepstakes, the major share of the net parimutuel pool shall not be distributed as provided in (a) of this subsection but shall be retained by the association as distributable amounts, and shall be carried over and included in the limited sweepstakes parimutuel pool for the next succeeding racing date as an additional net amount to be distributed as provided in (a) of this subsection.

(d) Except as provided by subsection (11) of this section, should no distribution be made pursuant to (a) of this subsection on the last day of the association's meeting, then that portion of the distributable pool and all moneys accumulated therein shall be distributed to the holder of tickets correctly designating the most winning selections of the races comprising the limited sweepstakes for that day or night.

(e) The percentages of the limited sweepstakes parimutuel pool to be designated major share and/or minor share shall be included in the racing association's application to conduct the sale of limited sweepstakes pools and is subject to the approval of the racing commission.

(7) In the event a limited sweepstakes ticket designates a selection in any one or more of the races comprising a limited sweepstakes and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.

(8) In the event of a dead-heat for win between two or more horses in any limited sweepstakes race, all such horses in the dead-heat for win shall be considered as winning horses in the race for the purpose of calculating the pool.

(9)(a) In the event that all races comprising the limited sweepstakes are canceled or declared as no contest, all parimutuel tickets held on the limited sweepstakes for that day or night shall be refunded and the limited sweepstakes shall be canceled in its entirety for that day or night and any retained distributable amounts carried over from any prior limited sweepstakes pool pursuant to subsection (6)(c) of this section shall be carried over to the next succeeding racing date of that meeting.

(b) In the event that less than all of the races comprising the limited sweepstakes are completed due to the cancellation of one or more races or the stewards declaring one or more races as no contest, one hundred percent of the net amount in the parimutuel pool for that day or night exclusive of any retained distributable amounts carried over from any prior limited sweepstakes pool pursuant to subsection (6)(c) of this section shall be subject to distribution among holders of parimutuel tickets which correctly designate the most winners in the completed races of the limited sweepstakes. The retained distributable amounts carried over from any prior limited sweepstakes pool pursuant to subsection (6)(c) of this section shall be carried over to the next succeeding racing date of that meeting.

(10) No parimutuel ticket for the limited sweepstakes pools shall be sold, exchanged or canceled after the time of the closing of wagering in

the first of the races comprising a limited sweepstakes, except for such refunds on limited sweepstakes tickets as required by this regulation and no person shall disclose the number or amount of tickets sold in a limited sweepstakes pool or the number or amount of tickets selecting winners of limited sweepstakes races until such time as the stewards have determined the last race comprising the limited sweepstakes each day to be official.

(11) In the event that an association is unable to distribute the retained distributable amount carried over from any prior limited sweepstakes pool established pursuant to subsection (6)(c) of this section by the end of its race meeting due to the cancellation of the final day(s) or night(s) of racing or any other reason, the retained distributable amount shall be carried forward to the next race meeting having a limited sweepstakes at the same location and of the same breed of horse as the racing association generated the retained distributable amount. The retained distributable amount shall be included in the limited sweepstakes pool for the first day or night of racing at the subsequent race meeting. Such funds shall be immediately deposited in an escrow account to be approved by the commission and may not be withdrawn without approval of the commission.

WSR 85-10-045
EMERGENCY RULES
HORSE RACING COMMISSION
[Order 85-01—Filed April 29, 1985]

Be it resolved by the Washington Horse Racing Commission, acting at the Washington Horse Breeders Association Sales Pavilion, S.E. Corner of Longacres Race Track Grounds, that it does adopt the annexed rules concerning limited sweepstakes parimutuel wagering, adopting WAC 260-48-329.

We, the Washington Horse Racing 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 RCW 67.16.175(4) has defined "exotic races" as daily doubles, quinellas, trifectas and exactas.

This section has been amended by the legislature in 1985 so that "exotic races" are now defined as any multiple wager. The broadening of this definition of exotic races will allow the Racing Commission to approve a new form of multiple wagering commonly referred to as the "Pick Six" or "Big Six" where the winner of six races must be selected to receive the proceeds from the limited sweepstakes. This concept could also be applied to the winner of four races.

The allowance of a limited sweepstakes in Washington is believed to be a benefit to the racing industry as it offers a new dimension to parimutuel wagering.

The allowance of a limited sweepstakes in Washington is believed to be a new attraction for the public and those interested in seeing the sport of horse racing prosper.

The 1985 racing season opened April 3 at Longacres Race Track, Renton, Washington, but at that time the amendment discussed above to RCW 67.16.175 had not yet become law.

The amendment to RCW 67.16.175 has now become law at the time of the filing of this rule.

In order for it to be of benefit to the racing season this year, the promulgation of this rule by the emergency approach is necessary.

In weighing the benefit to the industry and the public by the emergency enactment of this rule, the Racing Commission believes that: It is necessary for the general welfare of racing in Washington now; and it is contrary to the public interest to do without the advantages and benefits of the rule while it passes through the ordinary process of notice and an opportunity to comment by the public.

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

This rule is promulgated pursuant to RCW 67.16.175 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 April 29, 1985.

By Warren Chinn
Chairman

NEW SECTION

WAC 260-48-329 LIMITED SWEEPSTAKES.

(1) *The limited sweepstakes parimutuel pool is not a parlay and has no connection with or relation to any other parimutuel pool conducted by the association, nor to any win, place, and show pool shown on the totalisator, nor to the rules governing the distribution of such other pools.*

(2) *A limited sweepstakes parimutuel ticket shall be evidence of a binding contract between the holder of the ticket and the association, and said ticket shall constitute an acceptance of the limited sweepstakes provisions and rules contained in RCW 67.16.105, 67.16.170, and 67.16.175.*

(3) *A limited sweepstakes may be given a distinctive name by the association conducting the meeting, subject to approval of the commission.*

(4) *The limited sweepstakes parimutuel pool consists of amounts contributed for a selection for win only in each race designated by the association with the approval of the commission. Each person purchasing a limited sweepstakes ticket shall designate the winning horse in each of the races comprising the limited sweepstakes.*

(5) *Those horses constituting an entry of coupled horses or those horses coupled to constitute the field in a race comprising the limited sweepstakes shall race as a single wagering interest for the purpose of the limited sweepstakes parimutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry or the field selection shall remain as the designated selection to win in that race for the limited sweepstakes calculation and the selection shall not be deemed a scratch.*

(6) *The limited sweepstakes parimutuel pool shall be calculated as follows:*

(a) *A portion to be called the major share of up to one hundred percent of the net amount in the parimutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of parimutuel tickets which correctly designate the official winner in each race comprising the limited sweepstakes.*

(b) *A portion to be called the minor share if the major share is less than one hundred percent of the net amount in the parimutuel pool subject to distribution among the holders of parimutuel tickets which correctly designate the second most official winners, but less than the total of all races comprising the limited sweepstakes for that day or night.*

(c) *In the event there is no parimutuel ticket properly issued which correctly designates the official winner in each of the races comprising the limited sweepstakes, the major share of the net parimutuel pool shall not be distributed as provided in (a) of this subsection but shall be retained by the association as distributable amounts, and shall be carried over and included in the limited sweepstakes parimutuel pool for the next succeeding racing date as an additional net amount to be distributed as provided in (a) of this subsection.*

(d) *Except as provided by subsection (11) of this section, should no distribution be made pursuant to (a) of this subsection on the last day of the association's meeting, then that portion of the distributable pool and all moneys accumulated therein shall be distributed to the holder of tickets correctly designating the most winning selections of the races comprising the limited sweepstakes for that day or night.*

(e) *The percentages of the limited sweepstakes parimutuel pool to be designated major share and/or minor share shall be included in the racing association's application to conduct the sale of limited sweepstakes pools and is subject to the approval of the racing commission.*

(7) *In the event a limited sweepstakes ticket designates a selection in any one or more of the races comprising a limited sweepstakes and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.*

(8) *In the event of a dead-heat for win between two or more horses in any limited sweepstakes race, all such horses in the dead-heat for win shall be considered as winning horses in the race for the purpose of calculating the pool.*

(9)(a) *In the event that all races comprising the limited sweepstakes are canceled or declared as no contest, all parimutuel tickets held on the limited sweepstakes for that day or night shall be refunded and the limited sweepstakes shall be canceled in its entirety for that day or night and any retained distributable amounts carried over from any prior limited sweepstakes pool pursuant to subsection (6)(c) of this section shall be carried over to the next succeeding racing date of that meeting.*

(b) *In the event that less than all of the races comprising the limited sweepstakes are completed due to the*

cancellation of one or more races or the stewards declaring one or more races as no contest, one hundred percent of the net amount in the parimutuel pool for that day or night exclusive of any retained distributable amounts carried over from any prior limited sweepstakes pool pursuant to subsection (6)(c) of this section shall be subject to distribution among holders of parimutuel tickets which correctly designate the most winners in the completed races of the limited sweepstakes. The retained distributable amounts carried over from any prior limited sweepstakes pool pursuant to subsection (6) (c) of this section shall be carried over to the next succeeding racing date of that meeting.

(10) No parimutuel ticket for the limited sweepstakes pools shall be sold, exchanged or canceled after the time of the closing of wagering in the first of the races comprising a limited sweepstakes, except for such refunds on limited sweepstakes tickets as required by this regulation and no person shall disclose the number or amount of tickets sold in a limited sweepstakes pool or the number or amount of tickets selecting winners of limited sweepstakes races until such time as the stewards have determined the last race comprising the limited sweepstakes each day to be official.

(11) In the event that an association is unable to distribute the retained distributable amount carried over from any prior limited sweepstakes pool established pursuant to subsection (6)(c) of this section by the end of its race meeting due to the cancellation of the final day(s) or night(s) of racing or any other reason, the retained distributable amount shall be carried forward to the next race meeting having a limited sweepstakes at the same location and of the same breed of horse as the racing association generated the retained distributable amount. The retained distributable amount shall be included in the limited sweepstakes pool for the first day or night of racing at the subsequent race meeting. Such funds shall be immediately deposited in an escrow account to be approved by the commission and may not be withdrawn without approval of the commission.

WSR 85-10-046
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed April 30, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning foster care, amending chapter 388-70 WAC.

It is the intention of the secretary to adopt these rules on an emergency basis on May 1, 1985;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

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

The specific statute these rules are intended to implement is chapter 74.14A RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 29, 1985

By: David A. Hogan, Director

Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amending WAC 388-70-042, 388-70-044, 388-70-048, 388-70-054, 388-70-056, 388-70-058, 388-70-066 and repealing WAC 388-70-047 and 388-70-053.

Purpose of the Rule Changes: To bring WAC in line with current foster care programs standards and descriptions, allow line worker approval of certain foster parent transportation expenses, and to allow DCFS administrators to approve foster care rates in excess of WAC standards.

These Rule Changes are Necessary: To update standards and programs currently in use and to meet the requirements of HB 433. HB 433 prescribed more streamlined exception to policy procedures.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: Foster care in receiving home care rates are updated; specialized receiving homes are described; DCFS administrators can now approve exceptions to the overall transportation payment policy and payments above the regular and receiving foster home rates; payment can be made to foster parents for transportation related to counseling, court hearings and school related activities; and terminology updated to reflect the DCFS organization.

Name of Initiator: John Weeden, Community Services Program Manager, Office of Division of Children and Family Services, (206) 753-6761, OB-41.

There are no known persons or organizations that oppose these rules.

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

AMENDATORY SECTION (Amending Order 1634, filed 4/15/81)

WAC 388-70-042 PAYMENT STANDARDS—REGULAR FOSTER FAMILY CARE. Effective ~~((July 1, 1980))~~ July 1, 1984, foster care payment standards shall be as follows~~(:)~~. Effective May 1, 1985, exceptions to the standards may be approved by a DCFS administrator or designee.

(1) The board payment for foster care of a child in a family foster home is one hundred ~~((and fourteen))~~ thirty dollars and ~~((fifty))~~ forty-four cents per month for a child less than six years of age, one hundred ~~((and forty-eight))~~ sixty-nine dollars and ~~((seventy-five))~~ forty-five cents per month for children six through eleven years of age, and ~~((one))~~ two hundred ~~((and seventy-eight))~~ three dollars and ~~((seventy))~~ fifty-seven cents per month for a child twelve and over. For the purposes of determining the payment for board, the child's birthdate is considered to be the first of the month in which his or her birthday occurs.

(2) Foster parents shall be provided ~~((seventeen))~~ eighteen dollars and ~~((sixty-eight))~~ sixty-seven cents per month for personal incidentals including school supplies. A monthly clothing allowance of ~~((fourteen))~~ twenty dollars and ~~((eighty-two))~~ thirty-eight cents is paid for children under twelve years, while ~~((seventeen))~~ twenty-four dollars and ~~((sixty-seven))~~ twenty-three cents is paid for children twelve years and older.

(3) An initial clothing allowance for children placed in foster care is provided to supplement a child's clothing supply, where necessary, at the time a child is placed in foster care. This allowance may not exceed one hundred dollars unless otherwise authorized by a ~~((regional office))~~ DCFS administrator.

(4) Additional individual child-specific amounts may be authorized by a DCFS administrator or his or her designee.

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 1634, filed 4/15/81)

WAC 388-70-044 PAYMENT STANDARDS—RECEIVING HOME CARE—STANDARDS FOR USING. (1) The purpose and/or use of a receiving home is to allow the department or private agency to care for a child in a foster family home on a temporary, emergent, or interim basis in order that there be sufficient time for the development of a plan ~~((which includes))~~ including the involvement of the child whenever possible.

(2) ~~((The))~~ There are two types of ~~((placements in))~~ receiving homes ~~((are emergency and regular. Placements under the conditions described in WAC 388-70-047 are classified as "emergency." All others are classified as "regular."))~~:

(a) Regular receiving homes for children age zero through seven-teen, and

(b) Specialized receiving homes for children age twelve through seven-teen who are runaways or in conflict with their parents.

(3) Receiving homes supported by the department shall be limited to the number the ~~((CSO))~~ DCFS administrator determines necessary in his or her geographical area. The criteria to be followed are:

(a) Each ~~((department))~~ DCFS office or private agency shall document ~~((its))~~ need for a receiving home and present the request in writing, giving the specifics, to the ~~((CSO administrator or to the regional director when more than one CSO administrator is involved))~~ DCFS administrator.

(b) All receiving homes shall be licensed as foster family homes.

~~((Receiving homes are developed to provide care up to thirty days.))~~

~~((d))~~ The need for a receiving ~~((home(s)))~~ home or homes must carry a direct relationship to the department's or private agency's type of program and service responsibilities.

~~((e))~~ (d) The intent of the service is to allow the department or private agency to develop and carry out a suitable plan for the child.

(4) Length of stay guidelines for receiving homes are as follows:

(a) Regular receiving homes provide care up to thirty days;

(b) Specialized receiving homes provide care up to fifteen days.

~~((f))~~ (5) Every six months the ~~((CSO))~~ DCFS administrator shall receive a written report on each receiving home, resubstantiating ~~((its))~~ continued use and need.

~~((f))~~ (6) Foster family homes ~~((which))~~ regularly ~~((provide))~~ providing care for children on a temporary, emergent, or interim basis and are available for placement twenty-four hours per day shall be designated as regular or specialized receiving homes.

~~((These))~~ Regular receiving homes shall be paid ~~((twenty-eight))~~ thirty-two dollars and ~~((forty))~~ thirty-five cents per month for each bed ~~((which is kept))~~ available for the emergency placement of children. In addition, the daily rate for receiving home care shall be ~~((nine))~~ eleven dollars and ~~((ninety-five))~~ thirty-four cents per day per child.

~~((b))~~ Specialized receiving homes shall be paid sixty-five dollars and twenty-one cents per month for each bed available for the emergency placement of children. In addition, the daily rate for specialized receiving home care shall be fifteen dollars and sixty-seven cents per day per child.

(7) Other foster homes ~~((which))~~ occasionally ~~((provide))~~ providing temporary, emergent, or interim care shall not be designated as receiving homes nor receive the retainer fee, but shall be reimbursed for such care at the receiving home rate of ~~((nine))~~ eleven dollars and ~~((ninety-five))~~ thirty-four cents per day per child.

(c) Payments in excess of the standards in subsection (6)(a) and (b) of this section may be authorized by the DCFS administrator or his or her designee for individual, child-specific situations.

~~((f))~~ (8) Temporary or emergency care for a child shall not exceed thirty days. After thirty days, the rate for children ~~((who remain))~~ remaining in care in a receiving home shall be that for regular full-time foster care except as authorized by the ~~((regional director))~~ DCFS administrator. Clothing and personal incidentals are purchased for the child in receiving home care as needed.

~~((f))~~ (9) Private group care facilities may, at the discretion of the ~~((CSO))~~ DCFS administrator, be utilized to provide interim care for children and youths requiring care in a group setting. Unless ~~((otherwise))~~ an alternate agreement is made, contracted group care facilities shall be paid for providing interim care at their established daily rate.

AMENDATORY SECTION (Amending Order 1634, filed 4/15/81)

WAC 388-70-048 PAYMENT STANDARDS—SPECIALIZED RATE FOSTER FAMILY CARE—CHILD WITH SPECIAL NEEDS. In addition to the basic rate for regular foster family home care specified in this chapter, an additional amount may be paid for the specialized care of a child with special needs as determined by the department. The additional amounts are:

- | | |
|--|---|
| (1) Children with behavior problems | \$(19.85)) 136.53
per month |
| (2) ((Intellectual))
Intellectually/physically
handicapped children | \$(19.85)) 136.53
per month |
| (3) Emotionally handicapped children | \$(19.85)) 136.53
per month |

AMENDATORY SECTION (Amending Order 1449, filed 10/31/79)

WAC 388-70-054 TEMPORARY ABSENCE OF CHILD FROM FOSTER CARE. (1) When a child is temporarily absent from a foster care facility, the actual number of days absent will be paid by the department, provided:

(a) The number of consecutive days of absence does not exceed fifteen within a thirty-day period;

(b) Written notification is provided to the responsible ~~((CSO))~~ center or DCFS office three days in advance of planned visits exceeding seventy-two hours;

(c) The planned visits of less than seventy-two hours are reported to the responsible ~~((CSO))~~ center or DCFS office in the child's quarterly progress report prepared by the private agency;

(d) The responsible ~~((CSO))~~ center or DCFS office is notified on the next working day following the child's unplanned absence (notification may be made by a telephone call to the ~~((CSO))~~ center or DCFS office followed by written notification within five working days from the facility);

(e) A licensed vacant bed is held for the child;

(f) The child will be accepted back by the facility; and

(g) The ~~((CSO))~~ center or DCFS office is notified of the date of child's return.

(2) Written verification to the absent child's responsible ~~((CSO))~~ center or DCFS office will contain the following information:

(a) Planned visits;

(i) Child's name;

(ii) Where the child will visit;

- (iii) Beginning and ending dates of the absence, and
- (iv) A statement as to whether or not the child's unoccupied bed is being held for the child's return to the facility.
- (b) Unplanned absences;
- (i) Child's name, age, and home address;
- (ii) Time and date the child left the premises;
- (iii) A statement as to whether the child is acceptable back by the facility; and
- (iv) A statement as to whether or not the child's unoccupied bed will be held for the child's return to the facility.
- (3) In respect to absences from foster homes supervised by voluntary child-placing agencies, the preceding procedures will apply.
- (4) When there is a planned temporary absence from a child foster family home supervised by a ((~~ES~~)) center or DCFS office, the service worker will be involved in the plan. In the case of an unplanned absence, the foster parents will notify the service worker orally, as soon as is practical, of the child's name, time, and date ((~~that~~)) the child left the premises and whether or not the child's unoccupied bed will be held.
- (5) In addition to the preceding requirements, the following limitations are placed on the payments for temporary absences of children from a children's group foster care facility and/or a child foster family home:
- (a) A child's cumulative total of forty-five days absence within a six-month period is the maximum allowable for payment.
- (b) With adequate justification of unusual circumstances, an exception ((~~to policy~~)) may be submitted for consideration of extension of the consecutive fifteen days and the accumulative forty-five days limitation.

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

WAC 388-70-056 TRANSPORTATION AND OTHER EXPENSES—REIMBURSEMENT. (1) When prearranged with the department, foster parents shall be allowed transportation for counseling, court hearings, school related, and medically related trips involving a foster child in their home. The department, within available funds, will provide reimbursement at the same rate authorized for employees. In addition, actual costs of food and lodging ((~~if~~)) necessary ((~~in securing the medical care will~~)) to the transportation may be reimbursed.

(2) Runaway dependents from other states:

(a) Planning and payment for return of a child ((~~who is~~)) subject to court order in another state and located in this state is the responsibility of the home state.

(i) If the home state refuses to pay for return transportation, the cost may be paid according to provisions of WAC 388-24-270 if the child meets the criteria in WAC 388-24-255.

(3) When ((~~a child who is~~)) children subject to court order run away and are subsequently located and are in the custody of the department or a private agency ((~~runs away and is subsequently located~~)), responsibility for planning remains with the department or private agency. If there are no financial resources to provide return transportation, the ((~~ESS~~)) DCFS administrator may approve transportation costs.

(4) Costs for transporting children in foster care from one placement to another within the state may be approved by the ((~~ESS~~)) DCFS administrator.

(5) Transportation costs for placement of a child to an out-of-state location can be authorized by the ((~~ESS~~)) DCFS administrator or his or her designee, contingent on the approval of both ((~~state offices~~)) states involved. (See also WAC 388-70-022(3)). If the placement fails and Washington has retained jurisdiction of the child, transportation cost can be authorized by the ((~~ESS~~)) DCFS administrator or his or her designee contingent on approval of both ((~~state offices~~)) states.

(6) When a Washington resident who is also a dependent minor is held by a juvenile court in another state as a runaway and the court requests transportation expenses from the ((~~ESS~~)) center and the parents state they cannot pay,

(a) An immediate request to the ((~~EW~~)) DCFS supervisor with jurisdiction in that court area for return of the child under emergency family assistance should be made.

(b) In the event the other state's ((~~EW~~)) children and family services section refuses to take action, the parent's ability to pay the cost is determined by applying the department's standards in WAC 388-11-190. If parents are unable to pay, an exception ((~~to policy~~)) request may be submitted ((~~per chapter 388-20 WAC~~)).

(7) Transportation costs for children residing in receiving/foster/group care in addition to those payable in subsections

(1) through (6) of this section may be authorized by a center administrator or designee when:

(a) The transportation is consistent with the child's individual service plan, and

(b) There is no other available resource.

(8) Transportation costs for parents, relatives, or other potential permanent placement resources may be authorized by a DCFS administrator when:

(a) The transportation is consistent with the child's individual service plan, and

(b) The potential placement resource is unable to meet the transportation expense, and

(c) The child currently resides in foster/group care.

AMENDATORY SECTION (Amending Order 1495, filed 3/21/80)

WAC 388-70-058 REIMBURSEMENT FOR DAMAGE OR LOSS CAUSED BY CHILD IN FOSTER FAMILY CARE. (1) Within the limits of the ((~~sixty-nine thousand dollars~~)) amount allotted for this purpose ((~~for the 79-81 biennium~~)), the department may reimburse foster family providers caring for children ((~~for whom this department is making payment~~)) in DCFS-approved placements, for some damages or losses incurred by the provider and caused by children in their care. Unless an exception is granted by the DCFS administrator, claims shall be limited to three hundred dollars per ((claim) item or one thousand dollars aggregate per occurrence no matter what type of coverable loss is incurred. Claims must be submitted to the department within thirty days of their occurrence. Determination of the payability of claims will be made by the department's ((~~regional office~~)) DCFS administrator. Exceptions to the limit may be made by the DCFS administrator. Reimbursement will be based upon documentation of the cost of replacement and of the cause of the loss.

(2) The sole recourse for an appeal of an award, or failure to make an award, shall be to request a re-review by the ((~~regional director's office~~)) DCFS administrator.

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

WAC 388-70-066 FOSTER CARE OUT-OF-STATE—AUTHORIZATION—PAYMENT. (1) With the consent of the ((~~state office~~)) interstate compact program manager, foster parents may be permitted to remove from the state a child ((~~who is~~)) in a permanent foster home. If the child is subject to court order, permission from the court must also be obtained. When the foster family moves to another state, arrangements with another social agency for supervision of the foster home placement are required. Such arrangements for supervision are not required when the family leaves the state during a vacation. Payments are continued at the department's current rates.

(2) When a child ((~~who is~~)), legally a resident of the state of Washington, is placed in foster care in another state by the welfare department of that state, foster care payments are made at the rate requested by the state, providing ((~~it~~)) payment does not exceed the department's current rates ((~~if it is the best plan for the child to remain there~~)).

(3) State office approval of out-of-state placement is required before payment is made.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-70-047 EMERGENCY FOSTER CARE ASSISTANCE.

WAC 388-70-053 PAYMENT STANDARDS—INCENTIVE PLAN.

WSR 85-10-047

NOTICE OF PUBLIC MEETINGS HUMAN RIGHTS COMMISSION

[Memorandum—April 29, 1985]

At the April 23, 1985, special meeting, executive session, the commissioners adjourned their meeting to be

reconvened on Saturday, May 4, 1985, beginning at 8:30 a.m. The meeting will be held at the Doubletree Plaza Hotel, Room 1307, 16500 Southcenter Parkway, Seattle, Washington. The meeting will be a continuation of the executive session to discuss personnel matters.

WSR 85-10-048
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY
COLLEGE DISTRICT
 [Memorandum—April 29, 1985]

The time of the May 6, 1985, board of trustees meeting for Seattle Community College District VI, has been changed from 6:30 to 6:00 p.m., at North Seattle Community College, 9600 College Way North, Seattle, WA 98103.

WSR 85-10-049
ADOPTED RULES
THE EVERGREEN STATE COLLEGE

[Order 85-2, Resolution No. 85-14—Filed April 30, 1985—Eff. June 1, 1985]

Be it resolved by the board of trustees of The Evergreen State College, acting at Olympia, Washington, that it does adopt the annexed rules relating to regular meetings, WAC 174-104-010.

This action is taken pursuant to Notice No. WSR 85-06-074 filed with the code reviser on March 6, 1985. These rules shall take effect at a later date, such date being June 1, 1985.

This rule is promulgated under the general rule-making authority of The Evergreen State College as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that 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 April 10, 1985.

By Joseph D. Olander
 President

AMENDATORY SECTION (Amending Order 84-1, Resolution No. 84-20, filed 6/26/84)

WAC 174-104-010 REGULAR MEETINGS. A regular meeting of the board of trustees shall be held (~~once each month~~) unless dispensed with by the board of trustees, on the campus of The Evergreen State College beginning at 1:30 p.m. on the second Wednesday of the following months(~~, except that~~): February, April, June, August, October, December. When such Wednesday shall be a legal holiday, the meeting shall be held on the Thursday immediately following such second Wednesday.

WSR 85-10-050
PROPOSED RULES
CORRECTIONS STANDARDS BOARD
 [Filed April 30, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Corrections Standards Board intends to adopt, amend, or repeal rules concerning maximum capacities, amending WAC 289-15-225, Pacific County - 29; Asotin County - 16; and Walla Walla - 50;

that the agency will at 9:00 a.m. or later, Friday, June 21, 1985, in the Empire Room, the Whitman Motor Inn, 197 North Second, Walla Walla, 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 70.48.050 (1)(a) and 70.48.070.

The specific statute these rules are intended to implement is RCW 70.48.050 (1)(a) and 70.48.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 14, 1985.

Dated: April 17, 1985
 By: Robert W. Cote
 Executive Secretary

STATEMENT OF PURPOSE

Title: Maximum capacities.

Description of Purpose: The purpose of WAC 289-15-225, which was originally adopted by the State Jail Commission on May 14, 1983, is to incorporate within the custodial care standards specific maximum jail capacity figures for purposes of applying the crowding standard set forth in WAC 289-15-220. The purpose of these amendments is to change several of those capacities.

Statutory Authority: RCW 70.48.050 (1)(a) and 70.48.070.

Summary of Rule: These amendments change the capacity figure for Pacific, Asotin and Walla Walla counties.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert W. Cote, Executive Secretary, Corrections Standards Board, 110 East 5th Avenue, Mailstop GB-12, Olympia, WA 98504, (206) 753-5790, scan 234-5790.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Amendments are proposed by the Corrections Standards Board.

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

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: None.

Small Business Economic Impact Statement: None.

AMENDATORY SECTION (Amending Resolution No. 85-01, filed 2/7/85)

WAC 289-15-225 MAXIMUM CAPACITIES. Pursuant to WAC 289-15-220, the maximum capacity of each detention and correctional facility within the state of Washington is established at the figure indicated below.

Detention Facilities	Correctional Facilities
Auburn (22)	<u>Asotin County (16)</u>
Bremerton (23)	Benton County (109)
Forks (11)	Chelan County (117)
Issaquah (6)	Clallam County (102)
Olympia (temporary) (19)	Clark County (300)
Stevens County (22)	Cowlitz County (91)
	Ferry County (22)
	Franklin County (76)
	Grant County (54)
	Grays Harbor County (74)
	Island County (((29))) (50)
	Jefferson County (18)
	Kent (20)
	King County (1038)
	Kitsap County (103)
	Kitsap County Work Release (42)
	Kittitas County (45)
	Klickitat County (30)
	Lewis County (62)
	Lincoln County (15)
	Mason County (34)
	Okanogan County (67)
	Pacific County (((14))) (29)
	Pend Oreille County (18)
	Pierce County (359)
	Skagit County (83)
	Skamania County (17)
	Snohomish County (116)
	Snohomish County Work Release (60)
	Spokane County (352)
	Thurston County (94)
	Walla Walla County (((14))) (50)
	Whatcom County (82)
	Whitman County (34)
	Yakima County (274)

**WSR 85-10-051
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**
[Filed April 30, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules relating to retail bulk food sale weights, WAC 16-666-140;

that the agency will at 9:00 a.m., Monday, June 10, 1985, in the Main 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 June 17, 1985.

The authority under which these rules are proposed is chapter 19.94 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 10, 1985.

Dated: April 30, 1985
By: James E. Wommack
Assistant Director

STATEMENT OF PURPOSE

Title: Bulk food retail sale weight.

Summary: To allow for one year the retail sale of bulk foods to include weight of packaging.

Statutory Authority: Chapter 19.94 RCW.

Reasons for Supporting Proposed Action: This rule would allow the grocery business time to install the necessary equipment to take tare on bulk packaging material at the check-out counter.

Agency Personnel Responsible for Drafting, Enforcing and Implementing Rules: James E. Wommack, Assistant Director, Dairy and Food Division, 406 General Administration Building, Olympia, Washington 98504, (206) 753-5042.

Persons Proposing Rules: Washington Food Dealer's Association and Associated Grocers.

Agency Comments: None.

Rule Amendments Necessary to Comply with Federal Laws: No.

Small Business Economic Impact Statement: None.

NEW SECTION

WAC 16-666-140 BULK FOOD RETAIL SALE WEIGHT. Food not prepackaged or prewrapped, offered for sale by weight, sold from bulk retail sales facilities, packaged by the consumer in containers supplied by the retailer and each container with or without a closing device weighing two hundredths of a pound avoirdupois or less, may be sold by gross weight. The retailer shall disclose by an appropriate sign the weight of the packaging material to the nearest one hundredth of a pound avoirdupois. The provisions of this rule shall expire one year from its effective date.

**WSR 85-10-052
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)**
[Filed May 1, 1985]

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:

New	WAC 356-05-211	Leadworker.
Amd	WAC 356-14-230	Salary—Duplicate payment.
Amd	WAC 356-15-060	Shift differential provisions and compensation.
New	WAC 356-15-061	Shift premium schedule.
Amd	WAC 356-15-070	Split shift provisions and compensation.
Amd	WAC 356-18-080	Sick leave—Workmen's compensation—Adjustment.
Amd	WAC 356-26-030	Register designation.
Amd	WAC 356-35-010	Disability—Separation—Appeals—Procedures;

that the agency will at 10:00 a.m., Thursday, June 13, 1985, 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 June 11, 1985.

Dated: April 30, 1985

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

New WAC 356-05-211.

Title: Leadworker.

Purpose: To provide a basis for distinguishing between the assignment of lead and supervisory responsibilities.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Some overlap between lead and supervisory responsibilities is inevitable, however the important distinctions of level of responsibility and authority together with freedom of action can be useful both for interpretation of management intent in an assignment and for role definition for the employee. To the extent that compensation is influenced by lead responsibilities consistency of nomenclature can be useful. Finally, clarity of management expectations can be enhanced by the adoption of a formal definition of leadworker.

Responsibility for Drafting: D. J. Patin, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, phone 754-1769; Implementation and Enforcement: All agencies.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-14-230.

Title: Salary—Duplicate payment.

Purpose: Prevents multiple premium payment for same hours of work, except that shift premium and true overtime may be combined and hazard premium may be paid with any other premium.

Statutory Authority: RCW 41.06.150.

Summary: The proposed change replaces the words "hazard premium" with assignment pay.

Reasons: It has been generally understood that the hazard pay reference was a general reference to assignment pay provisions, which do not separate "hazard premium" from other types of assignment pay.

Amend WAC 356-15-060.

Title: Shift differential provisions and compensation.

Purpose: The rule defines the conditions for which shift premium is payable.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: The proposed change redefines and clarifies conditions under which shift premium is to be payable. This eliminates confusion over the meaning of the present rule.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, phone 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

New WAC 356-15-061.

Title: Shift premium schedule.

Purpose: Delineates the shift premium hourly amount to be paid to employees.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: The change outlines a new shift premium schedule. Originally, the schedule was part of WAC 356-15-060 which defines the conditions for which shift premium is payable. Separating the amount payable from the conditions for which shift premium is payable facilitates future filing changes with the code reviser.

Amend WAC 356-15-070.

Title: Split shift provisions and compensation.

Purpose: Describes the conditions under which split shift compensation will be paid to employees.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: The changes are of a house-keeping nature reflecting current changes in WAC 356-15-060 and 356-15-061.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, phone 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-18-080.

Title: Sick leave—Workmen's compensation—Adjustment.

Purpose: To provide guidelines governing the use of sick leave when an employee is receiving workmen's compensation.

Statutory Authority: RCW 41.06.150.

Summary: The proposed change adds provisions to allow the use of vacation leave or compensatory time off even though the employee has sick leave accumulated. Also, adds language stating that no deduction is made for the time loss payment when the employee is receiving pay for vacation leave, compensatory time off, or holidays.

Reasons: The current rule requires the deducting of time loss payments when an employee uses vacation leave. This is contrary to Labor and Industries' interpretation of the workmen's compensation laws. The proposed rule change corrects this problem by removing the requirement. The proposed change also gives the employees the option to use vacation leave or compensatory time off while receiving time loss payments. These options do not exist under the current rule.

Responsibility for Drafting: D. J. Patin, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, phone 754-1769; Implementation: All agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-26-030.

Title: Register designation.

Purpose: Places a time limitation on past permanent employees who submit a request for reemployment and have their names placed on the reemployment register.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: This proposed change would extend the time limitation from two years to five years. Extending the time limitation would provide a larger

pool of experienced, immediately available candidates over a longer period of time, reducing recruitment costs.

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 agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-35-010.

Title: Disability—Separation—Appeals—Procedures.

Purpose: To inform employees being separated due to disability of programs for which they may be eligible for benefits/assistance.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: The proposed change would clarify the agencies' responsibilities in this rule. The rule as presently written suggests that agencies should be versed in all programs mentioned.

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 agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

NEW SECTION

WAC 356-05-211 LEADWORKER. An employee assigned responsibility by management to give directions to fellow employees, take the lead in performing assigned tasks and ensure that such tasks are properly completed. This is distinguished from a journey level employee who occasionally is required to assist with training and direction of less experienced employees while performing the assigned journey task. Supervisory functions performed by leadworkers are secondary to the production duties performed.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-14-230 SALARY—DUPLICATE PAYMENT. Nothing in this rule shall be interpreted in such a manner as to result in duplicate payment for the same work time. Where time worked by an employee would qualify for premium payment under more than one article, that article authorizing the highest compensation shall apply provided that: Nothing herein shall preclude payment of premiums for shift differential and overtime for the same hours. ((~~Hazard premium~~)) Assignment pay shall be paid as authorized in the compensation plan regardless of other premiums being paid concurrently.

AMENDATORY SECTION (Amending Order 207, filed 6/22/84)

WAC 356-15-060 ~~SHIFT ((DIFFERENTIAL)) PREMIUM PROVISIONS AND COMPENSATION.~~ ~~((1) Any 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 or more hours of a scheduled shift are completed prior to 6 a.m.)~~ (1) For purposes of this section, night shift and evening shift are defined as shifts of eight or more hours which start by 3 a.m. or end at or after 10 p.m. respectively.

(2) Employees are entitled to shift premium in the amount specified in WAC 356-15-061 under the following circumstances only:

- (a) Scheduled standard work period employees:
 - (i) For their scheduled hours which extend before 6 a.m. or after 6 p.m.
 - (ii) For all hours on their scheduled evening and/or night shift.
 - (iii) For all additional hours worked by employees whose work schedules consist entirely of evening and/or night shifts.
- (b) Scheduled alternate, unlisted, and nonscheduled work period employees:
 - (i) For conditions mentioned in (a) (i), (ii), and (iii) of this subsection, shift premium is payable.
 - (ii) Employees who are scheduled to work at least one, but not all, night or evening shifts each week, are entitled to shift premium for those scheduled evening or night shifts, and for all hours worked which adjoin them.
- (c) Exceptions work period employees:
 - (i) For conditions mentioned in (a) (i) and (ii) of this subsection, shift premium is payable.
 - (ii) When employees regularly assigned to night or evening shifts are granted additional pay for additional hours worked, the additional pay shall include shift premium.
- (d) Part-time employees:
 - (i) For all assigned hours of work after 6 p.m. and before 6 a.m.
 - (ii) For assigned full night or evening shifts, as defined in subsection (1) of this section.

(e) Intermittent and temporary employees are entitled to shift premium depending on whether their assignment fits into the part-time category ((d) of this subsection) or into one of the full-time categories ((a), (b), or (c) of this subsection).

((2)) (3) Monthly shift ((differential)) premium rates: In cases where shift ((differential)) premium hours are regularly scheduled over a year, agencies may pay shift ((differential)) premium 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)) premium rates higher or lower than those set by the board.

((3) 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) When an employee is compensated for working overtime during hours for which shift premium is authorized in subsection (2) (a) through (d) of this section, the overtime rate shall be calculated on the combined basic salary and shift premium rate.

(5) Payment during leave periods: Employees eligible for shift ((differential)) premium for all or part of their regular shifts will receive the same proportion of shift ((differential)) premium 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¢)

NEW SECTION

WAC 356-15-061 SHIFT PREMIUM SCHEDULE. The shift premium is 50¢ an hour for evening and night shifts, and is payable only under conditions described in WAC 356-15-060.

AMENDATORY SECTION (Amending Order 217, filed 2/15/85)

WAC 356-15-070 SPLIT SHIFT PROVISIONS AND COMPENSATION. When an employee's assigned workshift is split with a minimum of four intervening hours not worked, ((she/he)) the employee shall receive the premium rate set in the shift ((differential schedule)) premium rate designated in WAC 356-15-061 for all hours worked. The provisions of WAC 356-15-060 ((2)) (3) through ((4)) (5) shall apply to employees working split shifts.

AMENDATORY SECTION (Amending Order 120, filed 5/12/78)

WAC 356-18-080 ((SICK)) LEAVE--((WORKMEN'S))
 WORKER'S COMPENSATION((--ADJUSTMENT)). ((+)) The
 employee shall file an application for workmen's compensation in ac-
 cordance with state law for a period of absence from work due to inju-
 ry or occupational disease resulting from state employment.

(2) An employee may elect to receive only time loss compensation
 rather than utilize any available sick leave credits. The employing
 agency shall make such option known to the employee.

(3) Should an employee elect to receive both time loss compensation
 and paid sick leave, sick leave credits may be used only to the follow-
 ing extent:

(a) Total number of hours which would have been charged to sick
 leave, minus number of hours at regular salary for which payment was
 made by the workmen's compensation fund:

(4) If an employee has no sick leave accumulated, the words vaca-
 tion leave may be substituted for sick leave above.

(5) Should any employee apply for time loss compensation and the
 claim is then or later denied, sick leave and vacation leave may be used
 for the absence in accordance with other provisions of this rule.

(6) Until eligibility for workmen's compensation is determined by
 the department of labor and industries, the agency may pay full sick
 leave, provided that the employee shall return any subsequent over-
 payment to the agency.)) (1) Employees who suffer a work related in-
 jury or illness (occupational disease) shall file an application for
 worker's compensation in accordance with chapter 51.28 RCW.

(2) Employees who suffer a work related injury or illness and are
 unable to work due to such injury or illness may elect to receive time
 loss compensation exclusively, leave payment exclusively or a combi-
 nation of time loss compensation and paid leave. The employing agen-
 cy shall make such options known to the employee.

(3) Employees who elect to use sick leave during a period in which
 they receive worker's time loss compensation under the industrial in-
 surance provisions for a work related illness or injury shall receive full
 sick leave pay, less any industrial insurance payments for time loss
 during the sick leave period.

(a) Until eligibility for worker's compensation is determined by the
 department of labor and industries, the employee may elect to use ac-
 crued sick leave, provided that the employee shall return any subse-
 quent overpayment to the agency.

(b) Sick leave hours charged to an employee who receives worker's
 compensation as a result of the time loss shall be proportionate to that
 portion of the employee's salary paid by the agency during the claim
 period.

(4) When an employee elects to receive pay for vacation leave, com-
 pensatory time off or exchange time and also receives worker's com-
 pensation for time loss, the employee is entitled to both payments
 without any deductions for the time loss payment.

(5) When an employee receives pay for a holiday and also receives
 worker's compensation for time loss, the employee is entitled to both
 payments without any deductions for the time loss payment.

AMENDATORY SECTION (Amending Order 217, filed 2/15/85)

WAC 356-26-030 REGISTER DESIGNATION. (1) Agency re-
 duction in force.

(a) Composition.

(i) The agency reduction in force register will consist of classes and
 the names of all employees who hold or have held permanent status in
 those classes and: (A) Have been notified they are scheduled for re-
 duction in force; or (B) held permanent status prior to separation due
 to a reduction in force; or (C) who have accepted a voluntary demotion
 in a class in lieu of a reduction in force; or (D) were in a trial service
 period with another department and separated due to reduction in
 force; or (E) employees requesting to be placed on this register for
 classes held immediately prior to the position being reallocated down-
 ward; or (F) who were separated due to disability within the last year
 as provided in WAC 356-35-010 and who have submitted to the di-
 rector of personnel a current statement from a physician or licensed
 mental health professional that they are physically and/or mentally
 able to perform the duties of the class for which the register is
 established.

(ii) The employee's name shall appear for all classifications for
 which he/she is not disabled in which he/she held permanent status
 since the employee's last separation other than a reduction in force, or
 in which he/she served more than six months on a position which

would have meant permanent status had it been under the jurisdiction
 of the state personnel board at the time.

(b) Method of ranking.

(i) This register will be ranked according to seniority.

(c) Life of register.

(i) An eligible's name will normally remain on this register for three
 years.

(d) Special provisions.

(i) Employees appointed from this register will assume the same
 status they held prior to the reduction in force. Persons on this register
 will indicate the geographic areas in which they are available. Ap-
 pointment of persons from this register to seasonal positions will be as
 provided in WAC 356-30-130.

(ii) Employee's names shall not appear for classes at or below the
 range level of a class in which the employees are serving on a perma-
 nent fulltime basis, except when the employees have accepted options
 beyond a reasonable commuting distance in lieu of separation due to
 reduction in force. In the excepted cases, the employees' names may
 appear for classes at the same or lower range levels when the avail-
 ability would return the employees back to their previous work
 locations.

(2) Service-wide reduction in force.

(a) Composition.

(i) This register will consist of the same names as the agency reduc-
 tion in force register, except for those requesting to be on the agency
 reduction in force register following a reallocation downward.

(b) Method of ranking.

(i) This register will be ranked according to seniority.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two
 years.

(d) Special provisions.

(i) Employees appointed from this register will assume the same
 status they held prior to the reduction in force. Persons on this register
 will indicate the geographic areas and departments for which they are
 available. Appointment of persons from this register to seasonal posi-
 tions will be as provided in WAC 356-30-130.

(3) Dual-agency reversion.

(a) Composition.

(i) This register will contain the names of employees who while
 serving a trial service period in another agency or in a position under
 the jurisdiction of the higher education personnel board were either
 voluntarily or involuntarily reverted to their former class and status.

(b) Method of ranking.

(i) This register will be ranked according to total unbroken classified
 service.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two
 years.

(d) Special provisions.

(i) This register refers to the agency from which promoted and the
 agency from which reverted. Employees appointed from this register
 will assume the status they held prior to promotion. Persons on this
 register will indicate the geographic area in which they are available.

(4) Agency promotional.

(a) Composition.

(i) This register will be established by appropriate classes for each
 agency and shall include the names of those current permanent em-
 ployees of each agency who have served six months of a probationary
 period, or past permanent employees who have been separated due to
 reduction in force within the last year and who have received a passing
 final grade in the total promotional examination and are eligible to be
 certified. The names of past permanent employees who were separated
 due to disability within the last year as provided in WAC 356-35-010
 shall also be included on this register provided that they submit to the
 director of personnel a statement from a physician or licensed mental
 health professional that they are physically and/or mentally able to
 perform the duties of the class for which the register is established and
 they have received a passing final grade as required for other promo-
 tional applicants.

(b) Method of ranking.

(i) This register shall be ranked according to final score from the
 highest to the lowest.

(c) Life of register.

(i) An eligible's name will normally remain on this register for an
 indefinite period unless replaced by a register established by the use of
 a substantially new examination.

- (d) Special provisions.
- (i) An employee may convert any current open competitive rating to this register after six months.
- (5) Service-wide reversion.
- (a) Composition.
- (i) This register will contain the names of employees who while serving a trial service period in another agency or in a position under the jurisdiction of the higher education personnel board were either voluntarily or involuntarily reverted to their former class and status.
- (b) Method of ranking.
- (i) This register will be ranked according to total unbroken classified service.
- (c) Life of register.
- (i) An eligible's name will normally remain on this register for two years.
- (d) Special provisions.
- (i) This register refers to all agencies, except the two which are involved with the dual-agency transaction. Persons on this register will indicate the geographic areas and agencies for which they are available.
- (6) Transfer.
- (a) Composition.
- (i) This register shall contain the names of all permanent employees who have submitted a request to be considered for transfer.
- (b) Method of ranking.
- (i) This register will be unranked.
- (c) Life of register.
- (i) An eligible's name shall normally remain on this register for one year.
- (d) Special provisions.
- (i) To use this register, the employee must transfer either within the same class or the same pay range having the same salary range number.
- (7) Voluntary demotion.
- (a) Composition.
- (i) This register shall contain the names of all permanent employees who have submitted a request for and are eligible under the rules to be considered for a voluntary demotion.
- (b) Method of ranking.
- (i) This register shall be unranked. However, employees subject to reduction in force shall have priority.
- (c) Life of register.
- (i) An eligible's name shall normally remain on this register for one year.
- (d) Special provisions.
- (i) Employees appointed from this register to a class not previously held will serve a trial service period. All examination ratings for the class from which demoted shall be nullified; however, the employee may be elevated to the class from which demoted with permanent status without benefit of certification provided permanent status was achieved at the higher level.
- (8) Service-wide promotional.
- (a) Composition.
- (i) This register shall contain the names of those permanent employees who have served six months of a probationary period or past permanent employees who have been separated due to reduction in force within the last year who have obtained a passing final grade in the total promotional examination. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided that they submit to the director of personnel a statement from a physician or licensed mental health professional that they are physically and/or mentally able to perform the duties of the class for which the register is established and they have received a passing final score as required for other promotional applicants.
- (b) Method of ranking.
- (i) This register shall be ranked according to final score, from the highest to the lowest.
- (c) Life of register.
- (i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.
- (d) Special provisions.
- (i) An employee may convert any current open competitive rating to this register after six months. Persons on this register will indicate the geographic areas and agencies for which they are available.
- (9) Reemployment.
- (a) Composition.
- (i) This register shall contain the names of all past permanent employees who have submitted a request and an application for reemployment within ~~((two))~~ five years from the date of separation, provided that the names of employees separated for cause while performing similar duties shall not be placed on this register except with the approval of the agency from which they were separated for cause. This register shall also contain the names of those employees who have been in reversion or reduction in force status and have been offered and declined employment. The director of personnel may extend the time during which an employee may apply for reemployment if the director of personnel has determined that a need for eligibles exists in a certain class and/or geographical area.
- (b) Method of ranking.
- (i) This register shall be unranked.
- (c) Life of register.
- (i) An eligible's name will normally remain on this register for two years.
- (d) Special provisions.
- (i) Persons reemployed from this register will serve a probationary period. The former employee may limit or enlarge upon his/her area of availability either by department or geographic area.
- (10) Inter-system employment.
- (a) Composition. This register shall contain the names of permanent classified employees under the jurisdiction of the higher education personnel board who have submitted an application and who have passed the required examination.
- (b) Method of ranking. This register shall be ranked according to final passing score from the highest to the lowest.
- (c) Life of register. An eligible's name will normally remain on this register for one year.
- (d) Special provisions. Employees appointed from this register will serve a six month trial service period.
- (11) Open competitive.
- (a) Composition.
- (i) This register will contain the names of all persons who have passed the entrance examination.
- (b) Method of ranking.
- (i) This register shall be ranked by the final score.
- (c) Life of register.
- (i) An eligible's name will normally remain on this register for one year unless changed by the director of personnel.
- (d) Special provisions.
- (i) Persons on this register will indicate the geographic areas for which they are available.

AMENDATORY SECTION (Amending Order 211, filed 11/20/84)

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 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 or licensed mental health professional with the specification for the employee's class and a description of the employee's position. Evidence may be requested from the physician or licensed mental health professional regarding the employee's ability to perform the specified duties.

(3) At the time of notification that ~~((his/her))~~ their employment will be terminated because of disability, ~~((the))~~ employees shall be informed by the appointing authority of ~~((the))~~ their 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 subsection (1) of this section ~~((an)) the agency shall inform~~ employees being separated due to disability ~~((shall be counseled by the agency regarding benefits for which the employee may be eligible through)) that they may be eligible for benefits/assistance programs such as employees' insurance plans, social security, worker's compensation, veteran's benefits, public assistance, disability retirement, and 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 statement from a physician or licensed mental health professional that they are able to perform the duties of the class(es) for which the registers are established.

WSR 85-10-053
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed May 1, 1985]

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 Reporting of circumstantial changes—Child care agencies, amending WAC 388-73-057.

It is the intention of the secretary to adopt these rules on an emergency basis on or about May 1, 1985;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985.

The authority under which these rules are proposed is RCW 74.15.030.

The specific statute these rules are intended to implement is RCW 74.15.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 30, 1985

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 388-73-057.

Purpose of the Rule: To enable the department to do background checks on staff as they are hired by child care facilities.

This Rule is Necessary: To more fully implement chapter 188, Laws of 1984 (RCW 74.15.030).

Statutory Authority: RCW 74.15.030.

Summary of Rule Change: Requires licensed child care facilities to inform the department whenever they hire new staff.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule Change: Barry Fibel, Program Manager, Division of Children and Family Services, mailstop OB-41, phone 753-0204.

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

AMENDATORY SECTION (Amending Order 1336, filed 9/8/78)

WAC 388-73-057 **REPORTING OF CIRCUMSTANTIAL CHANGES.** Agencies shall report to the department changes in circumstances which might constitute grounds for reclassification of agency as to category of license or continued eligibility for license and major changes in staff or program, including the following:

(1) Changes in agency's address or location and phone number (license is valid only for address indicated on the license).

(2) Changes in the maximum number, age ranges, and sex of persons licensee wishes to serve as compared to specifications in the license.

(3) Changes in number and qualifications of agency's staffing pattern, change of agency's chief executive, and the death, retirement, or incapacity of a licensee. (A license is valid only for the person or organization named on the license.)

(4) Occurrence of a fire on licensed premises, major structural changes, or damage to premises from any causes and plans for major remodeling of facility.

(5) Change in name of a licensed corporation, or name by which a facility is commonly known, and changes in agency's articles of incorporation and bylaws.

(6) Marriage or divorce of a foster parent or other change in household composition ~~((which affect))~~ affecting eligibility for license or number of persons that may be served.

(7) The hiring of any new staff person who might have contact with the children in care or the addition of any new volunteer who might have contact with the children in care.

WSR 85-10-054
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2229—Filed May 1, 1985]

I, David A. Hogan, director of the [Division of Administration and Personnel], do promulgate and adopt at Olympia, Washington, the annexed rules relating to foster care, amending chapter 388-70 WAC.

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 parts of these rules are necessary to

implement chapter 74.14A RCW and other parts will simplify administration by decentralizing the decision-making process.

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 April 29, 1985.

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

AMENDATORY SECTION (Amending Order 1634, filed 4/15/81)

WAC 388-70-042 PAYMENT STANDARDS—REGULAR FOSTER FAMILY CARE. Effective ~~((July 1, 1980))~~ July 1, 1984, foster care payment standards shall be as follows~~(:)~~. Effective May 1, 1985, exceptions to the standards may be approved by a DCFS administrator or designee.

(1) The board payment for foster care of a child in a family foster home is one hundred ~~((and fourteen))~~ thirty dollars and ~~((fifty))~~ forty-four cents per month for a child less than six years of age, one hundred ~~((and forty-eight))~~ sixty-nine dollars and ~~((seventy-five))~~ forty-five cents per month for children six through eleven years of age, and ~~((one))~~ two hundred ~~((and seventy-eight))~~ three dollars and ~~((seventy))~~ fifty-seven cents per month for a child twelve and over. For the purposes of determining the payment for board, the child's birthdate is considered to be the first of the month in which his or her birthday occurs.

(2) Foster parents shall be provided ~~((seventeen))~~ eighteen dollars and ~~((sixty-eight))~~ sixty-seven cents per month for personal incidentals including school supplies. A monthly clothing allowance of ~~((fourteen))~~ twenty dollars and ~~((eighty-two))~~ thirty-eight cents is paid for children under twelve years, while ~~((seventeen))~~ twenty-four dollars and ~~((sixty-seven))~~ twenty-three cents is paid for children twelve years and older.

(3) An initial clothing allowance for children placed in foster care is provided to supplement a child's clothing supply, where necessary, at the time a child is placed in foster care. This allowance may not exceed one hundred dollars unless otherwise authorized by a ~~((regional-of-free))~~ DCFS administrator.

(4) Additional individual child-specific amounts may be authorized by a DCFS administrator or his or her designee.

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 1634, filed 4/15/81)

WAC 388-70-044 PAYMENT STANDARDS—RECEIVING HOME CARE—STANDARDS FOR USING. (1) The purpose and/or use of a receiving home is to allow the department or private agency to care for a child in a foster family home on a temporary, emergent, or interim basis in order that there be sufficient time for the development of a plan ~~((which includes))~~ including the involvement of the child whenever possible.

(2) ~~((The))~~ There are two types of ~~((placements-in))~~ receiving homes ~~((are emergency and regular. Placements under the conditions described in WAC 388-70-047 are classified as "emergency." All others are classified as "regular."))~~:

(a) Regular receiving homes for children age zero through seventeen, and

(b) Specialized receiving homes for children age twelve through seventeen who are runaways or in conflict with their parents.

(3) Receiving homes supported by the department shall be limited to the number the ~~((CSO))~~ DCFS administrator determines necessary in his or her geographical area. The criteria to be followed are:

(a) Each ~~((department))~~ DCFS office or private agency shall document ~~((its))~~ need for a receiving home and present the request in writing, giving the specifics, to the ~~((CSO administrator or to the regional director when more than one CSO administrator is involved))~~ DCFS administrator.

(b) All receiving homes shall be licensed as foster family homes.

(c) ~~((Receiving homes are developed to provide care up to thirty days.~~

~~((d))~~ The need for a receiving ~~((home(s)))~~ home or homes must carry a direct relationship to the department's or private agency's type of program and service responsibilities.

~~((e))~~ (d) The intent of the service is to allow the department or private agency to develop and carry out a suitable plan for the child.

(4) Length of stay guidelines for receiving homes are as follows:

(a) Regular receiving homes provide care up to thirty days;

(b) Specialized receiving homes provide care up to fifteen days.

~~((4))~~ (5) Every six months the ~~((CSO))~~ DCFS administrator shall receive a written report on each receiving home, resubstantiating ~~((its))~~ continued use and need.

~~((5))~~ (6) Foster family homes ~~((which))~~ regularly ~~((provide))~~ providing care for children on a temporary, emergent, or interim basis and are available for placement twenty-four hours per day shall be designated as regular or specialized receiving homes.

(a) ~~((These))~~ Regular receiving homes shall be paid ~~((twenty-eight))~~ thirty-two dollars and ~~((forty))~~ thirty-five cents per month for each bed ~~((which is kept))~~ available for the emergency placement of children. In

addition, the daily rate for receiving home care shall be ~~((nine))~~ eleven dollars and ~~((ninety-five))~~ thirty-four cents per day per child.

(b) Specialized receiving homes shall be paid sixty-five dollars and twenty-one cents per month for each bed available for the emergency placement of children. In addition, the daily rate for specialized receiving home care shall be fifteen dollars and sixty-seven cents per day per child.

~~((7))~~ (7) Other foster homes ((which)) occasionally ((pro- vided)) providing temporary, emergent, or interim care shall not be designated as receiving homes nor receive the retainer fee, but shall be reimbursed for such care at the receiving home rate of ((nine)) eleven dollars and ((ninety-five)) thirty-four cents per day per child.

(c) Payments in excess of the standards in subsection (6)(a) and (b) of this section may be authorized by the DCFS administrator or his or her designee for individual, child-specific situations.

~~((6))~~ (8) Temporary or emergency care for a child shall not exceed thirty days. After thirty days, the rate for children ((who remain)) remaining in care in a receiving home shall be that for regular full-time foster care except as authorized by the ((regional director)) DCFS administrator. Clothing and personal incidentals are purchased for the child in receiving home care as needed.

~~((7))~~ (9) Private group care facilities may, at the discretion of the ((CSO)) DCFS administrator, be utilized to provide interim care for children and youths requiring care in a group setting. Unless ((otherwise)) an alternate agreement is made, contracted group care facilities shall be paid for providing interim care at their established daily rate.

AMENDATORY SECTION (Amending Order 1634, filed 4/15/81)

WAC 388-70-048 PAYMENT STANDARDS—SPECIALIZED RATE FOSTER FAMILY CARE—CHILD WITH SPECIAL NEEDS. In addition to the basic rate for regular foster family home care specified in this chapter, an additional amount may be paid for the specialized care of a child with special needs as determined by the department. The additional amounts are:

- (1) Children with behavior problems \$~~((+9.85))~~ 136.53 per month
- (2) ~~((Intellectual))~~ Intellectually/physically handicapped children \$~~((+9.85))~~ 136.53 per month
- (3) Emotionally handi- capped children \$~~((+9.85))~~ 136.53 per month

AMENDATORY SECTION (Amending Order 1449, filed 10/31/79)

WAC 388-70-054 TEMPORARY ABSENCE OF CHILD FROM FOSTER CARE. (1) When a child is

temporarily absent from a foster care facility, the actual number of days absent will be paid by the department, provided:

(a) The number of consecutive days of absence does not exceed fifteen within a thirty-day period;

(b) Written notification is provided to the responsible ~~((CSO))~~ center or DCFS office three days in advance of planned visits exceeding seventy-two hours;

(c) The planned visits of less than seventy-two hours are reported to the responsible ~~((CSO))~~ center or DCFS office in the child's quarterly progress report prepared by the private agency;

(d) The responsible ~~((CSO))~~ center or DCFS office is notified on the next working day following the child's unplanned absence (notification may be made by a telephone call to the ~~((CSO))~~ center or DCFS office followed by written notification within five working days from the facility);

(e) A licensed vacant bed is held for the child;

(f) The child will be accepted back by the facility; and

(g) The ~~((CSO))~~ center or DCFS office is notified of the date of child's return.

(2) Written verification to the absent child's responsible ~~((CSO))~~ center or DCFS office will contain the following information:

(a) Planned visits;

(i) Child's name,

(ii) Where the child will visit,

(iii) Beginning and ending dates of the absence, and

(iv) A statement as to whether or not the child's unoccupied bed is being held for the child's return to the facility.

(b) Unplanned absences;

(i) Child's name, age, and home address;

(ii) Time and date the child left the premises;

(iii) A statement as to whether the child is acceptable back by the facility; and

(iv) A statement as to whether or not the child's unoccupied bed will be held for the child's return to the facility.

(3) In respect to absences from foster homes supervised by voluntary child-placing agencies, the preceding procedures will apply.

(4) When there is a planned temporary absence from a child foster family home supervised by a ~~((CSO))~~ center or DCFS office, the service worker will be involved in the plan. In the case of an unplanned absence, the foster parents will notify the service worker orally, as soon as is practical, of the child's name, time, and date ~~((that))~~ the child left the premises and whether or not the child's unoccupied bed will be held.

(5) In addition to the preceding requirements, the following limitations are placed on the payments for temporary absences of children from a children's group foster care facility and/or a child foster family home:

(a) A child's cumulative total of forty-five days absence within a six-month period is the maximum allowable for payment.

(b) With adequate justification of unusual circumstances, an exception ~~((to policy))~~ may be submitted for consideration of extension of the consecutive fifteen days and the accumulative forty-five days limitation.

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

WAC 388-70-056 TRANSPORTATION AND OTHER EXPENSES—REIMBURSEMENT. (1) When prearranged with the department, foster parents shall be allowed transportation for counseling, court hearings, school related, and medically related trips involving a foster child in their home. The department, within available funds, will provide reimbursement at the same rate authorized for employees. In addition, actual costs of food and lodging ((~~if~~) necessary ((~~in securing the medical care with~~)) to the transportation may be reimbursed.

(2) Runaway dependents from other states:

(a) Planning and payment for return of a child ((~~who is~~)) subject to court order in another state and located in this state is the responsibility of the home state.

(i) If the home state refuses to pay for return transportation, the cost may be paid according to provisions of WAC 388-24-270 if the child meets the criteria in WAC 388-24-255.

(3) When ((~~a child who is~~)) children subject to court order run away and are subsequently located and are in the custody of the department or a private agency ((~~runs away and is subsequently located~~)), responsibility for planning remains with the department or private agency. If there are no financial resources to provide return transportation, the ((~~ESSO~~)) DCFS administrator may approve transportation costs.

(4) Costs for transporting children in foster care from one placement to another within the state may be approved by the ((~~ESSO~~)) DCFS administrator.

(5) Transportation costs for placement of a child to an out-of-state location can be authorized by the ((~~ESSO~~)) DCFS administrator or his or her designee, contingent on the approval of both ((~~state offices~~)) states involved. (See also WAC 388-70-022(3)). If the placement fails and Washington has retained jurisdiction of the child, transportation cost can be authorized by the ((~~ESSO~~)) DCFS administrator or his or her designee contingent on approval of both ((~~state offices~~)) states.

(6) When a Washington resident who is also a dependent minor is held by a juvenile court in another state as a runaway and the court requests transportation expenses from the ((~~ESSO~~)) center and the parents state they cannot pay,

(a) An immediate request to the ((~~EWS~~)) DCFS supervisor with jurisdiction in that court area for return of the child under emergency family assistance should be made.

(b) In the event the other state's ((~~EWS~~)) children and family services section refuses to take action, the parent's ability to pay the cost is determined by applying the department's standards in WAC 388-11-190. If parents are unable to pay, an exception ((~~to policy~~)) request may be submitted ((~~per chapter 388-20 WAC~~)).

(7) Transportation costs for children residing in receiving/foster/group care in addition to those payable in subsections (1) through (6) of this section may be authorized by a center administrator or designee when:

(a) The transportation is consistent with the child's individual service plan, and

(b) There is no other available resource.

(8) Transportation costs for parents, relatives, or other potential permanent placement resources may be authorized by a DCFS administrator when:

(a) The transportation is consistent with the child's individual service plan, and

(b) The potential placement resource is unable to meet the transportation expense, and

(c) The child currently resides in foster/group care.

AMENDATORY SECTION (Amending Order 1495, filed 3/21/80)

WAC 388-70-058 REIMBURSEMENT FOR DAMAGE OR LOSS CAUSED BY CHILD IN FOSTER FAMILY CARE. (1) Within the limits of the ((~~sixty-nine thousand dollars~~)) amount allotted for this purpose ((~~for the 79-81 biennium~~)), the department may reimburse foster family providers caring for children((~~, for whom this department is making payment~~)) in DCFS-approved placements, for some damages or losses incurred by the provider and caused by children in their care. Unless an exception is granted by the DCFS administrator, claims shall be limited to three hundred dollars per ((~~claim~~)) item or one thousand dollars aggregate per occurrence no matter what type of coverable loss is incurred. Claims must be submitted to the department within thirty days of their occurrence. Determination of the payability of claims will be made by the department's ((~~regional office~~)) DCFS administrator. Exceptions to the limit may be made by the DCFS administrator. Reimbursement will be based upon documentation of the cost of replacement and of the cause of the loss.

(2) The sole recourse for an appeal of an award, or failure to make an award, shall be to request a re-review by the ((~~regional director's office~~)) DCFS administrator.

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

WAC 388-70-066 FOSTER CARE OUT-OF-STATE—AUTHORIZATION—PAYMENT. (1) With the consent of the ((~~state office~~)) interstate compact program manager, foster parents may be permitted to remove from the state a child ((~~who is~~)) in a permanent foster home. If the child is subject to court order, permission from the court must also be obtained. When the foster family moves to another state, arrangements with another social agency for supervision of the foster home placement are required. Such arrangements for supervision are not required when the family leaves the state during a vacation. Payments are continued at the department's current rates.

(2) When a child ((~~who is~~)), legally a resident of the state of Washington, is placed in foster care in another state by the welfare department of that state, foster care payments are made at the rate requested by the state, providing ((~~it~~)) payment does not exceed the department's current rates ((~~if it is the best plan for the child to remain there~~)).

(3) State office approval of out-of-state placement is required before payment is made.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-70-047 EMERGENCY FOSTER CARE ASSISTANCE.

WAC 388-70-053 PAYMENT STANDARDS—INCENTIVE PLAN.

WSR 85-10-055

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2230—Filed May 1, 1985]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Reporting of circumstantial changes—Child care agencies, amending WAC 388-73-057.

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 RCW 74.15.030 as amended by chapter 188, Laws of 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 74.15.030 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 April 30, 1985.

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

AMENDATORY SECTION (Amending Order 1336, filed 9/8/78)

WAC 388-73-057 REPORTING OF CIRCUMSTANTIAL CHANGES. Agencies shall report to the department changes in circumstances which might constitute grounds for reclassification of agency as to category of license or continued eligibility for license and major changes in staff or program, including the following:

(1) Changes in agency's address or location and phone number (license is valid only for address indicated on the license).

(2) Changes in the maximum number, age ranges, and sex of persons licensee wishes to serve as compared to specifications in the license.

(3) Changes in number and qualifications of agency's staffing pattern, change of agency's chief executive, and the death, retirement, or incapacity of a licensee. (A license is valid only for the person or organization named on the license.)

(4) Occurrence of a fire on licensed premises, major structural changes, or damage to premises from any causes and plans for major remodeling of facility.

(5) Change in name of a licensed corporation, or name by which a facility is commonly known, and changes in agency's articles of incorporation and bylaws.

(6) Marriage or divorce of a foster parent or other change in household composition (which affect) affecting eligibility for license or number of persons that may be served.

(7) The hiring of any new staff person who might have contact with the children in care or the addition of any new volunteer who might have contact with the children in care.

WSR 85-10-056

ADOPTED RULES

HIGHER EDUCATION

PERSONNEL BOARD

[Order 126—Filed May 1, 1985—Eff. June 1, 1985]

Be it resolved by the Higher Education Personnel Board, acting at the Green River Community College, that it does adopt the annexed rules relating to Certification—Error—Correction, new WAC 251-18-285.

This action is taken pursuant to Notice No. WSR 85-06-067 filed with the code reviser on March 6, 1985. These rules shall take effect at a later date, such date being June 1, 1985.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

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 April 19, 1985.

By John A. Spitz
Director

NEW SECTION

WAC 251-18-285 CERTIFICATION—ERROR—CORRECTION. When an error is made in the certification of names for a vacancy, the director or the personnel officer may invalidate a probationary or trial service appointment when the appointed eligible(s) would not be among those certified to the position upon correction of the error.

WSR 85-10-057
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed May 1, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning the use of restricted use desiccants and defoliants in Walla Walla County, WAC 16-230-190.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on May 17, 1985.

The authority under which these rules are proposed is chapters 15.58 and 17.21 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before May 10, 1985.

This notice is connected to and continues the matter in Notice No. WSR 85-07-062 filed with the code reviser's office on March 20, 1985.

Dated: May 1, 1985
 By: Michael V. Schwisow
 Deputy Director

WSR 85-10-058
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed May 1, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning:

- New WAC 458-40-18717 Stumpage values (tables for July 1 through December 31, 1985).
- New WAC 458-40-18718 Harvester adjustments (tables for July 1 through December 31, 1985);

that the agency will at 10:00 a.m., Thursday, June 6, 1985, in the Conference Room, 2nd Floor, Evergreen Plaza 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 June 28, 1985.

The authority under which these rules are proposed is chapter 84.33 RCW.

The specific statute these rules are intended to implement is chapter 84.33 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 6, 1985.

Dated: May 1, 1985
 By: John B. Conklin
 Forest Tax Supervisor

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Tables for determination of stumpage values, new sections WAC 458-40-18717 and 458-40-18718.

Purpose: To establish the values for reporting and payment of the timber excise tax levied by chapter 84.33 RCW.

Statutory Authority: Chapter 84.33 RCW, which directs the Department of Revenue to prepare tables of stumpage values before June 30 and December 31 of each year to be used for the six month periods thereafter.

Summary and Reasons for the Rule: The tables set out the value of stumpage for each species or subclassification of timber within designated areas having similar growing, harvesting and marketing conditions. These values are to be used for computing the timber excise tax due quarterly by timber harvesters upon timber harvested for sale or for commercial or industrial use during the period July 1, 1985, through December 31, 1985.

Drafters of the Rule: John Conklin, (206) 753-2871, and Joe Gienty, (206) 754-2903, 6004 South Capitol Boulevard, Tumwater, WA 98501.

Rule Implementation and Enforcement: Trevor W. Thompson, Director, Property Tax, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, General Administration Building, Olympia, WA 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action requested by the courts.

NEW SECTION

WAC 458-40-18717 STUMPAGE VALUES—TABLES FOR JULY 1 THROUGH DECEMBER 31, 1985. As required by chapter 84.33 RCW the department has prepared tables which assign stumpage value rates for the various harvest types, which rates vary depending upon the stumpage value area, species, timber quality code number and hauling distance zone involved. Where the timber harvested is used to produce harvest type special forest products the value tables of this section shall establish the values for such special forest products.

The following stumpage value and special forest product value tables are hereby adopted for use during the period of July 1 through December 31, 1985.

TABLE 1—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
 July 1 through December 31, 1985

		OLD GROWTH (100 years of age or older)					
		Stumpage Values per Thousand Board Feet Net Scribner Log Scale ¹					
Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$155	\$149	\$143	\$137	\$131
		2	93	87	81	75	69
		3	92	86	80	74	68
Western Hemlock ²	WH	1	146	140	134	128	122
		2	104	98	92	86	80
		3	70	64	58	52	46
True Fir ³	TF	1	77	71	65	59	53
		2	73	67	61	55	49
		3	69	63	57	51	45
Western Redcedar ⁴	RC	1	260	254	248	242	236
		2	214	208	202	196	190
		3	181	175	169	163	157

TABLE 1—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Sitka Spruce	SS	1	193	187	181	175	169
		2	161	155	149	143	137
		3	110	104	98	92	86
Other Conifer	OC	1	77	71	65	59	53
		2	73	67	61	55	49
		3	69	63	57	51	45
Red Alder	RA	1	41	34	27	20	13
Cottonwood	BC	1	33	26	19	12	5
Other Hardwoods	OH	1	47	40	33	26	19
Hardwood Utility	HU	5	8	8	8	8	8
Conifer Utility	CU	5	10	10	10	10	10

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

⁴ Includes Alaska-cedar.

TABLE 2—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
July 1 through December 31, 1985

YOUNG GROWTH OR THINNING
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$157	\$150	\$143	\$136	\$129
		2	157	150	143	136	129
		3	114	107	100	93	86
		4	114	107	100	93	86
Western Hemlock ²	WH	1	104	97	90	83	76
		2	102	95	88	81	74
		3	88	81	74	67	60
		4	82	75	68	61	54
True Fir ³	TF	1	104	97	90	83	76
		2	102	95	88	81	74
		3	88	81	74	67	60
		4	82	75	68	61	54
Western Redcedar ⁴	RC	1	202	195	188	181	174
		2	185	178	171	164	157
		3	167	160	153	146	139
Other Conifer	OC	1	104	97	90	83	76
		2	102	95	88	81	74
		3	88	81	74	67	60
		4	82	75	68	61	54
Red Alder	RA	1	41	34	27	20	13
Cottonwood	BC	1	33	26	19	12	5
Other Hardwoods	OH	1	47	40	33	26	19
Hardwood Utility	HU	5	8	8	8	8	8

TABLE 2—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	10	10	10	10	10

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

⁴ Includes Alaska-cedar.

TABLE 3—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$159	\$153	\$147	\$141	\$135
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	87	81	75	69	63
Western Redcedar & Other Posts ²	RCP	1	0.35	0.35	0.35	0.35	0.35
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 4—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
July 1 through December 31, 1985

OLD GROWTH
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$162	\$156	\$150	\$144	\$138
		2	132	126	120	114	108
		3	116	110	104	98	92
Western Hemlock ²	WH	1	108	102	96	90	84
		2	88	82	76	70	64
		3	87	81	75	69	63
True Fir ³	TF	1	72	66	60	54	48
		2	65	59	53	47	41
		3	58	52	46	40	34
Western Redcedar ⁴	RC	1	262	256	250	244	238
		2	224	218	212	206	200
		3	187	181	175	169	163

TABLE 4—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Sitka Spruce	SS	1	184	178	172	166	160
		2	150	144	138	132	126
		3	104	98	92	86	80
Other Conifer	OC	1	72	66	60	54	48
		2	65	59	53	47	41
		3	58	52	46	40	34
Red Alder	RA	1	51	44	37	30	23
Cottonwood	BC	1	32	25	18	11	4
Other Hardwoods	OH	1	47	40	33	26	19
Hardwood Utility	HU	5	8	8	8	8	8
Conifer Utility	CU	5	7	7	7	7	7

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴ Includes Alaska-cedar.

TABLE 5—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
July 1 through December 31, 1985

YOUNG GROWTH OR THINNING
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$173	\$166	\$159	\$152	\$145
		2	114	107	100	93	86
		3	112	105	98	91	84
		4	102	95	88	81	74
Western Hemlock ²	WH	1	105	98	91	84	77
		2	102	95	88	81	74
		3	89	82	75	68	61
		4	64	57	50	43	36
True Fir ³	TF	1	105	98	91	84	77
		2	102	95	88	81	74
		3	89	82	75	68	61
		4	64	57	50	43	36
Western Redcedar ⁴	RC	1	244	237	230	223	216
		2	159	152	145	138	131
		3	158	151	144	137	130
Other Conifer	OC	1	105	98	91	84	77
		2	102	95	88	81	74
		3	89	82	75	68	61
		4	64	57	50	43	36
Red Alder	RA	1	51	44	37	30	23
Cottonwood	BC	1	32	25	18	11	4
Other Hardwoods	OH	1	47	40	33	26	19
Hardwood Utility	HU	5	8	8	8	8	8

TABLE 5—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	7	7	7	7	7

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴ Includes Alaska-cedar.

TABLE 6—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar—Shake Blocks & Boards ¹	RCS	1	\$159	\$153	\$147	\$141	\$135
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	87	81	75	69	63
Western Redcedar & Other Posts ²	RCP	1	0.35	0.35	0.35	0.35	0.35
Douglas-fir Christmas Trees	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 7—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
July 1 through December 31, 1985

OLD GROWTH
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$144	\$138	\$132	\$126	\$120
		2	136	130	124	118	112
		3	122	116	110	104	98
Western Hemlock ²	WH	1	109	103	97	91	85
		2	93	87	81	75	69
		3	74	68	62	56	50
True Fir ³	TF	1	79	73	67	61	55
		2	75	69	63	57	51
		3	72	66	60	54	48
Western Redcedar	RC	1	219	213	207	201	195
		2	183	177	171	165	159
		3	181	175	169	163	157

TABLE 7—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Alaska-cedar	YC	1	219	213	207	201	195
		2	183	177	171	165	159
		3	181	175	169	163	157
Other Conifer	OC	1	79	73	67	61	55
		2	75	69	63	57	51
		3	72	66	60	54	48
Red Alder	RA	1	40	33	26	19	12
Cottonwood	BC	1	36	29	22	15	8
Other Hardwoods	OH	1	47	40	33	26	19
Hardwood Utility	HU	5	8	8	8	8	8
Conifer Utility	CU	5	6	6	6	6	6

¹Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

²Includes Western and Mountain Hemlock.

³Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 8—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
July 1 through December 31, 1985

YOUNG GROWTH OR THINNING
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$175	\$168	\$161	\$154	\$147
		2	151	144	137	130	123
		3	125	118	111	104	97
		4	102	95	88	81	74
Western Hemlock ²	WH	1	109	102	95	88	81
		2	105	98	91	84	77
		3	72	65	58	51	44
		4	46	39	32	25	18
True Fir ³	TF	1	109	102	95	88	81
		2	105	98	91	84	77
		3	72	65	58	51	44
		4	46	39	32	25	18
Western Redcedar ⁴	RC	1	172	165	158	151	144
		2	160	153	146	139	132
		3	150	143	136	129	122
Other Conifer	OC	1	109	102	95	88	81
		2	105	98	91	84	77
		3	72	65	58	51	44
		4	46	39	32	25	18
Red Alder	RA	1	40	33	26	19	12
Cottonwood	BC	1	36	29	22	15	8
Other Hardwoods	OH	1	47	40	33	26	19
Hardwood Utility	HU	5	8	8	8	8	8
Conifer Utility	CU	5	6	6	6	6	6

¹Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

²Includes Western and Mountain Hemlock.

³Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

⁴Includes Alaska-cedar.

TABLE 9—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$159	\$153	\$147	\$141	\$135
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	87	81	75	69	63
Western Redcedar & Other Posts ²	RCP	1	0.35	0.35	0.35	0.35	0.35
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 10—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 4
July 1 through December 31, 1985

OLD GROWTH
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$199	\$193	\$187	\$181	\$175
		2	142	136	130	124	118
		3	131	125	119	113	107
Western Hemlock ²	WH	1	131	125	119	113	107
		2	104	98	92	86	80
		3	97	91	85	79	73
True Fir ³	TF	1	92	86	80	74	68
		2	90	84	78	72	66
		3	88	82	76	70	64
Western Redcedar	RC	1	232	226	220	214	208
		2	222	216	210	204	198
		3	179	173	167	161	155
Noble Fir	NF	1	92	86	80	74	68
		2	90	84	78	72	66
		3	88	82	76	70	64
Alaska-cedar	YC	1	232	226	220	214	208
		2	222	216	210	204	198
		3	179	173	167	161	155
Other Conifer	OC	1	92	86	80	74	68
		2	90	84	78	72	66
		3	88	82	76	70	64
Red Alder	RA	1	49	42	35	28	21
Cottonwood	BC	1	32	25	18	11	4
Other Hardwoods	OH	1	48	41	34	27	20
Hardwood Utility	HU	5	8	8	8	8	8

TABLE 10—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	4	4	4	4	4

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 11—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 4
July 1 through December 31, 1985

YOUNG GROWTH OR THINNING
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$179	\$172	\$165	\$158	\$151
		2	145	138	131	124	117
		3	131	124	117	110	103
		4	98	91	84	77	70
Western Hemlock ²	WH	1	109	102	95	88	81
		2	88	81	74	67	60
		3	82	75	68	61	54
		4	50	43	36	29	22
True Fir ³	TF	1	109	102	95	88	81
		2	88	81	74	67	60
		3	82	75	68	61	54
		4	50	43	36	29	22
Western Redcedar ⁴	RC	1	173	166	159	152	145
		2	160	153	146	139	132
		3	158	151	144	137	130
Other Conifer	OC	1	109	102	95	88	81
		2	88	81	74	67	60
		3	82	75	68	61	54
		4	50	43	36	29	22
Red Alder	RA	1	49	42	35	28	21
Cottonwood	BC	1	32	25	18	11	4
Other Hardwoods	OH	1	48	41	34	27	20
Hardwood Utility	HU	5	8	8	8	8	8
Conifer Utility	CU	5	4	4	4	4	4

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴ Includes Alaska-cedar.

TABLE 12—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 4
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$159	\$153	\$147	\$141	\$135
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	87	81	75	69	63
Western Redcedar & Other Posts ²	RCP	1	0.35	0.35	0.35	0.35	0.35
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 13—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 5
July 1 through December 31, 1985

OLD GROWTH
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$214	\$208	\$202	\$196	\$190
		2	191	185	179	173	167
		3	131	125	119	113	107
Western Hemlock ²	WH	1	141	135	129	123	117
		2	138	132	126	120	114
		3	135	129	123	117	111
True Fir ³	TF	1	130	124	118	112	106
		2	115	109	103	97	91
		3	113	107	101	95	89
Western Redcedar ⁴	RC	1	219	213	207	201	195
		2	177	171	165	159	153
		3	173	167	161	155	149
Noble Fir	NF	1	130	124	118	112	106
		2	115	109	103	97	91
		3	113	107	101	95	89
Other Conifer	OC	1	130	124	118	112	106
		2	115	109	103	97	91
		3	113	107	101	95	89
Red Alder	RA	1	38	31	24	17	10
Cottonwood	BC	1	20	13	6	1	1
Other Hardwoods	OH	1	43	36	29	22	15
Hardwood Utility	HU	5	8	8	8	8	8

TABLE 13—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	3	3	3	3	3

- ¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
- ² Includes Western and Mountain Hemlock.
- ³ Includes Pacific Silver Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
- ⁴ Includes Alaska-cedar.

TABLE 14—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 5
July 1 through December 31, 1985

YOUNG GROWTH OR THINNING
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$195	\$188	\$181	\$174	\$167
		2	121	114	107	100	93
		3	114	107	100	93	86
		4	102	95	88	81	74
Western Hemlock ²	WH	1	106	99	92	85	78
		2	92	85	78	71	64
		3	57	50	43	36	29
		4	56	49	42	35	28
True Fir ³	TF	1	106	99	92	85	78
		2	92	85	78	71	64
		3	57	50	43	36	29
		4	56	49	42	35	28
Western Redcedar ⁴	RC	1	164	157	150	143	136
		2	154	147	140	133	126
		3	126	119	112	105	98
Other Conifer	OC	1	106	99	92	85	78
		2	92	85	78	71	64
		3	57	50	43	36	29
		4	56	49	42	35	28
Red Alder	RA	1	38	31	24	17	10
Cottonwood	BC	1	20	13	6	1	1
Other Hardwoods	OH	1	43	36	29	22	15
Hardwood Utility	HU	5	8	8	8	8	8
Conifer Utility	CU	5	3	3	3	3	3

- ¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
- ² Includes Western and Mountain Hemlock.
- ³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
- ⁴ Includes Alaska-cedar.

TABLE 15—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 5
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$159	\$153	\$147	\$141	\$135
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	87	81	75	69	63
Western Redcedar & Other Posts ²	RCP	1	0.35	0.35	0.35	0.35	0.35
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

- ¹ Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.
- ² Stumpage value per 8 lineal feet or portion thereof.
- ³ Stumpage value per lineal foot.

TABLE 16—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 7
July 1 through December 31, 1985

MERCHANTABLE SAWTIMBER, ALL AGES

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$183	\$177	\$171	\$165	\$159
		2	117	111	105	99	93
Douglas-fir	DF	1	76	70	64	58	52
Western Larch	WL	1	76	70	64	58	52
Western Hemlock ²	WH	1	65	59	53	47	41
True fir ³	TF	1	55	49	43	37	31
Engelmann Spruce	ES	1	50	44	38	32	26
Western Redcedar	RC	1	68	62	56	50	44
Western White Pine	WP	1	66	60	54	48	42
Lodgepole Pine ⁴	LP	1	36	30	24	18	12
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	1	1	1	1	1

- ¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
- ² Includes Western and Mountain Hemlock.
- ³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 17—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 7
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 18—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREAS 6, 8, AND 9
July 1 through December 31, 1985

MERCHANTABLE SAWTIMBER, ALL AGES
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$107	\$101	\$ 95	\$ 89	\$ 83
		2	99	93	87	81	75
Douglas-fir	DF	1	76	70	64	58	52
Western Larch	WL	1	76	70	64	58	52
Western Hemlock ²	WH	1	85	79	73	67	61
True fir ³	TF	1	71	65	59	53	47
Engelmann Spruce	ES	1	52	46	40	34	28
Western White Pine	WP	1	178	172	166	160	154
Western Redcedar	RC	1	66	60	54	48	42
Lodgepole Pine	LP	1	60	54	48	42	36
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	3	3	3	3	3

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 19—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREAS 6, 8, AND 9
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 20—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 10
July 1 through December 31, 1985

MERCHANTABLE SAWTIMBER, ALL AGES
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$161	\$155	\$149	\$143	\$137
		2	128	122	116	110	104
		3	95	89	83	77	71
Douglas-fir	DF	1	127	121	115	109	103
		2	112	106	100	94	88
		3	97	91	85	79	73
Western Larch	WL	1	127	121	115	109	103
		2	112	106	100	94	88
		3	97	91	85	79	73
Western Hemlock ²	WH	1	77	71	65	59	53
		2	73	67	61	55	49
		3	65	59	53	47	41
True Fir ³	TF	1	107	101	95	89	83
		2	87	81	75	69	63
		3	67	61	55	49	43
Other Conifer	OC	1	107	101	95	89	83
		2	87	81	75	69	63
		3	67	61	55	49	43
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	1	1	1	1	1

¹ Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 21—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 10
July 1 through December 31, 1985

SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$87	\$81	\$75	\$69	\$63
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF Scribner scale. See conversion method Table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

NEW SECTION

WAC 458-40-18718 HARVESTER ADJUSTMENTS—TABLES FOR JULY 1 THROUGH DECEMBER 31, 1985. In order to make reasonable and adequate allowances for costs of removal and size of logging operation in computation of stumpage value rates as required by chapter 84.33 RCW, the department has prepared tables which allow for adjustments to the stumpage value rates derived from the stumpage value tables of WAC 458-40-18717.

Harvest adjustments relating to harvest volume per acre, logging conditions and average volume per log shall be allowed against the stumpage value rates for the designated harvest types and in the designated stumpage value areas as set forth in the following tables with the following limitations:

- (1) No harvest adjustment shall be allowed against special forest products.
- (2) No harvest adjustment shall be allowed against utility, conifer utility, and hardwood utility.
- (3) Stumpage value rates for conifers and hardwoods shall be adjusted to a value no lower than \$1 per thousand board feet.

Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage value rates. Such applications should contain a map with the legal description of the area from which the timber will be removed, a description of the damage sustained by the timber, and a listing of additional costs incurred. Such applications should be sent to the Department of Revenue AX-02, Forest Tax Division, General Administration Building, Olympia, Washington 98504, before the harvest commences.

In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application when the necessary information is obtained, but in no event later than 90 days following completion of the harvest unit.

Upon application from any person who plans to harvest damaged timber the department will make a determination as to the amount of adjustment to be allowed. The harvester will be notified by the department of the amount of the adjustment. This amount can then be taken as a credit against tax liabilities or if the harvester is no longer harvesting, a refund will be authorized.

The following harvest adjustment tables are hereby adopted for use during the period of July 1 through December 31, 1985:

TABLE 1—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5
July 1 through December 31, 1985

OLD GROWTH
(100 years of age, or older)

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 15 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of less than 15 thousand board feet per acre.	-\$7.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	-\$6.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$13.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	-\$95.00

III. Remote island adjustment:

For timber harvested from a remote island - \$50.00

TABLE 2—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5
July 1 through December 31, 1985

YOUNG GROWTH OR THINNING
(less than 100 years of age)

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 30 thousand board feet per acre.	\$0.00
Class 2	Harvest of 10 thousand board feet to 30 thousand board feet per acre.	-\$2.00
Class 3	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$6.00
Class 4	Harvest of less than 5 thousand board feet per acre.	-\$8.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	-\$6.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$13.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	-\$95.00
III. Remote island adjustment:		
For timber harvested from a remote island		-\$50.00

TABLE 2—CONT.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
IV. Thinning (see WAC 458-40-18700 (12)(d))		
Class 1	Average log volume of 50 board feet or more.	-\$25.00
Class 2	Average log volume of less than 50 board feet.	-\$35.00

TABLE 3—HARVEST ADJUSTMENT TABLE STUMPAGE VALUE AREAS 6, 7, 8, 9, AND 10 July 1 through December 31, 1985

MERCHANTABLE SAWTIMBER, ALL AGES

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	-\$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	-\$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	-\$11.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$26.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	-\$104.00
III. Remote island adjustment:		
	For timber harvested from a remote island	-\$50.00

DOMESTIC MARKET ADJUSTMENT:

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36 CFR 223.10)

State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

The adjustment amounts shall be as follows:

Class 1:	All eligible species in Western Washington (SVA's 1 through 5)	-\$13.00 per MBF
Class 2:	All eligible species in Eastern Washington (SVA's 6 through 10)	-\$5.00 per MBF

NOTE: The adjustment will not be allowed on conifer utility, hardwood utility or special forest products.

WSR 85-10-059

NOTICE OF PUBLIC MEETINGS
1989 CENTENNIAL COMMISSION
[Memorandum—May 1, 1985]

The following is the schedule of the Centennial Commission:

May 23, 1985	Thursday	Suquamish Museum at 10:30 a.m.
June 25, 1985	Tuesday	Ellensburg
July 25, 1985	Thursday	Port Angeles
August 22, 1985	Thursday	Pullman
September 24, 1985	Tuesday	Kelso
October 29, 1985	Tuesday	LaConnor
November 11, 1985	Monday	Olympia

Other than the first date times have not been established.

WSR 85-10-060
PROPOSED RULES
DEPARTMENT OF FISHERIES
[Filed May 1, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 7:00 p.m., Wednesday, June 5, 1985, in the South Bend Community Center, South Bend, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 12, 1985.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 5, 1985.

Dated: May 1, 1985
By: William R. Wilkerson
Director

STATEMENT OF PURPOSE

Title: WAC 220-36-021, 220-36-022, 220-36-024, 220-40-021, 220-40-022 and 220-40-024.

Description of Purpose: Set coastal harbor salmon seasons.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: Preseason forecast indicates need for changes in salmon seasons to allow harvest of available surplus and differentiation between harvest of hatchery and wild stocks.

Agency Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 754-2429; Implementation: Edward P. Manary, 115 General Administration Building, Olympia, Washington, 753-6631; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington State Department of Fisheries.

Comments: None.

These rules are not the result of federal law or court order.

Small Business Economic Impact Statement: No impact on 10% of the businesses in any one three-digit industrial classification nor 20% of all businesses is expected.

AMENDATORY SECTION (Amending Order 84-66, filed 7/6/84)

WAC 220-36-021 SALMON FISHING AREAS—GILL NET—SEASONS. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Grays Harbor fishing areas except during the seasons provided for hereinafter in each respective fishing area:

- Area 2A
Closed during ~~((+1984))~~ 1985 season.
- Area 2B —
6:00 p.m. July ~~((5))~~ 7 to 6:00 p.m. August 15, ~~((+1984, in those waters east of a line drawn true north-south through lighted piling Number 16 (F.R. 4 sec. 15 ft.) on Whitcomb Flats))~~ 1985.
~~((8:00 a.m.))~~ 4:00 p.m. October ~~((28))~~ 10 to ~~((8:00 p.m.))~~ 6:00 a.m. October ~~((28, 1984, except that it is unlawful to fail to submit to a hold inspection before beginning to fish and upon completion of fishing in the waters of the Westport Boat Basin on October 28, 1984))~~ 11, 1985.
6:00 a.m. October 28, to 6:00 p.m. October 28, 1985
6:30 a.m. October 29, to 6:30 p.m. October 29, 1985.
- Areas 2C and 2D —
6:00 p.m. July ~~((5))~~ 7 to 6:00 p.m. August 15, ~~((+1984))~~ 1985.
4:00 p.m. October 10, to 6:00 a.m. October 11, 1985.

AMENDATORY SECTION (Amending Order 84-66, filed 7/6/84)

WAC 220-36-022 SALMON FISHING AREAS—WEEKLY PERIODS. It is unlawful to take, fish for or possess salmon taken with gill net gear except during the weekly open periods hereinafter designated in the following Grays Harbor fishing areas:

- Area 2A
Closed during ~~((+1984))~~ 1985 season.
- Areas 2B, 2C and 2D
~~((6:00 p.m. July 5 to 6:00 p.m. August 15, 1984. Open continuously.
8:00 a.m. October 28 to 8:00 p.m. October 28, 1984.))~~
Open continuously.

AMENDATORY SECTION (Amending Order 84-66, filed 7/6/84)

WAC 220-36-024 SALMON FISHING AREAS—MESH SIZES—GEAR. (1) It is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum sizes or larger than the maximum size stretch measure as hereinafter designated in the following Grays Harbor fishing areas:

- Areas 2B, 2C and 2D
For the period July ~~((5))~~ 7 to August 15, ~~((+1984))~~ 1985: ~~((8))~~ 9-inch minimum mesh.
For the period October 10 to October 11, 1985: 6 1/2 inch maximum mesh.
For the period October 28 to October 29, 1985: No mesh restriction.

(2) It is unlawful to fish in Grays Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

AMENDATORY SECTION (Amending Order 84-66, filed 7/6/84)

WAC 220-40-021 WILLAPA HARBOR—GILL NET—SEASONS. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor fishing areas, except during the seasons provided for hereinafter in each respective fishing area and except as otherwise provided:

- Area 2G—6:00 p.m. July ~~((5))~~ 7 to 6:00 p.m. August ~~((20))~~ 15; 6:00 p.m. September ~~((23))~~ 19 to 6:00 p.m. October 14 or 6:00 p.m. September 14 to 6:00 p.m. October 14 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 and 6:00 p.m. September ~~((30))~~ 28 to 6:00 p.m. October 14, in those waters east of a line drawn true north and south through Willapa River Channel Light 10 and south of a line drawn true east and west through Nahcotta Channel Light 10; 6:00 p.m. October 21 to 6:00 p.m. October 22; 6:00 a.m. October 28 to 6:30 p.m. October 29; 6:00 p.m. November 1 to 11:59 p.m. November 30, ~~((+1984))~~ 1985.

- Area 2H—6:00 p.m. September 23 to 6:00 p.m. October 14 or 6:00 p.m. September 28 to 6:00 p.m. October 14; 6:00 p.m. October 21 to 6:00 p.m. October 22; 6:00 a.m. October 28 to 6:30 p.m. October 29; 6:00 p.m. November 1 to 11:59 p.m. November 30, ~~((+1984))~~ 1985.
- Area 2J and 2K—6:00 p.m. July ~~((5))~~ 7 to 6:00 p.m. August ~~((20))~~ 15; 6:00 p.m. September ~~((28))~~ 23 to 6:00 p.m. October 14 ~~((;))~~ or 6:00 p.m. September ~~((30))~~ 28 to 6:00 p.m. October 14; 6:00 p.m. October 21 to 6:00 p.m. October 22; 6:00 a.m. October 28 to 6:30 p.m. October 29; 6:00 p.m. November 1 to 11:59 p.m. November 30, ~~((+1984))~~ 1985.
- Area 2M—6:00 p.m. July ~~((5))~~ 7 to 6:00 p.m. July 31; 6:00 p.m. September 23 to 6:00 p.m. October 14 or 6:00 p.m. September 28 to 6:00 p.m. October 14; 6:00 p.m. October 21 to 6:00 p.m. October 22; 6:00 a.m. October 28 to 6:30 p.m. October 29; 6:00 p.m. November 1 to 11:59 p.m. November 30, ~~((+1984))~~ 1985.

AMENDATORY SECTION (Amending Order 84-66, filed 7/6/84)

WAC 220-40-022 WILLAPA HARBOR—WEEKLY PERIODS. It is unlawful to take, fish for or possess salmon taken with gill net gear, except during the weekly open periods hereafter designated in the following Willapa Harbor fishing areas:

- Areas 2G, 2H, 2M—Open continuously.
~~((All))~~ Areas 2J and 2K—Open continuously, except for period September 23 or September 28 to October 14, during which open 6:00 p.m. Monday to 6:00 p.m. Tuesday and 6:00 p.m. Thursday to 6:00 p.m. Friday only.

AMENDATORY SECTION (Amending Order 84-66, filed 7/6/84)

WAC 220-40-024 WILLAPA HARBOR—MESH SIZES—GEAR. (1) It is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure as hereinafter designated in the following Willapa Harbor fishing areas:

- Areas 2G, 2H, 2J, 2K, and 2M
For the period July ~~((5))~~ 7 to August ~~((20))~~ 15, ~~((+1984))~~ 1985: ~~((8))~~ 9-inch minimum mesh.
For the period September ~~((23))~~ 14, to ~~((October 14))~~ 11:59 p.m. November 18, ~~((+1984))~~ 1985: 5-inch minimum to 6-1/2 inch maximum mesh.
For the period 12:01 a.m. November 19 to 11:59 p.m. November 30, ~~((+1984))~~ 1985: 7-1/2-inch minimum mesh.

(2) It is unlawful to fish in Willapa Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

WSR 85-10-061

PROPOSED RULES

DEPARTMENT OF FISHERIES

[Filed May 1, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning personal use rules;

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 4, 1985.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

Dated: May 1, 1985
By: William R. Wilkerson
Director

STATEMENT OF PURPOSE

Title: WAC 220-56-310 and 220-56-350.

Description of Purpose: Establish Grays Harbor personal use bag limit; and close state oyster reserves to clam digging.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: WAC 220-56-310, establishing bag limit allows harvest while providing protection of resource. Harvest limit of 40 clams identical with Puget Sound; and 220-56-350, digging of clams on state oyster reserves would effect oysters. Recreational harvest of clams on reserves was not intended.

Agency Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 754-2429; Implementation: Ronald E. Westley, 115 General Administration Building, Olympia, Washington, 753-6552; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington State Department of Fisheries.

Comments: No public hearing is scheduled.

These proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No effect, these rules regard the recreational harvest of clams.

AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-56-310 SHELLFISH—POSSESSION LIMITS. It is (~~lawful unless otherwise provided~~) unlawful for any one person to take in any one day or possess for personal use at any one time more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, except razor clams, geoduck clams and horse clams:

(a) Hood Canal south of a line projected from Tala Point to Foulweather Bluff - 60 clams or 10 pounds in the shell in the aggregate, whichever occurs first.

(b) Puget Sound south and west of the Tacoma Narrows Bridge. This also includes Carr and Case Inlets and Pickering Passage - 40 clams or 7 pounds in the shell in the aggregate, whichever occurs first.

(c) All portions of Puget Sound except those described in (a) and (b) of this subsection - Bag limit January 1 - May 31: 60 clams or 10 pounds in the shell in the aggregate, whichever occurs first. Bag limit June 1 - December 31: 40 clams or 7 pounds in the shell in the aggregate, whichever occurs first.

(d) In Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance, diggers may retain up to 20 pounds of eastern softshell clams in the shell in addition to the limit set in (c) of this subsection.

(e) Willapa Bay - clams and borers five pounds in the shell in the aggregate.

(f) Willapa Bay - twenty-four cockles.

(g) In English Camp tidelands the bag limit shall be as described in (c) of this subsection plus an additional 10 pounds of clams in the shell.

(h) Grays Harbor - 40 clams or 7 pounds in the shell in the aggregate, whichever occurs first.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: First 7 clams taken.

(5) Oysters: 18 oysters.

(6) Rock scallops: 12 scallops.

(7) Sea scallops: 12 scallops (over 4 inches).

(8) Common or pink scallops: 20 pounds or 10 quarts in the shell.

(9) Shrimp: 10 pounds or 10 quarts in the shell.

(10) Octopus: 2 octopus.

(11) Abalone (Kamschatka): 5 abalone, minimum size limit 3-1/2 inches measured in horizontal line across the longest portion of the shell.

(12) Crawfish: 10 pounds in the shell.

(13) Squid: 10 pounds or 5 quarts.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs: 6 male crabs.

(19) Red crabs: 18 crabs.

(20) Blue mussels and sea mussels: 10 pounds in the shell.

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-56-350 HARDSHELLS, COCKLES, MUSSELS—AREAS AND SEASONS. (1) It is lawful to take, dig for and possess clams, cockles, borers and mussels taken for personal use on Puget Sound the entire year(~~PROVIDED~~) except that it is unlawful to take, dig for or possess such shellfish taken for personal use:

(a) West of the tip of Dungeness Spit from April 1 through October 31.

(b) Garrison Bay: All state-owned and federally-owned tidelands south of a boundary marker located approximately 1,010 yards south of Bell Point are closed to clam digging the entire year. Those tidelands north of the above-described boundary marker are open to harvest the entire year.

(c) Saltwater State Park—All state-owned tidelands at Saltwater State Park shall be closed to the personal use harvest of all species of clams from June 16 through December 31.

(d) Twanoh State Park—All state-owned tidelands at Twanoh State Park shall be closed to the personal use harvest of all species of clams from June 16 through December 31.

(e) Shine Tidelands—A 1.5-acre plot (160'x400') located 1/4 mile north of the west approach to the former Hood Canal Floating Bridge shall be closed to clam digging the entire year.

(f) Fry Cove, Thurston County Parks—A 1-acre gravel plot (290'x140') located 1/4 mile north of Fry Cove on Eld Inlet shall be closed to clam digging the entire year.

(g) Point Whitney—All publicly owned tidelands at Point Whitney lying north of point located at the base of the United States Navy Dock to a point 250 yards west (280°) are closed from July 15 through December 31.

(h) Eagle Creek—All publicly owned tidelands at Eagle Creek lying east of a point located at the mouth of Eagle Creek where it passes beneath Highway 101 to a point 250 yards southwest (228°) are closed from January 1 through June 30.

(i) State oyster reserves are closed to clam digging the entire year.

(2) It (~~shall be~~) is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year(~~and~~), except from state oyster reserves, which are closed to clam digging the entire year.

(3) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

WSR 85-10-062
ADOPTED RULES
DEPARTMENT OF FISHERIES
 [Order 85-39—Filed May 1, 1985]

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.

This action is taken pursuant to Notice No. WSR 85-07-063 filed with the code reviser on March 20, 1985. 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 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 April 23, 1985.

By Gary C. Alexander
 for William R. Wilkerson
 Director

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-255 **HALIBUT—SEASON.** It ~~((shall be))~~ is unlawful to ~~((take,))~~ fish for or possess halibut ~~taken~~ for personal use ~~((by angling))~~ except from ~~((March))~~ February 1 through ~~((October))~~ December 31.

WSR 85-10-063
PROPOSED RULES
SECRETARY OF STATE
 [Filed May 1, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of the Secretary of State intends to adopt, amend, or repeal rules concerning general rules of practice and procedure governing public records requests, state archives;

that the agency will at 10:00 a.m., Wednesday, June 5, 1985, in the Office of the Secretary of State, 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 RCW 42.17.250.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

Dated: April 18, 1985
 By: Ralph Munro
 Secretary of State

STATEMENT OF PURPOSE

Title: Washington State Archives.

Description of Purpose: General public disclosure and records availability rules.

Statutory Authority: RCW 42.17.250.

Summary of Rule: General description of the state archives and procedures for public records access.

Reasons Supporting Proposed Action: Implement public disclosure law.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sid McAlpin, mailstop EA-11, phone 753-5485.

Agency Proposing Rule: Washington State Archives, Office of the Secretary of State.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: N/A.

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

Small Business Economic Impact Statement: N/A.

Chapter 434-15 WAC
PUBLIC RECORDS—ARCHIVES

WAC	
434-15-010	Purpose.
434-15-020	Definitions.
434-15-030	Description of central and field organization of the division of archives and records management.
434-15-040	Operations and procedures.
434-15-050	Public records available.
434-15-060	Public records officer.
434-15-070	Office hours.
434-15-080	Requests for public records—Archives—Scheduled.
434-15-090	Copying.
434-15-100	Exemptions.
434-15-110	Review of denials of public records requests.
434-15-120	Protection of public records.
434-15-130	Records index.
434-15-140	Communication with division—Address.
434-15-150	Adoption of form.
434-15-990	Appendix A—Management organization chart of state archivist.
434-15-99001	Appendix B—Form—Request for public records.

NEW SECTION

WAC 434-15-010 **PURPOSE.** The purpose of this chapter shall be to ensure compliance by the office of the secretary of state, division of archives and records management with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records.

NEW SECTION

WAC 434-15-020 **DEFINITIONS.** (1) Public records. "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) Writing. "Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic tape, punched cards, discs, drums and other documents."

(3) Division of archives and records management. The division of archives and records management is established by chapter 40.14 RCW. The division of archives and records management shall hereinafter be referred to as the "division." Where appropriate, the term division also refers to the staff and employees of the division of archives and records management.

(4) Archives. Those public records of state and local governmental agencies of continuing historical value transferred to the custody and jurisdiction of the division of archives after their legal, financial and administrative values have ceased.

(5) Division records. Those records pertaining to the operations of the division of archives and records management.

(6) Scheduled records. Those public records scheduled for transfer to and disposition from the records center but which remain under the jurisdiction of the agency of record origin.

NEW SECTION

WAC 434-15-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE DIVISION OF ARCHIVES AND RECORDS MANAGEMENT. Division of archives and records management. The division is an administrative service and regulatory agency. The administrative office of the division and its staff are located at the Archives and Records Center Building, Olympia, Washington.

NEW SECTION

WAC 434-15-040 OPERATIONS AND PROCEDURES. The division of archives and records management is the primary archival and records management agency of Washington state government. The division is organized as depicted in Appendix A. Through its several sections and operating units it carries on the following functions:

- (1) Manages the archives of the state of Washington;
- (2) Centralizes the archives of the state of Washington, to make them available for reference and scholarship, and to insure their proper preservation;
- (3) Inspects, inventories, catalogs, and arranges retention and transfer schedules on all record files of all state departments and other agencies of state government;
- (4) Insures the maintenance and security of all state public records and establishes safeguards against unauthorized removal or destruction;
- (5) Establishes and operates such state records centers as may from time to time be authorized by appropriation for the purpose of preserving, servicing, screening and protecting all state public records which must be preserved temporarily or permanently, but which need not be retained in office space and equipment;
- (6) Establishes policies and procedures for operation of the state-wide records management, essential records protection and archival programs and operation of the state records center, archival, and microfilm bureau facilities;
- (7) Operates a central microfilm bureau which will microfilm, at cost, records approved for filming by the head of the office of origin and the archivist; approves microfilming projects undertaken by state departments and all other agencies of state government; and maintains proper standards for this work;
- (8) Maintains necessary facilities for the review of records approved for destruction and for their economical disposition by sale or burning; directly supervises such destruction of public records as shall be authorized by law;
- (9) Provides assistance to agencies of local government in records management related matters;
- (10) Manages a state-wide essential records protection program including the operation of an essential records storage facility, and serves as depository for essential record microfilms for local government agencies.

NEW SECTION

WAC 434-15-050 PUBLIC RECORDS AVAILABLE. All public records of the division as defined in WAC 434-15-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 434-15-100.

NEW SECTION

WAC 434-15-060 PUBLIC RECORDS OFFICER. (1) The divisional records shall be in the charge of the public records officer designated by the secretary of state. The person so designated shall be located in the administrative office of the secretary of state. The public records officer shall be responsible for the following: The implementation of the division's rules and regulations regarding release of public

records, coordinating the staff of the division in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(2) The archival records in the custody of the division shall be in the charge of the state archivist. The state archivist shall be located in the state archives and records center building. The state archivist shall be responsible for the following: The implementation of the division's regulations regarding the release of archival records, coordinating the staff of the division in this regard and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(3) The scheduled records in the custody of the division shall be in the charge of the public records officer designated by the agency of record origin. The public records officer of the agency of records origin shall be responsible for implementation of the agency's rules and regulations regarding the release of public records and coordinating with the staff of the state archives in this regard insofar as records of his agency in the custody of the state archivist are concerned.

NEW SECTION

WAC 434-15-070 OFFICE HOURS. Divisional records, archives and scheduled records shall be available for inspection and copying during the customary office hours of the division. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 434-15-080 REQUESTS FOR PUBLIC RECORDS—ARCHIVES—SCHEDULED. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) Divisional records. A request shall be made in writing upon the form prescribed in WAC 434-15-150 which shall be available at the division's administrative office or at the secretary of state's administrative office. The form shall be presented to the secretary of state's public records officer at his office, or if he is not available, to any member of the division's staff at the administrative office of the division, during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the division's current index, an appropriate description of the record requested.

(2) Archives. A request shall be made in writing upon a form prescribed by the division which shall be available at the state archives and records center. The form shall be presented to the state archivist, or to a member of the division's staff, designated by the state archivist, at the state archives building, during customary office hours. The requests shall include the same information as that supplied for public records of the division.

(3) Scheduled records. Requests for scheduled records in the custody but not under the jurisdiction of the state archives, must be made through the office of record origin in accord with the rules and regulations regarding the release of public records by that agency as published in the Washington Administrative Code in compliance with chapter 42.17 RCW. An approved request form or letter of authorization from an appropriate agency of records origin must then be presented to the state archivist, or a member of the division's staff, thereby granting access. The request or letter of authorization shall include the same or nearly the same identifying information as that supplied for public records of the division.

(4) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record request.

NEW SECTION

WAC 434-15-090 **COPYING.** No fee shall be charged for the inspection of public records. The division shall charge a fee of twenty-five cents per page of copy for providing copies of public records or fifteen cents per page of copy for use of the division's copy equipment. This charge is the amount necessary to reimburse the division for its actual costs incident to such copying.

NEW SECTION

WAC 434-15-100 **EXEMPTIONS.** (1) The division reserves the right to determine that a public record or archive record requested in accordance with the procedures outlined in WAC 434-15-080 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.310, the division reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer or state archivist will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION

WAC 434-15-110 **REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.** (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director of the department. The secretary of state shall immediately consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the secretary of state has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

NEW SECTION

WAC 434-15-120 **PROTECTION OF PUBLIC RECORDS.** Records will be made available to the requestor subject to the following restrictions:

(1) The records may not be removed from the area designated.

(2) The quantity of records may be limited in consonance with the requested use.

(3) All possible care will be taken by the requestor to prevent damage to the records.

(4) Records may not be marked or altered in any way.

(5) Use of liquids and fountain pens and eating, drinking, and smoking while utilizing the records is prohibited.

(6) Records shall not be defaced in any way including writing on, folding or folding anew if in folded form, tracing or fastening with clips or other fasteners except those that may already exist in the file.

(7) Records may not be cut or mutilated in any way.

(8) Records must be kept in the order in which received.

(9) Records will be returned to the state archivist or his designee by the requestor when no longer required and no later than the end of the customary office hours as set forth in WAC 434-15-070.

NEW SECTION

WAC 434-15-130 **RECORDS INDEX.** (1) Index. The division has available to all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated since its inception:

"(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

"(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

"(c) Administrative staff manuals and instructions to staff that affect a member of the public;

"(d) Planning policies and goals, and interim and final planning decisions;

"(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others;

"(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or it is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party;

"(g) Public records accessioned into the archive proper of the state of Washington; and

"(h) Scheduled records in the custody of the state archives."

(2) Availability. The current index promulgated by the division shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 434-15-140 **COMMUNICATION WITH DIVISION—ADDRESS.** All communications with the division 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 division's decisions and other matters, shall be addressed as follows: Office of the Secretary of State, c/o Public Records Officer, Legislative Building, P.O. Box 9000 Olympia, Washington 98504.

NEW SECTION

WAC 434-15-150 **ADOPTION OF FORM.** The division hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix B entitled "Request for public record."

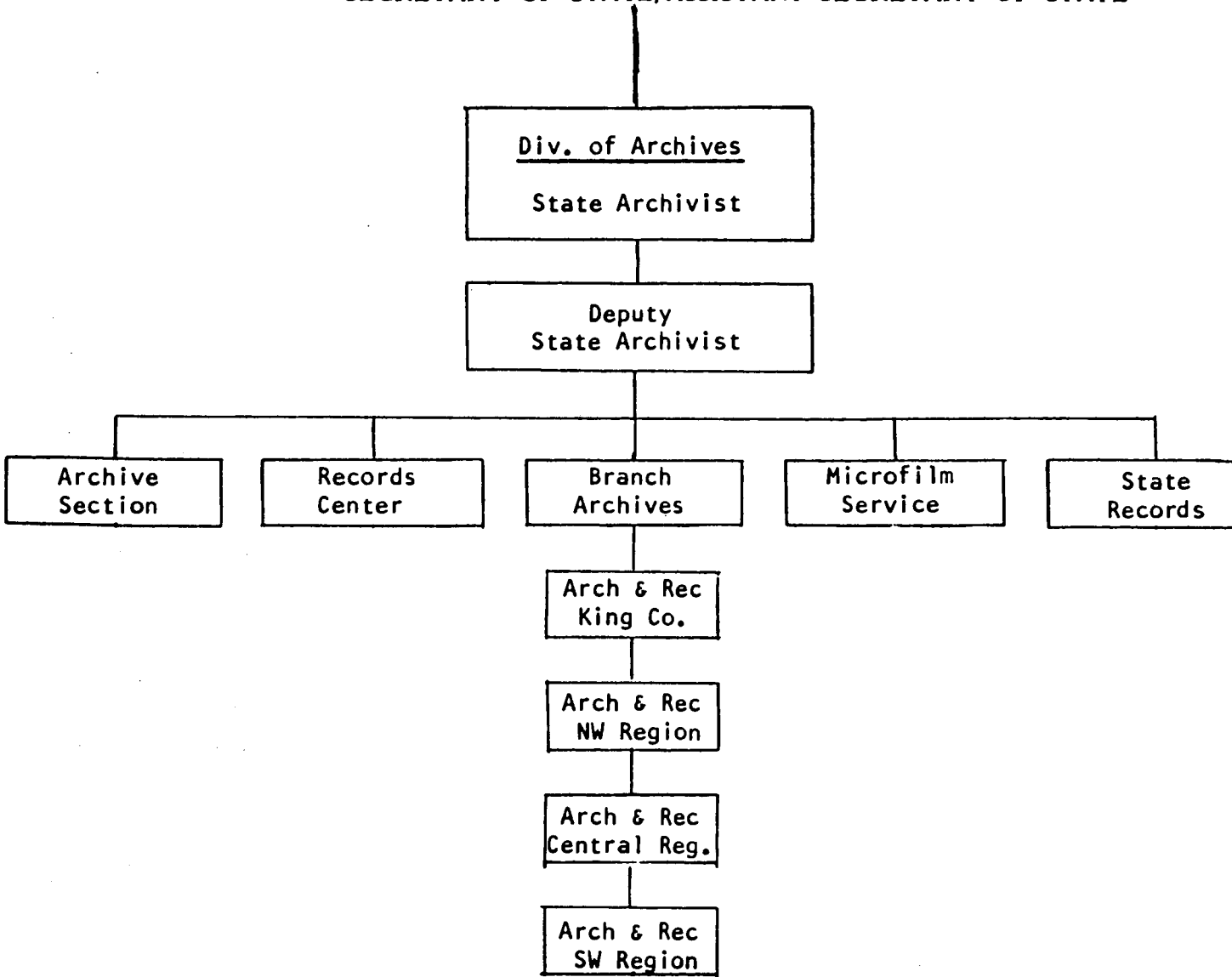
NEW SECTION

WAC 434-15-990 APPENDIX A—MANAGEMENT ORGANIZATION CHART OF STATE ARCHIVIST.

APPENDIX A

ORGANIZATIONAL CHART, Division of Archives, Office of the Secretary of State

SECRETARY OF STATE/ASSISTANT SECRETARY OF STATE



NEW SECTION

WAC 434-15-99001 APPENDIX B—FORM—REQUEST FOR PUBLIC RECORDS.

APPENDIX B

REQUEST FOR PUBLIC RECORDS

Nature of Request:

- 1. Index Reference
-
-
-
-
-
-

NAME OF REQUESTOR:

ADDRESS:

DATE OF REQUEST:

PHONE:

TIME OF REQUEST:

Signature

For Office Use Only:

- | | | |
|----------------------------------|-----------------------------------|----------------------------------|
| (1) Request | Record | Record |
| Granted <input type="checkbox"/> | Withheld <input type="checkbox"/> | Withheld |
| | | In Part <input type="checkbox"/> |
- (2) If withheld, name the exemption contained in RCW 42.17.310 which authorizes the withholding of the record or part of record: Subsection (1) ().
- (3) If withheld, briefly explain how the exemption applies to the record withheld.
- (4) If request granted, time, day

WSR 85-10-064
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed May 1, 1985]

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 388-83-200 Community options program entry systems (COPES) project.
- Amd WAC 388-83-210 Community alternatives program (CAP) project.

It is the intention of the secretary to adopt these rules on an emergency basis on May 1, 1985; that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in the Auditorium, 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 June 12, 1985. 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 June 4, 1985.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by May 21, 1985. The meeting site is in a location which is barrier free.

Dated: April 18, 1985
 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 388-83-200 and 388-83-210.
 Purpose: To change the rule on availability of income. This rule is necessary to comply with federal regulations.

Statutory Authority: RCW 74.08.090.
 Summary of the Rule: After eligibility for COPES and CAP has been determined, income disregarded in determining eligibility will now be made available for participation toward the purchase of services.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Jim Sparks, Program Manager, Division of Medical Assistance, LK-11, phone (206) 753-7316.

These rules are necessary as a result of a change in federal policy, 42 CFR 425.726 [42 CFR 435.726].

AMENDATORY SECTION (Amending Order 2103, filed 5/30/84)

WAC 388-83-200 COMMUNITY OPTIONS PROGRAM ENTRY SYSTEM (COPES) PROJECT. (See WAC 388-15-600.) (1) Eligible persons for the COPES project are individuals age eighteen and over who:

- (a) Meet the Title XIX categorically needy eligibility requirements for SSI related institutionalized individuals. See chapter 388-95 WAC. Income and resources of parents or spouses will not be considered available when determining eligibility or participation for a COPES applicant or recipient;
- (b) Are assessed by the department to require the level of care provided in a skilled nursing facility, intermediate care facility or an intermediate care facility for the mentally retarded;
- (c) Have a plan of care approved by the department and the total cost for this plan of care including the MNIL for one person, is less than ninety percent of the department's state-wide average nursing home rate; and
- (d) Are able and choose to live at home with community support services, or in a congregate care facility, or in a licensed adult family home.

(2) ~~(Income disregarded in determining eligibility is not available for participation in COPES services.~~

~~(3))~~ Available income of the COPES participant living at home shall be allocated as follows:

- (a) An amount equal to the medically needy income level for one person shall be protected for the maintenance needs of the recipient; and
- (b) For the maintenance needs of the participant's spouse or family at home, an additional amount shall be protected equal to the medically needy income level for the number of dependents in the home less the income of the dependents;
- (c) Amounts for incurred medical expenses not subject to third party payment shall be protected, including:

- (i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and
- (ii) Necessary medical care recognized under state law but not covered under Medicaid;

(d) Income remaining after deductions in ~~((subsections (3))~~(a), ~~((3))~~(b), and ~~((3))~~(c) of this ~~(section))~~ subsection will be the participation amount for COPES services. (See WAC 388-15-620.)

~~((4))~~ (3) Income of a COPES participant living in an adult family home or congregate care facility shall be allocated as for other eligible categorically needy persons in similar living situations.

AMENDATORY SECTION (Amending Order 2071, filed 2/1/84)

WAC 388-83-210 COMMUNITY ALTERNATIVES PROGRAM (CAP) PROJECT. (1) Eligible persons for the CAP project are individuals who:

- (a) Meet the requirements and are eligible for services of the division of developmental disabilities and are disabled according to SSI rules.
- (b) Meet the Title XIX categorically needy eligibility requirements for SSI related institutionalized individuals. See chapter 388-95

WAC. Income and resources of parents or spouses will not be considered available when determining eligibility or participation for a CAP applicant or recipient.

(c) Are assessed by the department to require the level of care provided in an intermediate care facility for the mentally retarded (IMR).

(d) Have a plan of care approved by the department and the total cost for this plan of care including the medically needy income level for one person is eighty percent or less than the cost of IMR care as demonstrated in the client's services budget.

(e) Are able and choose to live in the community with community support services according to a CAP service plan.

(2) ~~((Income disregarded in determining eligibility is not available for participation in CAP services.~~

~~((3))~~ Available income ~~((total income less amounts disregarded in determining eligibility))~~ of a CAP participant shall be allocated as follows:

(a) An amount equal to the medically needy income level for one person shall be protected for the maintenance needs of the recipient; or

(b) For an individual with a spouse or dependent children at home, an amount shall be protected equal to the medically needy income level adjusted for the appropriate family size;

(c) Amounts for incurred medical expenses not subject to third party payment shall be protected, including:

(i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and

(ii) Necessary medical care recognized under state law but not covered under Medicaid;

(d) Income remaining after deductions in (a), (b), and (c) of this subsection will be the participation amount for CAP services.

~~((4))~~ (3) Income of a CAP participant living in an adult family home shall be allocated as for other eligible categorically needy persons in similar living situations.

**WSR 85-10-065
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 2225—Filed May 1, 1985]

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 388-83-200 Community options program entry systems (COPES) project.

Amd WAC 388-83-210 Community alternatives program (CAP) project.

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 put the department in compliance with 42 CFR 435.726.

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 May 1, 1985.

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

AMENDATORY SECTION (Amending Order 2103, filed 5/30/84)

WAC 388-83-200 COMMUNITY OPTIONS PROGRAM ENTRY SYSTEM (COPES) PROJECT. (See WAC 388-15-600.) (1) Eligible persons for the COPES project are individuals age eighteen and over who:

(a) Meet the Title XIX categorically needy eligibility requirements for SSI related institutionalized individuals. See chapter 388-95 WAC. Income and resources of parents or spouses will not be considered available when determining eligibility or participation for a COPES applicant or recipient;

(b) Are assessed by the department to require the level of care provided in a skilled nursing facility, intermediate care facility or an intermediate care facility for the mentally retarded;

(c) Have a plan of care approved by the department and the total cost for this plan of care including the MNIL for one person, is less than ninety percent of the department's state-wide average nursing home rate, and

(d) Are able and choose to live at home with community support services, or in a congregate care facility, or in a licensed adult family home.

(2) ~~((Income disregarded in determining eligibility is not available for participation in COPES services.~~

~~((3))~~ Available income of the COPES participant living at home shall be allocated as follows:

(a) An amount equal to the medically needy income level for one person shall be protected for the maintenance needs of the recipient; and

(b) For the maintenance needs of the participant's spouse or family at home, an additional amount shall be protected equal to the medically needy income level for the number of dependents in the home less the income of the dependents;

(c) Amounts for incurred medical expenses not subject to third party payment shall be protected, including:

(i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and

(ii) Necessary medical care recognized under state law but not covered under Medicaid;

(d) Income remaining after deductions in ~~((subsections~~ ~~((3))~~ (a), ~~((3))~~ (b), and ~~((3))~~ (c) of this ~~((section))~~ subsection will be the participation amount for COPES services. (See WAC 388-15-620.)

~~((4))~~ (3) Income of a COPES participant living in an adult family home or congregate care facility shall be allocated as for other eligible categorically needy persons in similar living situations.

AMENDATORY SECTION (Amending Order 2071, filed 2/1/84)

WAC 388-83-210 COMMUNITY ALTERNATIVES PROGRAM (CAP) PROJECT. (1) Eligible persons for the CAP project are individuals who:

(a) Meet the requirements and are eligible for services of the division of developmental disabilities and are disabled according to SSI rules.

(b) Meet the Title XIX categorically needy eligibility requirements for SSI related institutionalized individuals. See chapter 388-95 WAC. Income and resources of parents or spouses will not be considered available when determining eligibility or participation for a CAP applicant or recipient.

(c) Are assessed by the department to require the level of care provided in an intermediate care facility for the mentally retarded (IMR).

(d) Have a plan of care approved by the department and the total cost for this plan of care including the medically needy income level for one person is eighty percent or less than the cost of IMR care as demonstrated in the client's services budget.

(e) Are able and choose to live in the community with community support services according to a CAP service plan.

(2) ~~((Income disregarded in determining eligibility is not available for participation in CAP services.~~

~~(3))~~ Available income ~~((total income less amounts disregarded in determining eligibility))~~ of a CAP participant shall be allocated as follows:

(a) An amount equal to the medically needy income level for one person shall be protected for the maintenance needs of the recipient; or

(b) For an individual with a spouse or dependent children at home, an amount shall be protected equal to the medically needy income level adjusted for the appropriate family size;

(c) Amounts for incurred medical expenses not subject to third party payment shall be protected, including:

(i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and

(ii) Necessary medical care recognized under state law but not covered under Medicaid;

(d) Income remaining after deductions in (a), (b), and (c) of this subsection will be the participation amount for CAP services.

~~((4))~~ (3) Income of a CAP participant living in an adult family home shall be allocated as for other eligible categorically needy persons in similar living situations.

WSR 85-10-066

PROPOSED RULES

DEPARTMENT OF CORRECTIONS

[Filed May 1, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Corrections intends to adopt, amend, or repeal rules concerning:

Amd WAC 137-08-060 Public records available.
New WAC 137-08-105 Correction of erroneous information.
Amd WAC 137-08-110 Fees—Inspection and copying.
Amd WAC 137-08-150 Exemption to public records disclosure.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 10, 1985.

The authority under which these rules are proposed is RCW 10.97.080, 46.17.250 [42.17.250] and 72.01.090.

The specific statute these rules are intended to implement is chapters 10.97 and 42.17 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

Dated: April 19, 1985

By: Amos E. Reed
Secretary

STATEMENT OF PURPOSE

Title and Number of Rule: Amending WAC 137-08-060 Public records available; 137-08-110 Fees—Inspection and copying; 137-08-150 Exemption to public records disclosure; and new 137-08-105 Correction of erroneous information.

Statutory Authority: RCW 10.97.080, 42.17.250 and 72.01.090.

Summary and Purpose: To provide for the challenge of the accuracy or completeness of information maintained in the department's files pertaining to the challenging party, and to amend the fee for copying public records contained in the department's files.

Agency Personnel Responsible for Drafting and Adoption: Robert W. Sampson, Administrator, Office of Contracts and Regulations, Division of Management and Budget, mailstop FN-61, scan 234-5770; Implementation and Enforcement: Ronald J. McQueen, Director, Division of Management and Budget, scan 234-1500, and Walter L. Kautzky, Director, Division of Prisons, scan 234-1502.

No other person or organization other than the Department of Corrections is proposing this rule.

This rule is not necessary to comply with a federal law or a federal or state court decision.

This rule does not have an impact on small businesses.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

WAC 137-08-060 PUBLIC RECORDS AVAILABLE. (1) Requests for any identifiable public record may be initiated at any office of the department during normal business hours.

(2) The department shall at all times take the most timely possible action on requests for disclosure, and shall be required to respond in writing within ten working days of receipt of the request for disclosure. The department's failure to so respond shall entitle the person seeking disclosure to petition the public records officer pursuant to WAC ~~((137-04-140))~~ 137-08-140.

NEW SECTION

WAC 137-08-105 CORRECTION OF ERRONEOUS INFORMATION. (1) A client may challenge the accuracy or completeness of criminal history record information, as defined in chapter 10.97 RCW, pertaining to the client and maintained in the department's files. Such challenge shall be effected in accordance with chapter 446-20 WAC.

(2) A client may challenge the accuracy and completeness of information in the department's pertaining to the client other than criminal history record information. Such challenge shall be effected in accordance with department policies and procedures.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

WAC 137-08-110 FEES—INSPECTION AND COPYING. (1) No fee shall be charged for the inspection of public records.

(2) The department shall collect ~~((the following fees))~~ a fee of twenty cents per page plus postage to reimburse itself for ~~((actual costs incident to))~~ the cost of providing copies of public records(:

- (a) Fifty cents per page for ten pages or less;
 (b) Thirty-five cents per page from eleven to fifty pages;
 (c) Twenty cents per page for over fifty pages).

(3) Nothing contained in this section shall preclude the department from agreeing to exchange or provide copies of manuals or other public records with other state or federal agencies, whenever doing so is in the best interest of the department.

(4) The secretary of the department or his designee is authorized to waive any of the foregoing copying costs.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

WAC 137-08-150 EXEMPTIONS TO PUBLIC RECORDS DISCLOSURE. The department reserves the right to determine if a public record requested in accordance with the procedures outlined in WAC 137-08-090 is exempt or nondisclosable under RCW 42.17.250 through 42.17.340.

Nondisclosable records include, but are not limited to:

(1) Personal information in any files concerning a prisoner, probationer, or parolee to the extent required by RCW 42.17.310 (1)(a); however, disclosure may be made to that person or that person's representative, except as otherwise prohibited by these rules;

(2) Data (including information revealing the identity of persons who file complaints, except as the complainant may authorize) contained in intelligence, investigative, and other related files compiled by investigative, law enforcement or penology agencies, and state agencies vested with the responsibility to discipline members of any profession. This data is nondisclosable to the extent required by RCW 42.17.310 (1)(d) and (e), 10.97.080 and chapter 446-20 WAC;

(3) Certain juvenile justice or juvenile care records to the extent required by chapter 13.50 RCW;

(4) Personal information in files maintained for an employee of the department to the extent required by RCW 42.17.310 (1)(b);

(5) Deliberative material, as opposed to facts upon which a decision is based, contained in preliminary drafts, notes, recommendations, and intraagency memoranda in which opinions are expressed or policies formulated or recommended; except that a specific record shall be disclosable when publicly cited by the department in connection with any action to the extent required by RCW 42.17.310 (1)(i);

(6) Records which are relevant to a controversy to which the department is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts, including records involving attorney-client communications between the department and the office of the attorney general privileged under RCW 5.60.060(2).

(7) Criminal history records information (~~including conviction and nonconviction information as required~~) the disclosure of which is prohibited by chapter 10.97 RCW.

**WSR 85-10-067
 PROPOSED RULES
 DEPARTMENT OF
 LABOR AND INDUSTRIES**

[Filed May 1, 1985]

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 accident fund and medical aid base rates of each risk classification for workers' compensation insurance underwritten by the Department of Labor and Industries;

that the agency will on June 4, 1985, 10:00 a.m., in the General Administration Building, First Floor Conference Room, Olympia, Washington 98504, and on June 4, 1985, 7:00 p.m., in the Red Lion Inn, Seattle/Tacoma International Airport, 18740 Pacific Highway South, Galaxy 1 Room, Seattle, WA 98188, and on June 5, 1985, 7:00 p.m., in the Spokane Falls Community College, Spartan Union Building, #17, Rooms A and B,

West 3410 Fort George Wright Drive, Spokane, WA 99204, and on June 6, 1985, 7:00 p.m., in the Yakima Valley Junior College, Student Union Building, South 16th and West Nob Hill, Yakima, WA 98902, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 17, 1985.

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 June 10, 1985.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written and/or oral comments thereon received prior to or during the public hearing. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21 RCW.

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

Richard A. Davis, Director
 Department of Labor and Industries
 General Administration Building
 Olympia, WA 98504

Dated: May 1, 1985
 By: Richard A. Davis
 Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s):
 WAC 296-17-895 Industrial insurance accident fund base rates and medical aid rates by class of industry.

Statutory Authority: RCW 51.04.020(1).

Specific Statute that Rule is Intended to Implement:
 RCW 51.16.035.

Summary of the Rule(s): Overall average premium rates are revised in accordance with actuarial analysis of past and prospective condition, performance and requirements of the accident, medical aid and supplemental pension funds. These revisions represent an average increase of 33.0 percent in accident fund rates, and an increase of 9.7 percent in medical aid fund rates. Supplemental pension fund rates are unchanged from 1984 levels. The percentage increase in the accident fund and medical aid rates will be the same for each risk classification. The overall composite increase (including the supplemental pension fund) represents a 17.0 percent increase.

Reasons Supporting the Rule(s): The accident and medical aid funds have incurred a combined deficit of approximately \$200 million. Existing rates, if left in effect, would produce additional underwriting losses and increasing deficits. Despite anticipated cost reductions resulting from statutory and administrative changes in the rehabilitation process in Washington, the above-cited rate increases are necessary to stabilize the funds' financial condition.

Agency Personnel Responsible for the Drafting, Implementation and Enforcement of the Rule(s): Joe Dear, Marjorie Shavlik, and Bill White, General Administration Building, Olympia, Washington 98504, phone (206) 753-6308.

Name of the Person or Organization, Whether Private, Public, or Governmental, that is Proposing the Rule(s): Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule(s): None.

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: None.

Small Business Economic Impact Statement: This statement pertains to revisions in chapter 296-17 WAC proposed by the Department of Labor and Industries to become effective July 1, 1985, and is prepared to conform with section 3(2) and section 4 of the Regulatory Fairness Act (chapter 6, Laws of 1982).

Existing Rules: Chapter 296-17 WAC presently defines 259 risk classifications for purposes of reporting exposures and computing premiums for workers' compensation insurance. Base rates are established separately for industrial insurance and medical aid coverage in each risk classification within these rules, and an assessment rate for all risk classes is prescribed for the supplemental pension fund. An "experience rating plan" is also established, 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.

Treatment of Small Business Under Existing Rules: Class definitions are keyed to the nature of an employer's business and/or employment, and are independent of business size. Once applicable classes are determined, 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.

Effect of Proposed Revisions: Base rates for industrial insurance and medical aid coverage are increased 33.0 percent and 9.7 percent respectively, for each risk classification. Composite rates, which include the supplemental pension fund assessment, are increased an average of 17.0 percent, with individual classification adjustments varying above or below this average according to the portions of current premium in each class attributable to the industrial insurance and medical aid rates. The experience period used for experience rating employers effective January 1, 1985, is retained for rates effective July 1, 1985.

Analysis of Cost of Proposed Revisions: The economic impact of proposed changes will vary for each employer according to the nature of their business (risk classification). For employers in the same risk class with experience records producing equal experience rating adjustments, the premium cost of proposed revisions per hour of labor 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.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-850 EXPERIENCE RATING PLAN—ELIGIBILITY AND EXPERIENCE PERIOD. (1) Eligibility. Each employer who has reported experience during more than one fiscal year of the "experience period" shall have his base rates multiplied by an "experience modification" calculated in accordance with the rules of this manual. The development of the "experience modification" as set forth in WAC 296-17-855 shall include losses and exposure reported in all risk classes: PROVIDED, That the "experience modification" determined in accordance with WAC 296-17-855 shall not apply to industrial insurance rates in the following classes: 5-5 (WAC 296-17-520), 5-6 (WAC 296-17-52001), 5-7 (WAC 296-17-52002), and 48-7 (WAC 296-17-648). Employer premiums in the foregoing classes shall be computed at base industrial insurance rates as set forth in WAC 296-17-895.

(2) Experience period. The "experience period" shall be the oldest three of the ((four)) five fiscal years preceding the effective date of premium rates as set forth in WAC 296-17-895.

AMENDATORY SECTION (Amending Order 85-7, filed 2/28/85, effective 4/1/85)

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.

((Rates Effective
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Class	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

((Rates Effective
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((Rates Effective
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Class	((Rates Effective January 1, 1985		Class	((Rates Effective January 1, 1985	
	Accident Fund-Base Rate	Medical Aid-Fund Rate		Accident Fund-Base Rate	Medical Aid-Fund Rate
6-2	.2606	.2413	35-1	.2660	.3516
6-3	.4458	.2739	35-3	.1849	.2459
6-4	.6820	.7121	35-6	.3539	.2729
6-6	.1259	.1492	35-8	.2028	.2459
6-7	.1643	.1710	36-2	.0516	.0637
6-8	.2488	.2646	36-3	.2735	.3318
7-1	.6832	.7223	36-4	.4951	.4203
8-3	.2346	.2085	36-5	.1790	.2027
8-4	.3787	.5207	36-6	.3566	.3526
9-1	1.2688	.4948	37-1	.1144	.1506
10-2	.6220	.4093	37-2	.2944	.2461
10-3	.3633	.2779	37-7	.2132	.2141
10-4	.3633	.2779	37-8	.1195	.1352
10-5	1.5333	1.0170	38-1	.1560	.1784
10-7	.0491	.0727	38-2	.0950	.1075
11-1	.2739	.2697	38-8	.1061	.1199
11-2	.6368	.4830	39-1	.1858	.1632
11-3	.2111	.2125	39-2	.3561	.3063
11-4	.2761	.2916	39-3	.5012	.6399
11-6	.0602	.0957	39-5	.0759	.1165
11-8	.2853	.2897	39-6	.2698	.2807
13-1	.2165	.2266	39-9	.0967	.1452
13-3	.1165	.1643	40-2	.3949	.2951
13-4	.0072	.0140	41-1	.0744	.0994
13-5	.1350	.1884	41-3	.1386	.1872
14-1	.4712	.5766	41-7	.0394	.0577
14-4	.2812	.1908	41-8	.0744	.0994
15-1	.2097	.2296	41-9	.0744	.0994
15-7	.1744	.1764	42-1	.2878	.2277
17-1	1.1894	.6408	43-1	.4455	.4505
17-2	1.1894	.6408	43-2	.4374	.4525
17-3	.3126	.2402	43-3	.4736	.5513
17-4	.3434	.3618	43-4	.3737	.3327
18-1	.4416	.4813	43-5	.6971	.4550
20-2	.3628	.2953	44-1	.2475	.2277
20-3	.2348	.2312	44-2	.3239	.3004
20-4	.4022	.4622	44-4	.2348	.2312
20-5	.1918	.2349	45-1	.0696	.0772
20-7	.2304	.2400	45-2	.0287	.0267
20-8	.1591	.1500	45-4	.0355	.0641
21-1	.2665	.2907	46-1	.2762	.4672
21-2	.2348	.2312	48-2	.1319	.1340
21-4	.1039	.1658	48-3	.1562	.2269
21-5	.4050	.3988	48-4	.3137	.3029
22-1	.1438	.1335	48-5	.1642	.1788
22-2	.2069	.1612	48-6	.0409	.0534
24-1	.3419	.3343	48-7	.6870	.5786
29-3	.4101	.4165	48-8	.1807	.2547
29-4	.5145	.4117	48-9	.1109	.1211
29-6	.2615	.2753	49-1	.0358	.0565
29-8	.4168	.4232	49-2	.0804	.0914
31-1	.4325	.3453	49-3	.0358	.0565
31-2	.3122	.2466	49-4	.0089	.0122
31-3	.3122	.2466	49-5	.1460	.1484
31-4	.3424	.2733	49-6	.0294	.0374
31-5	.4718	.4629	49-7	.0584	.0574
33-1	.4532	.4365	49-8	.0596	.1286
33-2	.3269	.3180	49-9	.0596	.1286
33-3	.1760	.2333	50-1	2.1618	1.5449
33-9	.2279	.3075	50-2	.2249	.2750
34-1	.2201	.2312	50-3	.7123	.3866
34-2	.2318	.2810	50-4	.3808	.4928
34-3	.0728	.0529	51-1	.4732	.4309
34-4	.2761	.2897	51-2	.7544	.7078
34-5	.1200	.1223	51-3	.6477	.5469
34-6	.1029	.1842	51-6	.3264	.4004
34-7	.1759	.2141	51-8	.4214	.4669
34-8	.0680	.0793	51-9	.3154	.2806
34-9	.1014	.1308	52-1	.2275	.2250

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Class	Accident Fund Base Rate	Medical Aid Fund Rate
52-4	.8762	.4040
52-6	.2450	.2506
52-7	.0746	.0964
52-8	.4017	.4901
52-9	.3101	.3760
53-1	.0094	.0135
53-5	.0160	.0199
53-6	.0188	.0172
53-7	.1167	.1142
61-3	.0182	.0277
61-4	.2076	.2027
61-5	.1216	.1578
61-7	.0899	.1087
61-8	.2379	.2306
61-9	.0213	.0233
62-1	.0914	.1098
62-2	.3765	.3076
62-3	.0693	.0824
62-4	.0766	.1057
62-5	.0766	.1057
62-6	.0766	.1057
62-7	.4319	.7898
62-8	.1486	.1633
62-9	.1109	.1970
63-1	.0672	.0595
63-2	.0954	.0859
63-3	.0256	.0277
63-4	.0719	.0729
63-5	.0324	.0482
63-6	.1022	.1537
63-8	.0223	.0188
63-9	.0542	.0854
64-2	.1326	.1222
64-3	.0798	.1023
64-4	.0279	.0387
64-5	.2361	.2813
64-6	.0437	.0544
64-7	.1031	.1215
64-8	.1747	.2354
64-9	.2597	.3415
65-1	.0235	.0256
65-2	.0083	.0123
65-3	.0706	.0394
65-4	.0955	.1589
65-5	.1020	.1077
65-6	.0249	.0308
65-8	.1718	.1967
65-9	.0959	.1225
66-1	.1335	.1521
66-2	.2489	.2088
66-3	.1306	.1409
66-4	.0410	.0440
66-5	.1086	.1299
66-7	.0746	.0964
66-8	.1691	.1301
66-9	.9389	1.1782
67-4	.0967	.1220
67-5	.2727	.4213
67-6	.1522	.1847
67-7	4.66*	8.98*
67-8	1.0846	1.0980
67-9	.0681	.1052
68-1	.3776	.2545
68-2	.2118	.2730
68-3	1.8960	1.5451
68-4	.1230	.1576
68-9	1.0015	2.0736
69-1		.0562
69-2	.6083	.3585

Class	Accident Fund Base Rate	Medical Aid Fund Rate
69-3	2.4133	2.7010
69-4	.1876	.1990
69-5	.1876	.1990
69-6		.1990
69-7	.6494	.5735
69-8	.2631	.2148
69-9	.0451	.0544
71-1	.0243	.0256
71-2	7.20*	27.14*
71-3	.1081	.1108
71-4	.0216	.0209
71-5	.1581	.1456
71-6	.2772	.2683
71-7	.3861	.4111
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))

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Class	Accident Fund Base Rate	Medical Aid Fund Rate
1-1	.9173	.5169
1-2	.6174	.4560
1-3	.7655	.6175
1-4	.6290	.3849
1-5	.7717	.6070
1-6	1.4788	.8458
1-7	.6661	.4174
1-8	.7336	.4215
1-9	1.1993	.8514
2-1	1.6817	.9508
2-2	1.9203	1.1604
2-6	.8173	.5813
3-1	.4026	.3279
3-2	1.2063	.5353
3-6	.3970	.3411
3-7	.3789	.3782
4-1	1.5919	1.0394
4-2	.9938	.9604
4-3	1.1485	.6861
5-2	.7586	.4606
5-3	.4718	.4490
5-4	.8805	.5379
5-5	.9137	.6347
5-6	1.1739	.8218
5-7	1.1977	.7983
5-8	1.3353	.8480
5-9	1.1366	.7217
6-1	.3309	.2903
6-2	.3466	.2647
6-3	.5929	.3005
6-4	.9071	.7812
6-6	.1674	.1637
6-7	.2185	.1876
6-8	.3309	.2903
7-1	.9087	.7924
8-3	.3120	.2287

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Class	Rates Effective July 1, 1985		Class	Rates Effective July 1, 1985	
	Accident Fund Base Rate	Medical Aid Fund Rate		Accident Fund Base Rate	Medical Aid Fund Rate
8-4	.5037	.5712	36-6	.4743	.3868
9-1	1.6875	.5428	37-1	.1522	.1652
10-2	.8273	.4490	37-2	.3916	.2700
10-3	.4832	.3049	37-7	.2836	.2349
10-4	.4832	.3049	37-8	.1589	.1483
10-5	2.0393	1.1156	38-1	.2075	.1957
10-7	.0653	.0798	38-2	.1264	.1179
11-1	.3643	.2959	38-8	.1411	.1315
11-2	.8469	.5299	39-1	.2471	.1790
11-3	.2808	.2331	39-2	.4736	.3360
11-4	.3672	.3199	39-3	.6666	.7020
11-6	.0801	.1050	39-5	.1009	.1278
11-8	.3794	.3178	39-6	.3588	.3079
13-1	.2879	.2486	39-9	.1286	.1593
13-3	.1549	.1802	40-2	.5252	.3237
13-4	.0096	.0154	41-1	.0990	.1090
13-5	.1796	.2067	41-3	.1843	.2054
14-1	.6267	.6325	41-7	.0524	.0633
14-4	.3740	.2093	41-8	.0990	.1090
15-1	.2789	.2519	41-9	.0990	.1090
15-7	.2320	.1935	42-1	.3828	.2498
17-1	1.5819	.7030	43-1	.5925	.4942
17-2	1.5819	.7030	43-2	.5817	.4964
17-3	.4158	.2635	43-3	.6299	.6048
17-4	.4567	.3969	43-4	.4970	.3650
18-1	.5873	.5280	43-5	.9271	.4991
20-2	.4825	.3239	44-1	.3292	.2498
20-3	.3123	.2536	44-2	.4308	.3295
20-4	.5349	.5070	44-4	.3123	.2536
20-5	.2551	.2577	45-1	.0926	.0847
20-7	.3064	.2633	45-2	.0382	.0293
20-8	.2116	.1646	45-4	.0472	.0703
21-1	.3544	.3189	46-1	.3673	.5125
21-2	.3123	.2536	48-2	.1754	.1470
21-4	.1382	.1819	48-3	.2077	.2489
21-5	.5387	.4375	48-4	.4172	.3323
22-1	.1913	.1464	48-5	.2184	.1961
22-2	.2752	.1768	48-6	.0544	.0586
24-1	.4547	.3667	48-7	.9137	.6347
29-3	.5454	.4569	48-8	.2403	.2794
29-4	.6843	.4516	48-9	.1475	.1328
29-6	.3478	.3020	49-1	.0476	.0620
29-8	.5543	.4643	49-2	.1069	.1003
31-1	.5752	.3788	49-3	.0476	.0620
31-2	.4152	.2705	49-4	.0118	.0134
31-3	.4152	.2705	49-5	.1942	.1628
31-4	.4554	.2998	49-6	.0391	.0410
31-5	.6275	.5078	49-7	.0777	.0630
33-1	.6028	.4788	49-8	.0793	.1411
33-2	.4348	.3488	49-9	.0793	.1411
33-3	.2341	.2559	50-1	2.8752	1.6948
33-9	.3031	.3373	50-2	.2991	.3017
34-1	.2927	.2536	50-3	.9474	.4241
34-2	.3083	.3083	50-4	.5065	.5406
34-3	.0968	.0580	51-1	.6294	.4727
34-4	.3672	.3178	51-2	1.0034	.7765
34-5	.1596	.1342	51-3	.8614	.5999
34-6	.1369	.2021	51-6	.4341	.4392
34-7	.2339	.2349	51-8	.5605	.5122
34-8	.0904	.0870	51-9	.4195	.3078
34-9	.1349	.1435	52-1	.3026	.2468
35-1	.3538	.3857	52-4	1.1653	.4432
35-3	.2459	.2698	52-6	.3259	.2749
35-6	.4707	.2994	52-7	.0992	.1058
35-8	.2697	.2698	52-8	.5343	.5376
36-2	.0686	.0699	52-9	.4124	.4125
36-3	.3638	.3640	53-1	.0125	.0148
36-4	.6585	.4611	53-5	.0213	.0218
36-5	.2381	.2224	53-6	.0250	.0189

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Class	Accident Fund Base Rate	Medical Aid Fund Rate
53-7	.1552	.1253
61-3	.0242	.0304
61-4	.2761	.2224
61-5	.1617	.1731
61-7	.1196	.1192
61-8	.3164	.2530
61-9	.0283	.0256
62-1	.1216	.1205
62-2	.5007	.3374
62-3	.0922	.0904
62-4	.1019	.1160
62-5	.1019	.1160
62-6	.1019	.1160
62-7	.5744	.8664
62-8	.1976	.1791
62-9	.1475	.2161
63-1	.0894	.0653
63-2	.1269	.0942
63-3	.0340	.0304
63-4	.0956	.0800
63-5	.0431	.0529
63-6	.1359	.1686
63-8	.0297	.0206
63-9	.0721	.0937
64-2	.1764	.1341
64-3	.1061	.1122
64-4	.0371	.0425
64-5	.3140	.3086
64-6	.0581	.0597
64-7	.1371	.1333
64-8	.2324	.2582
64-9	.3454	.3746
65-1	.0313	.0281
65-2	.0110	.0135
65-3	.0939	.0432
65-4	.1270	.1743
65-5	.1357	.1181
65-6	.0331	.0338
65-8	.2285	.2158
65-9	.1275	.1344
66-1	.1776	.1669
66-2	.3310	.2291
66-3	.1737	.1546
66-4	.0545	.0483
66-5	.1444	.1425
66-7	.0992	.1058
66-8	.2249	.1427
66-9	1.2487	1.2925
67-4	.1286	.1338
67-5	.3627	.4622
67-6	.2024	.2026
67-7	6.20*	9.85*
67-8	1.4425	1.2045
67-9	.0906	.1154
68-1	.5022	.2792
68-2	.2817	.2995
68-3	2.5217	1.6950
68-4	.1636	.1729
68-9	1.3320	2.2747
69-1	-	.0617
69-2	.8090	.3933
69-3	3.2097	2.9630
69-4	.2495	.2183
69-5	.2495	.2183
69-6	-	.2183

Class	Accident Fund Base Rate	Medical Aid Fund Rate
69-7	.8637	.6291
69-8	.3499	.2356
69-9	.0600	.0597
71-1	.0323	.0281
71-2	9.58*	29.77*
71-3	.1438	.1215
71-4	.0287	.0229
71-5	.2103	.1597
71-6	.3687	.2943
71-7	.5135	.4510
71-8	1.2490	.8698
71-9	3.3693	2.4258
72-1	.1536	.1266
72-2	.0391	.0325
72-3	.0728	.0631
72-4	-	-
73-1	.2898	.3366
73-2	.2886	.3378
73-7	.2853	.3411
73-8	.1386	.1355
73-9	.0906	.1154

*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 85-10-068
PROPOSED RULES
CHIROPRACTIC EXAMINING BOARD
 [Filed May 1, 1985]

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

- New WAC 114-12-125 Examinations—National board partial waiver.
 Rep WAC 114-12-005 Uniform Disciplinary Act.
 Rep WAC 114-12-121 Examinations—National board;

that the agency will at 9:00 a.m., Tuesday, June 11, 1985, in the Sea-Tac Marriott, 3201 South 176th Street, 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 18.25.017.

The specific statute these rules are intended to implement is RCW 18.25.030 and 18.25.018.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 7, 1985.

Dated: April 30, 1985
 By: John H. Keith
 Assistant Attorney General
 Board Counsel

STATEMENT OF PURPOSE

Name of Agency: State of Washington Chiropractic Examining Board.

Purpose: To repeal the adoption of the Uniform Disciplinary Act in lieu of the disciplinary provisions concerning license applicants in chapter 18.25 RCW; and to revise the listing of examinations that may be waived by passing an equivalent subject on the national board examination.

Summary: WAC 114-12-125 Examinations—National board partial waiver.

Statutory Authority: RCW 18.25.017.

Reason Proposed: WAC 114-12-125 is proposed to permit applicants who are successful on an equivalent national board examination to waive that subject on the board's examination; 114-12-121 is repealed because it is replaced by WAC 114-12-125; and 114-12-005 is repealed because remedial changes to the Uniform Disciplinary Act were not adopted at the 1985 legislative session.

Responsible Departmental Personnel: In addition to members of the Chiropractic Examining Board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Delores Spice, 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 Examining Board.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

NEW SECTION

WAC 114-12-125 EXAMINATIONS—NATIONAL BOARD PARTIAL WAIVER. (1) An applicant who has passed the following subjects on the National Board of Chiropractors Examiners examination will be considered to have satisfied the statutory requirement for examination in the equivalent subjects:

Washington Examination Subject	National Board Equivalent
Anatomy	Anatomy
Physiology	Physiology
Hygiene	Microbiology—Public Health
Neurology	Spinal Anatomy
Symptomatology	General Diagnosis
Spinal Pathology	Neuromuscular Skeletal Diagnosis

(2) In addition to any subjects waived, all applicants will be required to pass an examination by the Washington State Board of Chiropractic Examiners in the subjects of Principles of Chiropractic, x-ray and adhesive technique. Each applicant must correctly answer seventy-five percent of all questions asked and seventy percent of the questions on any branch of examination given by the Washington State Board in order to be eligible for licensure.

REPEALER

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

- WAC 114-12-005 UNIFORM DISCIPLINARY ACT
- WAC 114-12-121 EXAMINATIONS—NATIONAL BOARD.

WSR 85-10-069
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed May 1, 1985]

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 veteran's free license, WAC 308-96A-046;

that the agency will at 11:30 a.m., Wednesday, June 5, 1985, in the 4th Floor Conference Room, Highways-Licenses Building, 12th and Franklin, 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 46.01.110.

The specific statute these rules are intended to implement is RCW 73.04.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

Dated: April 26, 1985
By: Nancy Kelly
Assistant Administrator

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Title and Number of Rule: Amending WAC 308-96A-046 Veteran's free license.

Statutory Authority for the Rule and Specific Statute that the Rule is Intended to Implement: RCW 46.01.110 and is intended to implement RCW 73.04.110.

Summary of the Rule: Specifies procedures required to secure veterans' free plates under the exemption outlined in RCW 73.04.110 for veterans receiving compensation at one hundred percent rate due to unemployability.

Reason Supporting the Proposed Rule: Will ensure the public is aware of the availability of veterans' free plates under RCW 73.04.110(4) for veterans receiving one hundred percent compensation due to unemployability.

Person Having Knowledge of and Responsibility for Drafting, Implementing and Enforcing this Rule: Sandra Brooks, Administrator, Title and Registration Control, Department of Licensing, 2nd Floor, Highways-Licenses Building, Olympia, WA 98504, phone 753-6920 comm, 234-6920 scan.

Proponents: Department of Licensing.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order TL/RG-9, filed 10/24/84)

WAC 308-96A-046 VETERAN'S FREE LICENSE. (1) A qualified veteran who submits satisfactory proof of a service connected disability rating from the Veterans Administration is entitled to regular or special license plates issued by the Department of Licensing and is exempt the annual licensing fees for one personal use vehicle.

Permanent registration and permanent tabs will be issued to qualified disabled American veterans and former prisoners of war for one vehicle exempt licensing fees: PROVIDED, That, emission inspection is required each year in the inspection areas, personalized license plate renewal fee is required each year, and propane powered vehicles are subject to annual propane fee.

Confirmation of eligibility from the Veterans Administration must be sent to the Department of Licensing with the initial application. Verification of vision correctable to less than 20/200 may be provided by an ophthalmologist or optometrist. Verification that the veteran is receiving compensation at the one hundred percent rate, which may include unemployability expected to exist for more than one year, must be received from the Veterans Administration.

"Exempt annual licensing fees" means waiver of excise tax, basic fee, gross weight fee, special fee and permit fee only.

(2) If the free veterans license is switched from one vehicle to another, replacement plate fee, full license and excise fees for twelve months will be required on the vehicle from which exemption is being removed. A new expiration date is to be established beginning with the first day of the month in which the exemption is switched to another vehicle. If, however, the vehicle from which the exemption is being removed, is turned in to a dealer for resale, fees need not be collected until the vehicle is sold to a new owner. The registration period will begin on the first day of the month in which application for the new owner is submitted.

(3) The veteran must be a registered or co-registered owner of a vehicle for which veterans licensure is granted.

(4) If a vehicle which was issued a free veterans license is sold, full excise and license fees must be paid by the purchaser at time of title transfer.

WSR 85-10-070

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed May 1, 1985]

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 transportation of passengers in for hire vehicles, new chapter 308-89 WAC:

New	WAC 308-89-010	For hire—Insurance.
New	WAC 308-89-020	Definitions—For hire vehicle.
New	WAC 308-89-030	Nonresident.
New	WAC 308-89-040	For hire vehicle registration.
New	WAC 308-89-050	Permits;

that the agency will at 10:00 a.m., Wednesday, June 5, 1985, in the 4th Floor Conference Room, Highways-Licenses Building, 12th and Franklin, 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 46.72.120.

The specific statute these rules are intended to implement is chapter 46.72 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 4, 1985.

Dated: April 18, 1985

By: Sue Shoblom
Assistant Administrator

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To clarify procedures regarding for hire vehicle permit requirements.

Statutory Authority: RCW 46.72.120.

Summary: WAC 308-89-010 describes the requirements regarding insurance policies concerning for hire owner/operators; 308-89-020 defines for hire vehicle for purposes of chapter 46.72 RCW; 308-89-030 defines nonresident owner/operator for the purposes of RCW 46.72.130 - 46.72.150; 308-89-040 indicates for hire operators must apply for vehicle licenses for each for hire vehicle and it delineates additional requirements in regards to such licensing; and 308-89-050 limits one business name to each permit and requires a bond or insurance policy issued in the same name.

Responsible Agency Personnel: Sue Shoblom, Assistant Administrator, Title and Registration Control, Department of Licensing, Second Floor, Highways-Licenses Building, Olympia, WA 98504, phone (206) 753-3060 comm, 234-3060 scan, and Sandra Brooks, Administrator, Title and Registration Control, Department of Licensing, Second Floor, Highways-Licenses Building, Olympia, WA 98504, phone (206) 753-6920 comm, 234-6920 scan.

Proponents: Department of Licensing.

Small Business Economic Impact: Not required since these rules do not impact small businesses as defined in RCW 43.31.920.

CHAPTER 308-89 WAC

TRANSPORTATION OF PASSENGERS IN FOR HIRE VEHICLES

WAC

308-89-010	FOR HIRE—INSURANCE
308-89-020	DEFINITIONS—FOR HIRE VEHICLE
308-89-030	NONRESIDENT
308-89-040	FOR HIRE VEHICLE REGISTRATION
308-89-050	PERMITS

NEW SECTION

WAC 308-89-010 FOR HIRE—INSURANCE. The insurance policy required in RCW 46.72.050 for for hire owner/operators shall include: (a) the name insured in the same manner as recorded on the for hire permit application; (b) inception and expiration dates of coverage; (c) notice of premium paid; (d) the name and policy number of the insuring company; and (e) the year, make and vehicle identification number of each vehicle operated or intended to be operated.

For hire owner/operators are charged with the responsibility of assuring that a copy of the complete insurance policy or surety bond and all ensuing endorsements are forwarded to the department of licensing for approval.

The director may refuse any insurance policies submitted with one or more of the following conditions present: (a) any policy containing a deductible clause for any amount deductible; (b) any policy containing a clause restricting the insured's age in regard to insurance validity; and (c) any policy which is determined to be a "surplus line" policy, as described in RCW 48.14.040, without the appropriate affidavit being filed with the office of the insurance commissioner and a copy of that affidavit submitted with the certificate of insurance.

In the event of cancellation of the coverage noted on the policy, the insuring company shall serve a copy of such notice upon the director of the department of licensing which shall not be less than ten days prior to the date fixed in the notice as the date of termination of liability.

NEW SECTION

WAC 308-89-020 DEFINITIONS—FOR HIRE VEHICLE. "For hire vehicle" as defined in RCW 46.72.010(1) shall include but not be limited to: (a) cabulance: cabulance transportation is appropriate for persons confined to wheelchairs or persons otherwise physically restricted such that they cannot be safely transported by public mass transportation vehicles, taxicabs, or automobiles. Persons transported by cabulance must be stable, must not be incapacitated from medications, nor in need of oxygen or medical attention enroute; (b) limousine: a vehicle with a driver hired for an event or period of time; (c) taxicab: as defined by RCW 46.90.178; (d) such other vehicles used for the purpose of transporting passengers for compensation and not excluded by RCW, WAC or departmental policy.

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 308-89-030 NONRESIDENT. A nonresident owner/operator of for hire vehicle(s) is one whose place of residence state does not participate in a reciprocal agreement with Washington state. Nonresident owner/operators are subject to any and all requirements and restrictions which apply to the resident owner/operators. Nonresident vehicle registrations will not be accepted as insurance proof. Nonresident insurance certificates will not be accepted with any limiting clause or statement which may invalidate the coverage upon entrance into the state of Washington.

NEW SECTION

WAC 308-89-040 FOR HIRE VEHICLE REGISTRATION. A for hire operator shall file an application for vehicle license for each vehicle intended to be operated as a for hire vehicle. In addition to the licensing requirements of motor vehicles, the following shall apply on for hire vehicles: (a) the name of the owner of the vehicle shall be displayed on the vehicle registration in the same name as recorded on the bond or insurance policy, the for hire permit, and the for hire certificates; (b) the purpose for which the vehicle is to be used shall be recorded as either "CAB" or "F/H"; (c) an annual license expiration of June 30.

NEW SECTION

WAC 308-89-050 PERMITS. Each for hire owner/operator may operate under only one dba (doing business as) name per each permit issued. No company may have numerous dba's or operating names under one permit.

Each permit will be issued in the operating name of the for hire company(ies) as recorded on the bond or insurance policy.

**WSR 85-10-071
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed May 1, 1985]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the administration of the flood control assistance account program (FCAAP), regarding grant assistance to counties and municipal corporations for flood control maintenance projects, chapter 173-145 WAC;

that the agency will at 7:00 p.m., Tuesday, June 4, 1985, in the EFSEC Hearing Room, Rowesix, Lacey, Washington, and 7:00 p.m., Tuesday, June 11, 1985, at the Cascade National Gas Auditorium, Wenatchee, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Tuesday, June 18, 1985.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 86.26 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 13, 1985.

Dated: May 1, 1985
By: Glen H. Fiedler
Deputy Director

STATEMENT OF PURPOSE

Title: Permanent rules regarding the administration of the flood control assistance account program (FCAAP), chapter 173-145 WAC.

Description of Purpose: This chapter describes the manner in which WDOE will implement the provisions of the following statutory authority.

Statutory Authority: Chapter 86.26 RCW, state participation in flood control maintenance.

Summary of Rule: This rule establishes the criteria, standards and requirements for counties and municipal corporations to be eligible for grant assistance from the flood control assistance account. These monies will assist payment of flood control maintenance project costs.

Reasons Supporting Proposed Action: This rule is necessary for the successful administration of the FCAAP.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: D. Rodney Mack, Shorelands Div. Sup., Washington Department of Ecology, 459-6777.

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: [No information supplied by agency.]

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

Small Business Economic Impact Statement: No adverse economic impact.

Chapter 173-145 WAC
ADMINISTRATION OF THE FLOOD CONTROL ASSISTANCE ACCOUNT PROGRAM

WAC

- 173-145-010 Authority and purpose.
- 173-145-020 Definitions.
- 173-145-030 Eligibility criteria for FCAAP funds.
- 173-145-040 Comprehensive flood control management plan.
- 173-145-050 Floodplain management activities.
- 173-145-060 FCAAP project application process.
- 173-145-070 FCAAP project approval process.
- 173-145-080 Priority of FCAAP projects.
- 173-145-090 Flood control assistance account contributions and project match requirements.
- 173-145-100 Emergency fund administration.
- 173-145-110 Multi-year projects.
- 173-145-120 Work standards for all FCAAP projects.
- 173-145-130 Project construction monitoring.
- 173-145-140 Written agreements.

173-145-150 Equipment rental.

NEW SECTION

WAC 173-145-010 **AUTHORITY AND PURPOSE.** Chapter 212, Laws of 1984, Regular Session, amended chapter 86.26 RCW, state participation in flood control maintenance (the Act); RCW 86.26.010 and 86.16.170 provide that the Washington department of ecology (WDOE) shall administer and enforce the flood control assistance account program (FCAAP) established by the Act. This chapter describes the manner in which WDOE will implement the provisions of the Act.

NEW SECTION

WAC 173-145-020 **DEFINITIONS.** For the purposes of this chapter and subsequent regulations formulated for floodplain management programs in Washington, the following definitions shall be used:

(1) "Applicant" is an eligible municipal corporation seeking matching funds for flood control maintenance work.

(2) "Appropriate local authority" is a county, city, or town having planning and land use jurisdiction within the area covered by the CFCMP.

(3) "Comprehensive flood control management plan (CFCMP)" is a document which provides a means of planning for and evaluating the impacts of specific project activities within a river basin, subbasin, or other area to ensure that work done on specific projects is compatible with the goals and objectives for the area covered by the plan, as described in WAC 173-145-040.

(4) "County engineer" is the appointed public works director, county engineer, or the person designated to act for the county engineer.

(5) "Eligible municipal corporation" includes but is not limited to counties, cities, towns, conservation districts, and any special districts which have flood control responsibilities.

(6) "Emergency fund" is that portion of the biennial appropriation allocated to the flood control assistance account which is set aside for emergency projects.

(7) "Emergency project" is flood control work as authorized and approved by WDOE which must be done immediately to protect lives and property.

(8) "Flood compatible land uses" those uses of the land within the river's meander belt or floodway which comply with the minimum state, federal, and local flood plain management regulation requirements.

(9) "Flood control responsibility" is any statutory responsibility which includes or is directly related to controlling flood waters, prevention of flood damages, or the protection of life and property from flood damages.

(10) "Floodplain management activities" are activities as defined in WAC 173-145-050 to be performed by local governments through ordinances or other means to reduce the damaging effects of flooding.

(11) "Maintenance project" is the work necessary to preserve or restore the natural condition or to restore man-made flood control facilities to their former condition using in-kind replacement materials or acceptable alternatives. This work is necessary due to damage or destruction from flooding by action of erosion, stream flow, sheet runoff, or other damages by the sea or other bodies of water.

(12) "Meander belt or floodway" is that portion of the floodplain, for streams which have meandered over recent times, that can be identified by observation or from aerial photos as the area between the right and left side of the extreme meanders. This shall include the present stream channel. Consideration shall be given to soil and vegetation patterns in determination of the meander belt or floodway.

(13) "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base (one hundred year frequency) flood without cumulatively increasing the water surface elevation more than a designated height.

NEW SECTION

WAC 173-145-030 **ELIGIBILITY CRITERIA FOR FCAAP FUNDS.** The following criteria will be used to determine eligibility of an FCAAP project application.

(1) The applicant must be an eligible municipal corporation.

(2) Public benefit shall be indicated. It shall be clearly demonstrated that the projects shall display a general public and state interest as

differentiated from a private interest and they shall bring about public benefits commensurate with FCAAP funds provided.

(3) A comprehensive flood control management plan as described in WAC 173-145-040 must be adopted by the appropriate local authority with flood control jurisdiction over the area where the proposed project is located.

(4) The appropriate local authority within whose jurisdiction the maintenance projects are located shall be engaging in those certain floodplain management activities as described in WAC 173-145-050.

(5) Budget report. Any eligible municipal corporation seeking FCAAP funds shall submit its annual budget for flood control purposes to the county engineer within thirty calendar days after its final adoption. The budget report for eligible municipal corporations and for the county shall be submitted to WDOE by the county engineer not later than February 15 of every year.

NEW SECTION

WAC 173-145-040 **COMPREHENSIVE FLOOD CONTROL MANAGEMENT PLAN.** The county engineer of the county within which the maintenance project is located must certify that the plan has been completed and adopted by the appropriate local authority or is being prepared. The comprehensive plan must be completed and adopted within three years of the date that it is certified as being prepared. The appropriate local authority may require the applicant to fully or partially fund the preparation of the CFCMP. The plan must include:

- (1) Determination of the need for flood control work.
 - (a) Description of the watershed.
 - (b) Identification of types of watershed flood problems.
 - (c) Location and identification of specific problem areas.
 - (d) Description of flood damage history.
 - (e) Description of potential flood damages.
 - (f) Short-term and long-term goals and objectives for the planning area.
- (2) Alternative flood control work.
 - (a) Description of potential measures of instream flood control work.
 - (b) Description of alternatives to instream flood control work.
- (3) Identification and consideration of potential impacts of instream flood control work on the following instream uses and resources.
 - (a) Fish resources.
 - (b) Wildlife resources.
 - (c) Scenic, aesthetic, and historic resources.
 - (d) Navigation.
 - (e) Water quality.
 - (f) Hydrology.
 - (g) Existing recreation.
 - (h) Other.

(4) Area of coverage for the comprehensive plan shall include, as a minimum, the area of the one-hundred year frequency floodplain within a reach of the watershed of sufficient length to ensure that a comprehensive evaluation can be made of the flood problems for a specific reach of the watershed. The plan may or may not include an entire watershed. Comprehensive plans shall also include flood hazard areas not subject to riverine flooding such as areas subject to coastal flooding, flash flooding, or flooding from inadequate drainage. The planning area definition shall also include the regulatory floodway as described in the appropriate flood insurance study report.

(5) Conclusion and proposed solution(s). The CFCMP shall be finalized by the following action from the appropriate local authority:

- (a) Evaluation of problems and needs;
- (b) Evaluation of alternative solutions;
- (c) Recommended corrective action(s); and
- (d) Corrective action priority.

NEW SECTION

WAC 173-145-050 **FLOODPLAIN MANAGEMENT ACTIVITIES.** To be eligible for FCAAP funding, the appropriate local authorities within whose jurisdiction the maintenance projects are located, must be engaging in floodplain management activities which will protect or prevent flood damages from occurring to future structures, works, and improvements within their jurisdiction. The department of ecology shall find that they are:

(1) Participating in the national flood insurance program (NFIP) and meeting all of the NFIP requirements.

(2) Certify through the state department of emergency management that the local emergency management organization is administering an acceptable plan.

(3) Restricting land uses within the meander belt or floodway of rivers to only flood compatible uses.

NEW SECTION

WAC 173-145-060 FCAAP PROJECT APPLICATION PROCESS. The project application process for the eligible municipal corporations' applications shall include the following in the general sequence given.

(1) The applicant shall prepare the project application to comply with the provisions of chapter 86.26 RCW and this chapter. The application shall be made on a form furnished by WDOE. A complete application shall include the following:

- (a) A written description and cost estimate of the project;
- (b) A vicinity map and sketch to identify water body names, stream river mile, section-township-range;
- (c) A general plan drawing of the project on an "8 1/2 x 11" or "8 1/2 x 14" sheet; and
- (d) A description of the project benefits which describe how the project will mitigate flood damages and describe development which exists on adjacent and nearby lands which are protected by the facility.

(2) The applicant shall review the preliminary project proposal with the county engineer and the Washington departments of fisheries or game.

(3) The applicant shall submit a prioritized list of project applications to the county engineer.

(4) The county engineer shall submit a prioritized list of all project applications within the county to WDOE.

(5) The county engineer shall furnish evidence to WDOE that the comprehensive flood control management plan described in WAC 173-145-040 is completed or underway and the floodplain management activities described in WAC 173-145-050 are being implemented.

NEW SECTION

WAC 173-145-070 FCAAP PROJECT APPROVAL PROCESS. The project approval process for the eligible municipal corporations' applications shall include the following in the general sequence given.

(1) WDOE will review all projects for compliance with the requirements pursuant to this chapter and chapter 86.26 RCW.

(2) WDOE shall consult with the departments of fisheries and game regarding the list of projects.

(3) WDOE will incorporate the prioritized list of eligible projects into its biennial budget for funding.

(4) WDOE shall prepare and finalize the written agreements with the counties.

(5) The counties shall prepare and finalize the written agreements with the involved eligible municipal corporations within the county.

(6) The construction plans and specifications shall be prepared by the applicant for approval by the county engineer prior to submission to WDOE for review of each project for compliance with all requirements.

(7) The applicant shall acquire the necessary federal, state, and local permits along with any other permission required to complete the project.

NEW SECTION

WAC 173-145-080 PRIORITY OF FCAAP PROJECTS. The priority given to projects by WDOE, the counties, and other eligible municipal corporations shall involve consideration of the following criteria:

(1) The public benefits from the project shall be commensurate with the amount of FCAAP funds granted for the project. Higher priorities will be given to those projects which display greater public benefits as they relate to the project cost.

(2) The priority given to the projects by WDOE shall consider the priority which has already been established by each county.

NEW SECTION

WAC 173-145-090 FLOOD CONTROL ASSISTANCE ACCOUNT CONTRIBUTIONS AND PROJECT MATCH REQUIREMENTS. The following criteria shall be used regarding the FCAAP funding for all projects:

(1) The amount of FCAAP contributions for any project shall not exceed fifty percent of the total project construction cost.

(2) The total FCAAP contribution for all nonemergency projects in any county shall not exceed \$500,000 per biennium.

(3) \$3.4 million per biennium will be obligated on a priority basis for nonemergency projects.

(4) Up to \$500,000 per biennium will be funded on a priority basis by WDOE when determined that unused emergency funds are available for nonemergency projects.

(5) Up to \$100,000 per biennium may be used for WDOE administrative costs.

NEW SECTION

WAC 173-145-100 EMERGENCY FUND ADMINISTRATION. The following criteria shall be the basis of allocating the emergency fund moneys:

(1) Appropriations from the FCAAP fund for emergency projects will require the declaration of an emergency by the appropriate local authority.

(2) Application for emergency funds must be made on the same form used for nonemergency fund applications.

(3) Payment of FCAAP funds for emergency projects will be based on project construction costs. Flood fighting costs may be included.

(4) Payment from the emergency fund shall be allocated on a first-come first-serve basis and shall not be based on any priority system.

(5) Emergency project grants shall be approved by the director of the department of ecology.

(6) The maximum amount of money allocated for emergency projects shall be \$500,000 per biennium.

(7) At the discretion of WDOE, emergency funds may be made available for use on nonemergency projects when future emergencies are improbable.

(8) The maximum amount initially available for any one county is \$150,000 per biennium. If the total \$500,000 is not used by other counties, and emergency work exceeds \$150,000 in a county, the county can request additional emergency funds.

(9) The flood control assistance account contribution shall not exceed eighty percent of the eligible project cost of an emergency project.

NEW SECTION

WAC 173-145-110 MULTI-YEAR PROJECTS. Approval for eligibility by WDOE will only be required once for a project which continues more than one biennium, but funding after the first biennium is subject to further FCAAP appropriation by the legislature.

NEW SECTION

WAC 173-145-120 WORK STANDARDS FOR ALL FCAAP PROJECTS. All work which is funded from the flood control assistance account shall conform to the standards and specifications of the U.S. Army Corps of Engineers, the U.S. Department of Agriculture Soil Conservation Service or the county engineer.

NEW SECTION

WAC 173-145-130 PROJECT CONSTRUCTION MONITORING. Following are the responsibilities and criteria for project construction monitoring and final approval.

(1) County engineer responsibilities. Associated with responsibility for project plan approval and supervision of the project work, the county engineer shall provide inspection to assure that all project work is conducted and completed according to the construction plans and specifications.

(2) WDOE responsibilities. The department of ecology shall monitor and inspect the project work as necessary to assure compliance with the terms of the appropriate written agreement.

(3) Final inspection and approval. Upon completion of the work, a final detailed inspection shall be made by the county engineer along with representatives from WDOE and the applicant. Results of the final inspection shall be displayed in a written report and, when appropriate, on "as built" construction plans. These shall be submitted to WDOE within thirty days after the final project inspection.

NEW SECTION

WAC 173-145-140 WRITTEN AGREEMENTS. Written agreements will be prepared by WDOE as a means to reimburse eligible municipal corporations for work done on approved eligible projects. The dollar amount specified in the written agreements shall not exceed the estimated cost(s) of the project(s) as displayed on the project application(s). Billing and payment shall comply with the WDOE standard requirements for grants and contracts.

NEW SECTION

WAC 173-145-150 EQUIPMENT RENTAL. For noncontractual work, the equipment rental rates for applicant owned or rented equipment used on the project work shall not exceed the rates determined in accordance with the state budget accounting and reporting system (BARS) or rates provided by the current FEMA rental rate structure.

WSR 85-10-072
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed May 1, 1985]

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 Island County, WAC 173-19-230;

that the agency will at 2:00 p.m., Tuesday, June 4, 1985, in Room 273, WDOE Headquarters Office, St. Martin's College Campus, 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 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 May 31, 1985.

Dated: May 1, 1985
 By: Glen H. Fiedler
 Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-230 Island County.

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 aquaculture section of the Island County master program.

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: Bob Saunders, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6783.

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 79-34, filed 1/30/80)

WAC 173-19-230 ISLAND COUNTY. Island County master program approved June 25, 1976. Revision approved June 4, 1985.

WSR 85-10-073
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed May 1, 1985]

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:

Amd WAC 173-19-250 King County.
 Amd WAC 173-19-2515 Mercer Island, city of.
 Amd WAC 173-19-2501 Auburn, city of;

that the agency will at 10:00 a.m., Tuesday, June 4, 1985, in Room 273, Department of Ecology Headquarters Office, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 18, 1985.

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 June 7, 1985.

Dated: May 1, 1985
 By: Glen H. Fiedler
 Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-250 King County; 173-19-2515 Mercer Island, city of; and 173-19-2501 Auburn, 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 programs for King County and the cities of Auburn and Mercer Island.

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) 459-6768.

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 84-6, filed 3/15/84)

WAC 173-19-250 KING COUNTY. King County master program approved July 8, 1976. Revision approved November 22, 1976. Revision approved June 30, 1978. Revision approved July 5, 1979. Revision approved September 23, 1981. Revision approved February 9, 1982. Revision approved March 14, 1984. Revision approved June 18, 1985.

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 DE 79-34, filed 1/30/80)

WAC 173-19-2501 AUBURN, CITY OF. City of Auburn master program approved April 14, 1974. Revision approved June 18, 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.

AMENDATORY SECTION (Amending Order DE 81-11, filed 5/15/81)

WAC 173-19-2515 MERCER ISLAND, CITY OF. City of Mercer Island master program approved September 24, 1974. Revision approved May 14, 1981. Revision approved June 18, 1985.

WSR 85-10-074

NOTICE OF PUBLIC MEETINGS DEPARTMENT OF ECOLOGY

[Memorandum—May 1, 1985]

Municipal Wastewater Treatment Construction Grants Federal FY86 Construction Grants Project Priority List

The Washington Department of Ecology (WDOE) is seeking public comment on the proposed FY86 federal project priority list for municipal wastewater treatment construction grants. The project priority list identifies projects scheduled to receive federal grant assistance in FY86.

A hearing will be held on Tuesday, July 9, 1985, at 1:30 p.m. to receive public testimony. The hearing will be located at the EFSEC Hearings Room, Rowesix Building Complex, 4224 Sixth Avenue Southeast, Building #1, Lacey, Washington.

The proposed FY86 project priority list will be available June 7, 1985, from Ms. Judy Hartleb-Good, WDOE, Mailstop PV-11, Olympia, Washington 98504, or by telephone (206) 459-6099.

The department encourages all interested parties to provide testimony. Written comments will be accepted until July 30, 1985. Persons unable to attend the hearing may mail comments to: Washington Department of Ecology, Peggy Clifford, Mailstop PV-11, Olympia, Washington 98504.

WSR 85-10-075 PROPOSED RULES LOTTERY COMMISSION [Filed May 1, 1985]

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

Amd	WAC 315-04-220	Limited off premises sales permit.
Amd	WAC 315-32-040	Prizes for Evergreen Lotto.
New	WAC 315-11-160	Definitions for Instant Game Number 16 ("People's Choice").
New	WAC 315-11-161	Criteria for Instant Game Number 16.
New	WAC 315-11-162	Ticket validation requirements for Instant Game Number 16.
New	WAC 315-11-170	Definitions for Instant Game Number 17 ("Doubling Dollars").
New	WAC 315-11-171	Criteria for Instant Game Number 17.
New	WAC 315-11-172	Ticket validation requirements for Instant Game Number 17;

that the agency will at 10:00 a.m., Friday, June 7, 1985, in the Commission Room, Olympia Regional Office, 1200 Cooper Point Road, 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 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 7, 1985.

Dated: May 1, 1985

By: Duane Kovacevich
Deputy Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): WAC 315-04-220 Limited off premises sales permit; 315-11-160 Definitions for Instant Game Number 16 ("People's Choice"); 315-11-161 Criteria for Instant Game Number 16; 315-11-162 Ticket validation requirements for Instant Game Number 16; 315-11-170 Definitions for Instant Game Number 17 ("Doubling Dollars"); 315-11-171 Criteria for Instant Game Number 17; 315-11-172 Ticket validation requirements for Instant Game Number 17; and 315-32-040 Prizes for Evergreen Lotto.

Statutory Authority: RCW 67.70.040.

Specific Statute that Rules are Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-04-220 clarifies the procedures for obtaining a "limited off premises sales

permit" and specifies the responsibilities of licensed agents; 315-11-160 provides definitions of the terms used in Instant Game Number 16 rules; 315-11-161 sets forth criteria for Instant Game Number 16; 315-11-162 states the ticket validation requirements for Instant Game Number 16; 315-11-170 provides definitions of the terms used in Instant Game Number 17 rules; 315-11-171 sets forth criteria for Instant Game Number 17; 315-11-172 states the ticket validation requirements for Instant Game Number 17; and 315-32-040 authorizes the holder of two or more jackpot winning tickets to combine the cash values of the prizes in order to receive a single prize based on the cumulative total cash value. It also clarifies that if there are multiple winners of a Lotto prize and one or more of the winners does not claim the prize won, that prize is retained in the prize fund as an unclaimed prize rather than divided among the other winners.

Reasons Supporting the Proposed Rule(s): WAC 315-04-220, this amendment is necessary to inform licensed agents of the procedures for applying for a "limited off premises sales permit" and their responsibilities once such a permit is issued; 315-11-160, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-161 and 315-11-162; 315-11-161, licensed agents and players of Instant Game Number 16 need to know how the game will function. Specifying the criteria which apply to Instant Game 16 will provide this information; 315-11-162, tickets for Instant Game Number 16 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets; 315-11-170, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-171 and 315-11-172; 315-11-171, licensed agents and players of Instant Game Number 17 need to know how the game will function. Specifying the criteria which apply to Instant Game 17 will provide this information; 315-11-172, tickets for Instant Game Number 17 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets; and 315-32-040, this amendment is necessary in order to allow the holder of two or more jackpot winning Lotto tickets to combine their cash values in order to receive a single prize with a greater annuity value. It also clarifies the disposition of unclaimed prizes.

Agency Personnel Responsible for Drafting: Frank Edmondson, Contracts Specialist 2, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 754-1088; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, WA 98504, (206) 753-1412, Mary G. Faulk, Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, Duane

Kovacevich, Deputy Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3334, Jerald F. Long, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 754-1065, and Scott S. Milne, Acting Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3384.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing this Rule: Washington State Lottery Commission.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: None.

The rule is not necessary to comply with federal law or a federal state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement Requirement: The Office of the Director, Washington State Lottery, has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason: These rules will only affect those businesses large and small, which voluntarily apply to be licensed agents for the sale of lottery tickets or contractors who provide other services to the Office of the Director, Washington State Lottery or who voluntarily interact with the Office of the Director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to or interact with the Office of the Director, Washington State Lottery.

AMENDATORY SECTION (Amending Order 14, filed 2/10/83)

WAC 315-04-220 LIMITED OFF PREMISES SALES PERMIT. (1) The director may permit any licensed agent who has been issued a general or provisional license to sell tickets in locations other than that specified on its license and to employ persons to make such sales provided that:

(a) ~~((The director shall specify the geographical area in which such sales may be made, and the types of locations in which such sales may be made.))~~ A licensed agent requesting a "limited off premises sales permit" shall submit an application, completed in its entirety, using a form approved by the director.

(b) ~~((Any person))~~ An application for a "limited off premises sales permit" for instant lottery tickets must be submitted to the lottery a minimum of thirty days prior to the event to provide adequate time for processing. An application for a "limited off premises sales permit" for on-line games must be submitted a minimum of sixty days prior to the event to provide adequate time for processing. Applications received after these time limits may not be approved.

(c) The geographical area and type of location in which such sales are requested shall be individually approved by the director.

(d) Each licensed agent making such sales shall be individually approved by the director and shall display identification in such form and manner as shall be prescribed by the director.

~~((e))~~ (e) The licensed agent and its employees shall abide by such other instructions and restrictions as may be prescribed by the director to govern such sales.

~~((f))~~ (2) The licensed agent's license shall bear an addendum with the phrase "limited off premises sales permitted," and the licensed agent shall display with its license the addendum which sets forth the terms and conditions under which such sales may be made. A photocopy of the addendum shall be posted at each location where off premises sales are permitted.

(3) Licensed agents must redeem low-tier winning tickets sold at the off premises location at that location and at their licensed location. The location of the licensed location must be posted at the off premises location. Licensed agents must also provide claim forms to holders of high-tier winning tickets at both locations.

(4) The "limited off premises sales permit" shall be valid for not more than thirty days and may be renewed twice, if approved by the director, for periods not to exceed thirty days each.

(5) Licensed agents granted "limited off premises sales permits" will not be required to conduct other licensed business activities at the off premises locations.

(6) Licensed agents granted "limited off premises sales permits" shall bear all costs associated with such sales including but not limited to construction of booths, stands, etc.; telephone line installation; telephone line charges and installation of a dedicated electric circuit.

AMENDATORY SECTION (Amending Order 66, filed 10/5/84)

WAC 315-32-040 PRIZES FOR EVERGREEN LOTTO. (1) The prize amounts to be paid to each Evergreen Lotto player who selects a winning combination of numbers vary due to the parimutuel calculation of prizes. The prize amounts are based on the total amount in the prize pool for that Evergreen Lotto drawing distributed over the number of winning tickets in each of the following categories.

<u>WINNING COMBINATIONS</u>	<u>PRIZE CATEGORIES</u>
All six winning numbers in one play	First Prize (Jackpot)
Any five but not six winning numbers in one play	Second Prize
Any four but not five or six winning numbers in one play	Third Prize

(2) Prize pool. The prize pool consists of forty-five percent of Evergreen Lotto revenue.

(3) Prize amounts.

(a) First prize (jackpot). Fifty-eight percent of the prize pool is to be divided equally among all players who selected all six winning numbers in one play (in any sequence), provided, that the jackpot shall have a minimum cash value of \$500,000. The director may increase the minimum cash value of the jackpot by an amount not to exceed the amount added to the jackpot from the prior week's sales.

(b) Second prize. Twenty percent of the prize pool is to be divided equally among all players who selected five of the six winning numbers in one play (in any sequence).

(c) Third prize. Twenty percent of the prize pool is to be divided equally among all players who selected four of the six winning numbers in one play (in any sequence).

(d) Prize reserve. Two percent of the prize pool is to be held for payment of jackpot prizes at the discretion of the director.

(e) All prize allocations will be rounded down to nearest dollar, and the remainder, if any, from the rounding process shall be placed in the prize reserve.

(f) The holder of a winning ticket may win only one prize per play in connection with the winning number drawn but shall be entitled only to the highest prize category won by those numbers.

(g) The holder of two or more jackpot winning tickets with a cumulative total cash value of \$250,000 or more may elect to receive a single prize based on the total cash value with prize payments in accordance with subsection (5) (a) or (b) or this section.

(h) In the event any player who has selected four, five, or six of the six winning numbers does not claim the prize won within one hundred eighty days after the drawing in which the prize was won, that player's prize shall be retained in the state lottery fund for further use as prizes, pursuant to RCW 67.70.190.

(4) Roll-over feature.

(a) If no player selects all six winning numbers for any given drawing, the jackpot accumulated for that drawing will be added to the jackpot accumulation for the next drawing. This process is repeated until the jackpot is won.

(b) If no player selects five of the six winning numbers for any given drawing, the second prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(c) If no player selects four of the six winning numbers for any given drawing, the third prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(5) Prize payments will be made in accordance with WAC 315-30-030(6).

(a) Each prize that has a cash value of \$500,000 or more shall be paid in twenty equal annual payments.

(b) Each prize that has a cash value from \$250,000 up to but not including \$500,000 shall be paid in ten equal annual payments.

(c) Each prize that has a cash value of less than \$250,000 shall be paid in a single lump sum.

(d) For prizes paid over a period of years, the lottery will make the first annual payment. The remaining payments will be paid in the form of fixed term annuity.

NEW SECTION

WAC 315-11-160 DEFINITIONS FOR INSTANT GAME NUMBER 16 ("PEOPLE'S CHOICE"). (1) Play symbols: The following are the "play symbols": "\$2.00," "\$5.00," "10.00," "20.00," "50.00," "\$100\$," and "\$5,000." One of these play symbols appears under each of the six rub-off spots on the front of the ticket.

(2) Validation number: The unique nine-digit number on the lower right portion of the front of the ticket. The number is covered by latex which is overprinted "DO NOT REMOVE".

(3) Pack-ticket number: The ten-digit number of the form 6000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 16 constitute the "pack number" which starts at 6000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(4) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 16, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$2.00	TWOS
\$5.00	FIVES
10.00	TENS
20.00	TWENTYS
50.00	FIFTYS
\$100\$	HUNDRED
\$5000	FIVE-THOU

(5) Agent verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the licensed agent uses to verify instant winners below \$25. For Instant Game Number 16, the agent verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The agent verification codes used by the licensed agent to verify lower tier prizes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00
TTY	\$20.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-161 CRITERIA FOR INSTANT GAME NUMBER 16. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three \$2.00 play symbols - Win \$2.00
- Three \$5.00 play symbols - Win \$5.00
- Three 10.00 play symbols - Win \$10.00
- Three 20.00 play symbols - Win \$20.00
- Three 50.00 play symbols - Win \$50.00
- Three \$100\$ play symbols - Win \$100.00
- Three \$5000 play symbols - Win \$5,000

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 16 set forth in WAC 315-11-162, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Instant prize winning tickets shall be redeemed in the manner set forth on the back of the ticket and in the player's brochure.

(6) There shall be no grand prize drawing.

(7) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 16 and/or

(b) Vary the number of tickets sold in Instant Game Number 16 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(8) The lottery shall conduct in conjunction with Instant Game Number 16 an incentive program pursuant to WAC 315-04-190(3). The purpose of the program is to increase sales of lottery tickets through increased and more effective use of point-of-sale material.

(a) The program shall be conducted as follows:

(i) Four drawings, using licensed agent numbers, will be held during Instant Game Number 16 at times and places and pursuant to procedures established by the director. At each drawing, twenty-five primary and five alternate licensed agent numbers will be drawn.

(ii) Licensed agents whose number is drawn and whose license is active and accounts receivable are current within thirty days at the time of the drawing will be qualified for further participation in the program. Agents whose license is inactive or accounts receivable are not current within thirty days at the time of the drawing will be disqualified and replaced by a licensed agent whose number was drawn as an alternate number.

(iii) Licensed agents selected for further participation at any drawing will not be eligible for participation in future drawings.

(iv) Lottery personnel shall visit each licensed agent qualified for further participation to determine whether point-of-sale material is displayed at each checkout area where lottery tickets are sold. Those agents with point-of-sale material displayed at each such checkout area will be eligible for the finalist drawing.

(v) The finalist drawing will be held at a time and place and pursuant to procedures established by the director. Six winners will be drawn from those agents eligible for the finalist drawing.

(b) Each of the six winners will receive a vacation package for two persons to one of the following locations: Disneyland; Reno, Nevada; Palm Springs, California; Colorado; Alaska; Hawaii; or Mexico. The vacation package will include air fare and double occupancy hotel accommodations for seven days and six nights subject to availability.

(i) Vacations must be taken between August 1, 1985, and December 1, 1985; provided, trips may not be taken during holidays.

(ii) Winners must choose the destination and dates of their vacation package not later than July 15, 1985.

(iii) The vacation packages awarded under this program have no cash value; however, they are fully transferable.

(iv) The cost of each vacation package shall not exceed one thousand four hundred dollars.

(v) Each winner shall be liable for the federal income tax due, if any, as a result of being awarded the vacation package.

(c) Washington state liquor control board stores and agencies are not eligible to participate in this incentive program.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbol	Mead 15 Point Archer font
Captions	Mead 5 x 11 Matrix font
Pack-Ticket Number	OCR-A Size 1 Condensed font
Validation Number	OCR-A Size 1 Condensed font
Agent Verification Code	Mead 7 x 12 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and the agent verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-160(1) and each of the captions must be exactly one of those described in WAC 315-11-160(4).

(2) Removal of part or all of the latex overprinted "DO NOT REMOVE" covering of the validation number will not invalidate an otherwise valid ticket.

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-170 DEFINITIONS FOR INSTANT GAME NUMBER 17 ("DOUBLING DOLLARS"). (1) Play symbols: The following are the "play symbols:" "\$2.00," "\$5.00," "10.00," "50.00," "\$5,000" and "\$\$." One of these play symbols appears under each of the six rub-off spots on the front of the ticket.

(2) Validation number: The unique nine-digit number on the lower right portion of the front of the ticket. The number is covered by latex which is overprinted "DO NOT REMOVE."

(3) Pack-ticket number: The ten-digit number of the form 7000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 17 constitute the "pack number" which starts at 7000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(4) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 17, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$2.00	TWO\$
\$5.00	FIVE\$
10.00	TEN\$
50.00	FIFTY\$
\$5000	FIVE-THOU
\$\$	DOUBLER

(5) Agent verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the licensed agent uses to verify instant winners below \$25. For Instant Game Number 17, the agent verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The agent verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
TWO	\$2.00
FOR	\$4.00
FIV	\$5.00
TEN	\$10.00
TTY	\$20.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-162 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 16. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 16 all of the following validation requirements apply.

NEW SECTION

WAC 315-11-171 CRITERIA FOR INSTANT GAME NUMBER 17. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three \$2.00 play symbols – Win \$2.00
- Two \$2.00 play symbols and \$\$ – Win \$4.00
- Three \$5.00 play symbols – Win \$5.00
- Two \$5.00 play symbols and \$\$ – Win \$10.00
- Three 10.00 play symbols – Win \$10.00
- Two \$10.00 play symbols and \$\$ – Win \$20.00
- Three 50.00 play symbols – Win \$50.00
- Two \$50.00 play symbols and \$\$ – Win \$100.00
- Three \$5000 play symbols – Win \$5,000
- Two \$5000 play symbols and \$\$ – Win \$10,000

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 17 set forth in WAC 315-11-172, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) There shall be no grand prize drawing.

(6) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 17; and/or

(b) Vary the number of tickets sold in Instant Game Number 17 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(7) The lottery shall conduct in conjunction with Instant Game Number 17 an incentive program pursuant to WAC 315-04-190(3). The purpose of the program is to increase sales of lottery tickets through increased agent participation. The program shall consist of an agent game which shall be conducted as follows:

(a) General:

(i) Each Instant Game 17 pack of instant tickets shall contain one "Doubling Dollars Agent Game" ticket which has a six-digit number corresponding to the pack number of that pack.

(ii) Agent game tickets are void if stolen, unissued, unreadable, mutilated, altered, counterfeit in whole or in part, miscut, misregistered, defective, printed or produced in error, multiply printed or blank or partially blank, or if pack number is not on the lottery's official list of valid packs.

(iii) All tickets, transactions and winners are subject to lottery rules, regulations and procedures, and state law.

(b) Eligibility requirements:

(i) Only licensed agents that are active lottery sales outlets with these accounts receivable current within thirty days at the time of the drawing and their employees are eligible to participate in the "Doubling Dollars Agent Game".

(ii) Agent game tickets must be from a pack of Instant Game 17 tickets of which at least 50 percent (200) of the tickets have been sold. Reproductions or facsimiles will not be accepted.

(c) Entry procedures:

(i) Fill out the entry information on the back of the agent game ticket.

(ii) Place the agent game ticket in an envelope. Only one entry per envelope will be accepted.

(iii) Mail the envelope with proper postage to the address specified on the back of the agent game ticket ("Agent Game", Tacoma, WA 98460) or deliver it in person during normal business hours to:

Office of the Director
Washington State Lottery
600 Park Village Plaza
1200 Cooper Point Road SW
Olympia, Washington

(iv) There is no limit to the number of entries a licensed agent or their employees may submit, but each entry must be submitted in a

separate envelope and the entry and entrant of each must meet the qualifications set forth above.

(v) Entries must be received by the lottery not later than thirty days after the official end of game of Instant Game 17 announced by the director.

(vi) A nonconforming entry, at the sole discretion of the director, may be disqualified.

(vii) The lottery shall not be responsible for any mail until received.

(viii) The lottery shall not be responsible for any other material mailed or delivered to the lottery for entry into the agent game drawing. All mail not drawn will be incinerated unopened.

(d) Winner selection:

(i) There will be one drawing for the "Doubling Dollars Agent Game".

(ii) The drawing will be held at a time and place and pursuant to procedures established by the director.

(iii) The prizes awarded at the agent game drawing will be: One – \$5,000 prize, two – \$2,500 prizes, seven – \$1,000 prizes, twenty – \$500 prizes, and twenty – \$100 prizes.

NEW SECTION

WAC 315-11-172 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 17. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 17 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbol	Mead 15 Point Archer font
Captions	Mead 5 x 11 Matrix font
Pack-Ticket Number	OCR-A Size 1 Condensed font
Validation Number	OCR-A Size 1 Condensed font
Agent Verification Code	Mead 7 x 12 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and the agent verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-170(1) and each of the captions must be exactly one of those described in WAC 315-11-170(4).

(2) Removal of part or all of the latex overprinted "DO NOT REMOVE" covering of the validation number will not invalidate an otherwise valid ticket.

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

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
- RE-AD = Readoption of existing section
- REP = Repeal 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.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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4-25-040	AMD-C	85-06-054	16-316-474	AMD-P	85-06-052	51-10	AMD	85-03-095
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4-25-140	AMD-C	85-06-008	16-316-724	AMD-P	85-06-052	67-25-005	AMD-P	85-03-081
4-25-140	AMD-C	85-06-054	16-316-800	AMD-P	85-06-052	67-25-005	AMD	85-06-030
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16-42-017	NEW-W	85-10-020	16-409-060	AMD	85-07-028	100-100-075	NEW	85-09-027
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16-42-022	NEW-W	85-10-020	16-409-065	AMD	85-07-028	100-100-090	NEW	85-03-011
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16-42-03001	REP-W	85-10-020	16-409-070	AMD	85-07-028	100-100-100	AMD-P	85-04-063
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16-231-413	NEW	85-07-029	16-555-030	NEW-P	85-05-038	106-120-005	NEW	85-07-032
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106-120-240	REP 85-07-032	132E-116-064	REP 85-04-003	137-52-025	NEW 85-07-042
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137-54-020	NEW	85-05-019	139-08-600	NEW	85-08-011	173-19-3903	AMD-P	85-06-065
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137-54-030	NEW	85-05-019	140-08-010	REP	85-03-004	173-19-450	AMD-C	85-03-046
137-54-040	NEW-P	85-02-067	140-08-020	REP	85-03-004	173-19-450	AMD	85-04-040
137-54-040	NEW	85-05-019	140-08-030	REP	85-03-004	173-20-120	AMD-P	85-06-065
137-60-020	AMD	85-04-015	140-08-040	REP	85-03-004	173-20-120	AMD	85-09-043
137-70-040	AMD-P	85-09-056	140-08-050	REP	85-03-004	173-20-130	AMD-P	85-06-065
137-70-060	AMD-P	85-03-103	140-08-060	REP	85-03-004	173-20-130	AMD	85-09-043
137-70-060	AMD	85-07-017	140-08-070	REP	85-03-004	173-20-550	AMD-P	85-06-065
137-70-070	AMD-P	85-03-103	140-08-080	REP	85-03-004	173-20-550	AMD	85-09-043
137-70-070	AMD	85-07-017	140-08-090	REP	85-03-004	173-20-700	AMD-P	85-06-065
139-04-010	AMD-P	85-03-076	140-08-100	REP	85-03-004	173-20-700	AMD	85-09-043
139-04-010	AMD	85-08-010	140-08-110	REP	85-03-004	173-22-040	AMD-P	85-06-065
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139-08-010	REP-P	85-03-077	140-09-030	NEW	85-03-004	173-22-060	AMD	85-09-043
139-08-010	REP	85-08-011	140-09-040	NEW	85-03-004	173-22-060	AMD-P	85-09-066
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139-08-020	REP-P	85-03-077	140-09-058	NEW	85-03-004	173-144-010	NEW-E	85-09-067
139-08-020	REP	85-08-011	140-09-065	NEW	85-03-004	173-144-020	NEW-E	85-03-075
139-08-030	REP-P	85-03-077	140-09-080	NEW	85-03-004	173-144-020	NEW-E	85-09-067
139-08-030	REP	85-08-011	140-09-090	NEW	85-03-004	173-144-030	NEW-E	85-03-075
139-08-040	AMD-P	85-03-077	140-09-100	NEW	85-03-004	173-144-030	NEW-E	85-09-067
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139-08-060	REP-P	85-03-077	140-09-120	NEW	85-03-004	173-144-040	NEW-E	85-09-067
139-08-060	REP	85-08-011	140-09-128	NEW	85-03-004	173-144-050	NEW-E	85-03-075
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139-08-090	AMD	85-08-011	140-09-140	NEW	85-03-004	173-144-060	NEW-E	85-03-075
139-08-130	AMD-P	85-03-077	140-09-150	NEW	85-03-004	173-144-060	NEW-E	85-09-067
139-08-130	AMD	85-08-011	140-09-155	NEW	85-03-004	173-144-070	NEW-E	85-03-075
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180-25-055	NEW-E	85-09-063	220-32-02200M	NEW-E	85-04-012	220-56-115	AMD-C	85-09-016
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180-27-054	NEW	85-04-008	220-32-02200N	NEW-E	85-04-049	220-56-11500D	NEW-E	85-08-005
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180-27-056	NEW	85-04-008	220-32-03000P	REP-E	85-07-002	220-56-116	AMD-C	85-09-016
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