

JANUARY 7, 1987

OLYMPIA, WASHINGTON

ISSUE 87-01



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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of January 1987 pursuant to RCW 19.52.020 is twelve percent (12%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1986 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

WASHINGTON STATE REGISTER

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

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1986 - 1987

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Action Date ¹
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
86-18	Aug 6	Aug 20	Sep 3	Sep 17	Oct 7
86-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21
86-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4
86-21	Sep 24	Oct 8	Oct 22	Nov 5	Nov 25
86-22	Oct 8	Oct 22	Nov 5	Nov 19	Dec 9
86-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23
86-24	Nov 5	Nov 19	Dec 3	Dec 17	Jan 6, 1987
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87-01	Nov 26	Dec 10	Dec 24, 1986	Jan 7, 1987	Jan 27
87-02	Dec 10	Dec 24, 1986	Jan 7, 1987	Jan 21	Feb 10
87-03	Dec 24, 1986	Jan 7, 1987	Jan 21	Feb 4	Feb 24
87-04	Jan 7	Jan 21	Feb 4	Feb 18	Mar 10
87-05	Jan 21	Feb 4	Feb 18	Mar 4	Mar 24
87-06	Feb 4	Feb 18	Mar 4	Mar 18	Apr 7
87-07	Feb 18	Mar 4	Mar 18	Apr 1	Apr 21
87-08	Mar 4	Mar 18	Apr 1	Apr 15	May 5
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87-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
87-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
87-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1988

¹All documents are due at the code reviser's office by 5:00 p.m. on or before 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 87-01-001
ADOPTED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Order R-269, Cause No. U-86-121—Filed December 5, 1986]

In the matter of amending WAC 480-140-020, 480-140-040 and 480-140-160 relating to budgets.

This action is taken pursuant to Notice Nos. WSR 86-21-082 and 86-24-048 filed with the code reviser on October 16, 1986, and November 26, 1986, respectively. The 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 80.04.320 [and] is intended administratively to implement RCW 80.04.300 through 80.04.330 pertaining to budgets.

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 Nos. WSR 86-21-082 and 86-24-048 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 26, 1986, and formal decision on December 3, 1986, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington, before Chairman Sharon L. Nelson and Commissioners Robert W. Bratton and Richard D. Casad.

Under the terms of said notices, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to November 21, 1986. Under the terms of said notices, interested persons were afforded the opportunity to submit data, views, or arguments orally at 9:00 a.m., Wednesday, November 26, 1986, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington.

At the November 26, 1986, meeting the commission considered the rule change proposal. Written comments were received from American Telephone and Telegraph Company and General Telephone Company of the Northwest. No oral comments were presented.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-140-020, 480-140-040 and 480-140-160 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-140-020, 480-140-040 and 480-140-160 as amended will relieve public service companies of reporting certain budget detail pertaining to salaries and to small construction projects.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-140-020, 480-140-040 and 480-140-160 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 4th day of December, 1986.

Washington Utilities and Transportation Commission
 Sharon L. Nelson, Chairman
 Robert W. Bratton, Commissioner
 Richard D. Casad, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69, effective 10/9/69)

WAC 480-140-020 WHO MUST FILE. All public service companies shall be required to file budgets with the Washington utilities and transportation commission: PROVIDED, HOWEVER, gas, water, ~~((telephone))~~ telecommunications, telegraph, and electrical companies whose annual gross operating revenues do not exceed ~~(((\$25,000.00))~~ twenty-five thousand dollars, shall not be required to file budgets.

AMENDATORY SECTION (Amending Order R-195, Cause No. U-83-02, filed 2/23/83)

WAC 480-140-040 PREPARATION. Budgets shall be made in duplicate on forms furnished by the commission. The original and three copies shall be filed with the commission and ~~((the duplicate))~~ one copy shall be kept by the company for its files. Each question must be answered fully and accurately. Where the word "none" truly and completely states the fact, it may be given as the answer to any particular inquiry or portion thereof. Do not leave blank lines. Items and schedules which do not apply to the reporting company's business and therefore cannot be filled in, shall be answered "not applicable." In no case shall any utility deviate from the requirements of these rules except upon a showing of good cause, and then only to the extent authorized by the commission in writing. For the purpose of the budget report an "individual major project," ~~((as set forth on page 14 of such budget report))~~ is defined as one exceeding ~~(((\$50,000 for Class A and B companies and \$25,000 for Class C companies))~~ fifty thousand dollars.

AMENDATORY SECTION (Amending Order R-195, Cause No. U-83-02, filed 2/23/83)

WAC 480-140-160 SALARIES. Budget of salaries shall give complete information as to the name, location, title or position, total annual compensation for employment and amount of annual compensation assigned Washington of all company officials, directors, owners or principal stockholders, ~~((who are employees;))~~ officers or executives ~~((and all managing and superintending officers irrespective of the amount of their compensation and all other employees who receive salaries of~~

~~\$37,500.00 per annum or more for companies whose annual gross operating revenues exceed \$400,000,000; \$30,000 per annum or more for companies whose annual gross operating revenues range from \$100,000,001 to \$400,000,000; \$20,000 per annum or more for companies whose annual gross operating revenues range from \$1,000,000 to \$100,000,000, and \$18,000 per annum or more for companies whose annual gross operating revenues are less than \$1,000,000)), and all employees who receive over seventy-five thousand dollars. The budget shall state the account or accounts to which charges are to be made. If employment is to be part time, the number of hours to be devoted to the reporting company shall be stated. If the total compensation shall include house rental, utility service, board and room, bonuses or other compensation, direct or indirect, such fact shall be reported separately on the budget form under "remarks" and giving the amount of each item. Budget of salaries shall give complete information as to all salary changes by employee category.~~

WSR 87-01-002

WITHDRAWAL OF PROPOSED RULES UTILITIES AND TRANSPORTATION COMMISSION

[Filed December 5, 1986]

In re the matter of amending WAC 480-12-210 relating to motor carrier equipment leasing.

By petition dated April 17, 1986, BCT, Inc., petitioned the Washington Utilities and Transportation Commission to amend WAC 480-12-210, the common carrier equipment leasing rule.

The petition came before the commission at its September 10, 1986, weekly meeting. At that meeting the commission decided to issue a notice of intent to adopt rules and hold a special hearing on the matter. By Notice No. WSR 86-19-034, the proposed amendments to the leasing rule were filed with the code reviser.

The notice set a hearing date of October 30, 1986, and a formal decision on the petition was set for November 12, 1986.

At the October 30, 1986, hearing, oral comments were received from Mr. Jack R. Davis, Attorney at Law, on behalf of American Trucking, Inc., Bus and Air Parcel Service, Inc., Acme Inter City Freight Line, Sound Delivery Service, Possi Brothers Transportation, Inc., Metro Hauling, Inc., Mellow Truck Express, Inc., Seattle Transfer and Storage Company, Inc., Fedderly Marion Freight Lines, Inc., and Joint Council of Teamsters No. 28. Mr. Boyd Hartman, Attorney at Law, commented on behalf of Washington Log Truckers Conference. Mr. Sangster and Mr. Carl A. Johnson, Attorney at Law, commented on behalf of Washington Trucking Association. George Labissionaire, Attorney at Law, commented on behalf of Best Way Motor Freight. The following persons also made oral comments: Mr. Seims, Maust Corporation; Mr. Monroe, Arrow Transportation Co.; Mr. Pozzi, Pozzi Brothers Transportation, Inc.; Mr. Van Wieringen, Ken Van Wieringen Log

Hauling, Log Truckers Conference of the Washington Trucking Association; Ms. Barbara Faught; Mr. Denny, Renton, Issaquah Motor Freight; Mr. Burke, Fedderly-Marion Freight Lines; Mr. Ryherd, Joint Council of Teamsters; Mr. Sadler, Attorney at Law, Better Homes Delivery, Inc; and commission staff.

Written comments were received from Washington Trucking Association; Mr. Davis, on behalf of the same carriers noted above; Joint Council of Teamsters; BCT, Inc.; Washington Log Truckers Conference; Western Council of Lumber Production and Industrial Workers; Better Homes Delivery, Inc.; and commission staff.

At the November 12, 1986, meeting the commission indicated that it had reviewed and considered the oral and written comments, and determined that the petition of BCT, Inc., should be denied, and that a new rule-making procedure be initiated, noticing out an alternative proposal made in comments by commission staff.

Accordingly, the petition of BCT, Inc., to amend WAC 480-12-210 should be, and is hereby denied.

DATED at Olympia, Washington, and effective this 4th day of December, 1986.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Robert W. Bratton, Commissioner
Richard D. Casad, Commissioner

WSR 87-01-003

ADOPTED RULES UTILITIES AND TRANSPORTATION COMMISSION

[Order R-268, Cause No. TV-2002—Filed December 5, 1986]

In the matter of amending WAC 480-12-350 and 480-12-365 relating to insurance.

This action is taken pursuant to Notice No. WSR 86-21-023 filed with the code reviser on October 8, 1986. The 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 86-21-023 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 26, 1986, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington, before Chairman Sharon L. Nelson and Commissioners Robert W. Bratton and Richard 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

November 21, 1986. 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, November 26, 1986, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington.

At the November 26, 1986, meeting the commission considered the rule change proposal. No written comments have been received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-350 and 480-12-365 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 and 480-12-365 as amended will allow the filing of an insurance binder to be effective up to sixty days to allow a motor carrier additional time to secure a "uniform motor carrier bodily injury and property damage liability certificate of insurance" (Form E).

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-350 and 480-12-365 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 26th day of November, 1986.

Washington Utilities and Transportation Commission
 Sharon L. Nelson, Chairman
 Robert W. Bratton, Commissioner
 Richard D. Casad, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-228, Cause No. TV-1871, filed 4/24/85)

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:

Commodity Transported	July 1 1983	January 1 1985
(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 either on a "uniform motor carrier bodily injury and property damage liability certificate of insurance," (Form E) filed in triplicate with the commission, or a written binder issued by an insurance agent or insurance company evidencing the same coverages as hereinabove required. If submitted, the binder shall be effective for not longer than sixty days, during which time the required Form E shall be filed. Insurance presently on file for existing permit holders shall be sufficient: PROVIDED, The requirements set forth above are in effect.

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69, effective 10/9/69)

WAC 480-12-365 INSURANCE TERMINATION. All insurance policies issued under the requirements of chapter 81.80 RCW shall provide that the same shall continue in full force and effect unless and until canceled by at least thirty days' written notice served on the insured and the Washington utilities and transportation commission by the insurance company, and said thirty days' notice to commence to run from the

date notice is actually received by the commission, except for binders which may be cancelled on ten days' written notice.

Notice of cancellation or expiration shall be submitted in duplicate on forms prescribed by the commission and shall not be submitted more than ~~((60))~~ sixty days before the desired termination date, except binders which may be cancelled by written notification from the insurance agency or the insurance company on ten days' written notice.

WSR 87-01-004
EMERGENCY RULES
DEPARTMENT OF REVENUE
[Order PT 86-7—Filed December 5, 1986]

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

Amd WAC 458-61-210 Assignments—Purchasers.
Amd WAC 458-61-490 Joint tenancy.
Amd WAC 458-61-570 Partnership—Nonfamily.

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 these emergency rules are to address concerns expressed by the Joint Administrative Rules Review Committee concerning permanent rules that were filed with the code reviser on August 6, 1986. These emergency rules will allow the department to continue its collection activity and remove the objectionable language while the revised rules are brought up for hearing and permanent adoption.

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

This rule is promulgated pursuant to RCW 82.45.120 and 82.45.150 which directs that the Department of Revenue has authority to implement the provisions of chapter 82.45 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 December 5, 1986.

By Trevor W. Thompson
Assistant Director

AMENDATORY SECTION (Amending Order PT 86-3, filed 8/6/86)

WAC 458-61-210 ASSIGNMENTS—PURCHASERS. (1) The real estate excise tax does not apply to the following types of purchaser's assignments, provided that no consideration passes to the grantor ((and further provided that there is no affiliation between the grantor and grantee)):

(a) Cancellation or forfeiture of the vendee's interest in a contract of sale, deed in lieu of foreclosure of mortgage or deed in lieu of forfeiture of a real estate contract all of which are being conveyed to the lien holder as the result of default of the obligation;

(b) Assumption by a grantee of the balance owing on an existing obligation which is secured by a mortgage, deed of trust or real estate contract where the grantee has become personally and principally liable for ((the mortgage or contractual)) payment of that obligation ((whether or not a novation has occurred)).

The real estate excise tax affidavit is required for each of the above. If the transfer is an assumption under (b) of this subsection, the grantor must furnish the supplemental statement, as provided by WAC 458-61-150, signed by both the grantor and grantee that no additional consideration of any kind is being paid by the grantee to the grantor ((or to any party other than current lienholders)). (See WAC 458-61-150)

The tax exemption provided in (b) of this subsection does not apply to the following transfers:

(i) Between a corporation and its stockholders, officers, or affiliated corporations (except that tax exemption contained in WAC 458-61-320(3));

(ii) Between a partnership and its members or another partnership or corporation owned by the same members;

(iii) Between joint venturers;

(iv) Between joint tenants;

(v) Between tenants in common; or

(vi) During the conversion of a joint or common tenancy, a joint venture, partnership, or corporation from one form of ownership to another form of ownership.

(2) The real estate excise tax applies to transfers where the purchaser of real property assigns his/her interest in such property and receives valuable consideration for that interest. The measure of the real estate excise tax is the sum of the consideration paid or contracted to be paid to the grantor of such assignment plus the unpaid principal balance due on the assigned mortgage or real estate contract. (Note: The consideration passing to the assignor of such interest in real property nullifies the exemptions granted in subsection (1) of this section, because each of these exemptions is granted upon the condition that no consideration passes to the transferrer of the interest of real property.)

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-490 JOINT TENANCY. The real estate excise tax does not apply to the transfer of real property for the creation or dissolution of a joint tenancy where no consideration passes. The tax applies to the sale of interest in real property for the creation or dissolution of a joint tenancy. The taxable amount of ((such)) the sale is the ((proportionate share of the market value of the property being sold)) total of the following:

(1) Any consideration given;

(2) Any consideration promised to be given; plus

(3) The amount of any debt remaining unpaid on the property at the time of sale multiplied by that fraction of interest in the real property being sold.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-570 PARTNERSHIP—NON-FAMILY. (1) ~~((Formation. The real estate excise tax applies to the transfer of real property into partnership. The gross taxable value of the transfer is the fair market value of the transferred property.~~

~~(2) Dissolution. The real estate excise tax applies to the transfer of real property upon the dissolution of a partnership. The gross taxable value is the fair market value of the transferred real property.~~

~~(3) On-going.~~

~~(a) The real estate excise tax does not apply to the assignment of partnership interest where the title to real property is not transferred.~~

~~(b) The real estate excise tax applies to the transfer of partnership real property in exchange for valuable consideration.)) The real estate excise tax does not apply to the sale of general partnership or limited partnership shares where title to real property is not conveyed.~~

(2) The real estate excise tax applies to the transfer of real property from an individual, partnership, corporation, association, or any other legal entity:

(a) To a general partnership or limited partnership upon the formation of that partnership; or

(b) To an on-going general partnership or limited partnership in return for partnership shares.

(3) The real estate excise tax applies to the transfer of real property from a general partnership or from a limited partnership to any grantee regardless of whether such grantee is an individual, partnership, corporation, association, or other legal entity upon the dissolution of a partnership or withdrawal of partnership member(s).

(4) The real estate excise tax applies to the transfer of real property during the conversion of either a general partnership or limited partnership into a general partnership, into a limited partnership, into a corporation, or into a joint or common tenancy, to the extent that such a conversion involves the transfer of title to real property.

(5) A joint venture is considered the same as a general partnership for purposes of the real estate excise tax.

WSR 87-01-005**ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order DLR-112—Filed December 5, 1986]

I, Theresa Anna Aragon, director of the Washington State Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 308-61-220 Wreckers—General procedures and requirements.

Amd WAC 308-61-420 Scrap processors—General procedures and requirements.

This action is taken pursuant to Notice No. WSR 86-20-079 filed with the code reviser on October 1, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.79.080 and 46.80.140 which directs that the director of the Department of Licensing has authority to implement the provisions of chapters 46.79 and 46.80 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 November 10, 1986.

By Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order DOL 684, filed 5/27/82)

WAC 308-61-220 WRECKERS—GENERAL PROCEDURES AND REQUIREMENTS. All wreckers shall comply with all rules and regulations relative to the handling of vehicles to be wrecked or dismantled.

(1) Enclosure. The activities of a motor vehicle wrecker shall be conducted entirely within his established place of business. A physical barrier shall designate the boundary of the wrecking yard except that, where necessary to obscure public view of the premises, such premises shall be enclosed by a sight-obstructing wall or fence at least eight feet high.

(a) Where required, such sight-obstructing wall or fence shall be painted or stained in neutral shade to blend with surrounding premises. Any fence should be made of chain link with slats or other construction that will prevent public view of the premises.

(b) A living hedge of equal height and sufficient density to prevent view of the premises may be substituted for the wall or fence.

(c) All enclosures and barriers shall be kept in good repair. Dying portions of any hedge shall be replaced.

(d) Reasonable consideration shall be given to the topography of the land by enforcement personnel when inspecting premises for such fence, enclosure or barrier.

(e) Exceptions to this section must be granted in writing by the department.

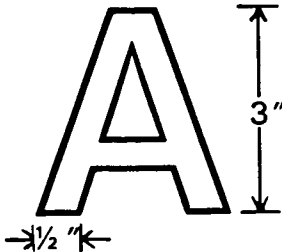
(2) Additional places of business. Each licensed wrecker may maintain one or more additional places of business within the same law enforcement jurisdiction, such as a city or county, under the same permit. The wrecker may maintain as many storage yards or sales outlets as needed so long as each is registered with the department. Each wrecking or storage yard shall comply with local zoning regulations and with such other requirements as the department may provide, particularly those in subsection (1) above. Duplicate wrecker's licenses will be issued to be posted at each additional place of business.

(3) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(4) Display of license certificate. The license certificate of a licensed wrecker shall be displayed conspicuously at each business address(es) and shall be available for periodic inspection by law enforcement officers and authorized representatives of the department.

(5) Tow car fee. The licensee of any fixed load vehicle equipped for lifting or towing any disabled, impounded, or abandoned vehicle or part thereof, may pay a twenty-five dollar fee in lieu of tonnage fees as provided in RCW 46.16.079.

(6) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks which are operated on the highways of this state shall display the licensee's name, the city in which the licensee's established place of business is located, and current business telephone number of such licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



(7) ~~((Surrendering))~~ Removal and destruction of license plates. The wrecker shall remove license plates from vehicles in the segregated area on which ~~((he has received))~~ ownership documents ~~((in the segregated area and surrender such plates to an authorized representative of the department prior to submitting his monthly reports for the month the vehicle is acquired))~~ have been received. ~~((In all other cases))~~ The wrecker shall destroy such plates prior to submitting his monthly reports for the month the vehicle is acquired. License plates from all vehicles entered into the wrecking yard shall be removed within twenty-four hours. ~~((All such plates shall be stored in a safe place.))~~

(8) Major component parts. Under RCW 46.80.010(3) the term "engines, short blocks, transmissions and drive axles" shall not include cores or parts which are limited to value as scrap metal or for remanufacturing only. The term "seat" shall be interpreted to mean bucket seat.

(9) A physical barrier shall be provided for the segregated storage of vehicles in custody and awaiting approved ownership documents as provided under WAC 308-61-230. There will be no dismantling or parts removal in this area. The physical barrier may be portable, made of substantial posts and connected by a chain, cable, barbed wire, or of other equally strong construction.

This area can be used for storage of dealer cars or equipment if the wrecker is both a wrecker and a dealer. There shall be no dismantling or parts removal in this area.

AMENDATORY SECTION (Amending Order DOL 684, filed 5/27/82)

WAC 308-61-420 **SCRAP PROCESSOR—GENERAL PROCEDURES AND REQUIREMENTS.** All scrap processors shall comply with all statutes, rules and regulations relative to the demolition of vehicles and vehicle hulks.

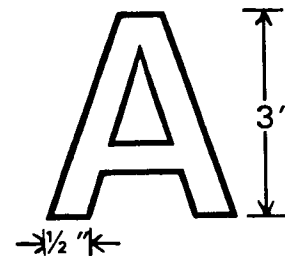
(1) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(2) Display of license certificate. The license certificate of the scrap processor shall be displayed conspicuously at the business address shown on the application and shall be available for inspection by law enforcement officers and authorized representatives of the department.

(3) Inspection of premises. The premises of the scrap processor shall be subject to periodic inspection by appropriate law enforcement officers and authorized representatives of the department.

(4) Surrender of license plates. All license plates coming into the possession of the scrap processor shall be ~~((surrendered to an authorized representative of the department at such time as))~~ destroyed by the scrap processor prior to forwarding the monthly report to the department under RCW 46.79.020 ~~((is forwarded to the department)).~~

(5) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks shall display the licensee's name, address and current telephone number. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



WSR 87-01-006
ADOPTED RULES
DEPARTMENT OF LICENSING
 [Order PM 614—Filed December 5, 1986]

I, Theresa Anna Aragon, director of the state of Washington Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to passing grades on all examinations, amending WAC 308-20-171.

This action is taken pursuant to Notice No. WSR 86-18-055 filed with the code reviser on September 2, 1986. 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 18.16.090 and 18.16.020(11) and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 18.16.030(2) which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 18.16 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 October 31, 1986.

By Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order PL 502, filed 12/13/84)

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

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

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

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

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

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

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

Applicants for cosmetology instructor license will be required to obtain a ~~((90 percent grade))~~ scaled score of eighty on the instructor's examination.

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

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

WSR 87-01-007

EMERGENCY RULES

DEPARTMENT OF LICENSING

[Order PM 628—Filed December 5, 1986]

I, Theresa Anna Aragon, director of the state of Washington Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to passing grades on all examinations, amending WAC 308-20-171.

I, Theresa Anna Aragon, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the need to allow qualified persons to be licensed as cosmetology instructors warrants immediate revision of the passing grade.

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

This rule is promulgated pursuant to RCW 18.16.090 and 18.16.020(11) and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 18.16.030(2) which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 18.16 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 December 4, 1986.

By Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order PL 502, filed 12/13/84)

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

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

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

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

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

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

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

Applicants for cosmetology instructor license will be required to obtain a ~~((90 percent grade))~~ scaled score of eighty on the instructor's examination.

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

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

WSR 87-01-008

NOTICE OF PUBLIC MEETINGS

COMMISSION FOR VOCATIONAL EDUCATION

[Memorandum—December 3, 1986]

The following dates have been established for the regular meetings of the Washington State Commission for Vocational Education during 1987.

March 12, 1987

June 18, 1987

September 24, 1987

December 17, 1987

This schedule is subject to change on the basis of extent and urgency of commission business and unforeseen, unresolved conflicts.

WSR 87-01-009

ADOPTED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2448—Filed December 8, 1986]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Food stamps—Household determination, amending WAC 388-54-665.

This action is taken pursuant to Notice No. WSR 86-21-038 filed with the code reviser on October 10, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 2, 1986.

By Lee D. Bomberger, Acting Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2286, filed 9/24/85)

WAC 388-54-665 HOUSEHOLD DETERMINATION. (1) The following individuals or groups of individuals may make up a household provided such individuals or groups are not residents of an institution or residents of a commercial boarding house:

(a) An individual living alone.

(b) An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from the others.

(c) A group of individuals living together but customarily purchasing food and preparing meals together for home consumption.

(d) An individual, age sixty or older, and his or her spouse not able to prepare his or her own meals because he or she suffers from a disability considered permanent under the Social Security Act or some other permanent physical or mental nondisease-related disability even though the elderly individual may be living with others. The income of other household members cannot exceed one hundred sixty-five percent of poverty level.

(2) Separate household status shall not be granted to the following:

(a) Children under eighteen years of age under the parental control of a member of the household;

(b) Parents living with their natural, adoptive, or stepchildren or such children living with parents unless at least one parent is elderly or disabled. Elderly or disabled is defined as:

(i) An individual sixty years of age or older; or

(ii) An individual receiving Supplemental Security Income benefits under Title XVI of the Social Security Act or disability or blindness payments under Titles I, II, X, XIV, or XVI of the Social Security Act; or

(iii) A veteran with a service-connected disability rated or paid by the Veterans' Administration as total ~~((under Title 38 of the U.S.C.))~~; or ~~((is))~~

(iv) A veteran considered by Veterans' Administration in need of regular aid and attendance or permanently housebound ((under such title of the code)); or

~~((iv))~~ (v) A surviving spouse of a veteran and considered by Veterans' Administration in need of aid and attendance or permanently housebound; or

(vi) A surviving child of a veteran and considered to be permanently incapable of self-support ((under Title 38 of the U.S.C.)); or

~~((v))~~ (vii) A surviving spouse or child of a veteran ((and)) with a permanent disability under the Social Security Act;

(A) Entitled to compensation for a service-connected death; or

(B) Entitled to compensation for pension benefits for a nonservice-connected death ((under Title 38 of the U.S.C. and has a disability considered permanent)); and

(viii) An individual receiving disability retirement benefits from a government agency because of permanent disability under the Social Security Act.

(ix) An individual receiving an annuity payment under the Railroad Retirement Act of 1974 and determined to be:

(A) Eligible to receive Medicare by the Railroad Retirement Board; or

(B) Disabled under ((Section 221(i))) Title XVI of the Social Security Act.

(c) A spouse of a member of the household. Spouse refers to either of two individuals:

(i) Defined as married to each other under applicable state law; or

(ii) Living together and holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or trades people.

(d) Siblings (defined as natural, adopted, half or step-brothers and sisters) unless at least one sibling is elderly or disabled.

(e) A boarder as defined in WAC 388-54-665(4).

(3) The following individuals residing with a household shall not be considered household members in determining eligibility or allotment and are termed non-household members. Nonhousehold members may, if otherwise eligible, qualify as separate households:

(a) Roomers. Individuals to whom a household furnishes lodging, but not meals, for compensation.

(b) Live-in attendants. Individuals residing with a household to provide medical, housekeeping, child care, or other similar personal services.

(c) Students enrolled in an institution of higher education who are ineligible because of not meeting the requirements of WAC 388-54-670.

(d) Other individuals sharing living quarters with the household but do not customarily purchase food and prepare meals with the household.

(4) The following individuals residing with a household shall not be considered household members in determining eligibility or allotment levels and are termed excluded household members. Income and resources of excluded individuals are considered as in WAC 388-54-83050.

(a) Persons disqualified for intentional program violation;

(b) Persons sanctioned as part of a disqualified workfare household;

(c) Persons who are ineligible aliens;

(d) Persons who are disqualified for failure to secure or provide a Social Security number.

(5) Boarders are not eligible to participate in the program unless the household providing the board requests the boarder be included in the food stamp household. A boarder is defined as an individual residing with the household and paying reasonable compensation to the household for lodging and meals. If an applicant household identifies any individual in the household as a boarder, the following provisions apply:

(a) Boarder status shall not be extended to the spouse of a member of a food stamp household, children under eighteen under parental control of a member of the

household, children living with parents or parents living with children, unless at least one parent is sixty years of age or older.

(b) Boarder status shall not be extended to persons paying less than a reasonable monthly payment for meals. Boarders whose board arrangement is for more than two meals per day shall pay an amount equaling or exceeding the thrifty food plan for the appropriate size of the boarder household. Boarders whose board arrangement is for two meals or less per day shall pay an amount equaling or exceeding two-thirds of the thrifty food plan for the appropriate size of the boarder household.

(6) Residents of commercial boarding houses are not eligible for program benefits. A boarding house shall be defined as:

(a) An establishment licensed as a commercial enterprise offering meals and lodging for compensation.

(b) In project areas without licensing requirements, a boarding house is a commercial establishment offering meals and lodging for compensation with the intention of making a profit.

(c) The household of the proprietor of a boarding house may participate separate and apart from the residents if otherwise eligible.

(7) Residents of institutions. Individuals shall be considered residents of an institution when the institution provides the individual with the majority of meals as part of the institution's normal service and the institution has not been authorized to accept coupons. Residents of institutions are not eligible for participation in the program, with the following exceptions:

(a) Residents of federally subsidized housing for the elderly, built under either Section 202 of the Housing Act of 1959 or Section 236 of the National Housing Act;

(b) Narcotic addicts or alcoholics residing at a facility or treatment center for the purpose of regular participation in a drug or alcohol treatment and rehabilitation program;

(c) Disabled or blind individuals who are residents of group living arrangements and are blind or disabled and receive benefits under Title II or Title XVI of the Social Security Act. Group living arrangement is defined as a public or private nonprofit residential setting serving no more than sixteen residents and certified by appropriate state agencies;

(d) Women or women with children temporarily residing in a shelter for battered women and children. "Shelter for battered women and children" means a public or private nonprofit residential facility serving battered women and children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children. Such persons temporarily residing in shelters shall be considered individual household units for the purposes of applying for and participating in the program.

WSR 87-01-010
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 313—Filed December 8, 1986]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1986-87 Washington game fish seasons and catch limits—Quillayute, Bogachiel, Calawah, Solduc and Dickey rivers, WAC 232-28-61518.

We, the State Game Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the Quileute Tribe and the Washington Department of Game have not been able to reach agreement on a joint harvest management plan for the 1986-87 Quillayute steelhead run. Civil Order No. 9213 - Phase 1, April 28, 1982, of the United States District Court Western District of Washington at Tacoma requires that there be no steelhead fishing on the Quillayute River by anyone if agreement on a harvest management plan is not reached by December 1. Therefore, the Department of Game is obligated to close the sport fishery on the Quillayute system until a harvest management plan is in place.

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

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

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

APPROVED AND ADOPTED December 8, 1986.

By Jack S. Wayland
 Director

NEW SECTION

WAC 232-28-61518 AMENDMENT TO 1986-87 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—QUILLAYUTE, BOGACHIEL, CALAWAH, SOLDUC AND DICKEY RIVERS. *Notwithstanding the provisions of WAC 232-28-615 and WAC 232-28-616, effective immediately, December 8, 1986, all waters of the Quillayute System, including the Quillayute, Bogachiel, Calawah, Solduc and Dickey rivers, are closed to the taking of steelhead by non-treaty sports anglers until further notice.*

WSR 87-01-011
NOTICE OF PUBLIC MEETINGS
PUBLIC DISCLOSURE COMMISSION
 [Memorandum—December 5, 1986]

The Public Disclosure Commission holds its regular meetings on the fourth Tuesday of each month except during November and December when the meetings are held on the third Tuesday (WAC 390-12-010). Meeting dates will be as follows:

January 27
 February 24
 March 24
 April 28
 May 26
 June 23
 July 28
 August 25
 September 22
 October 27
 November 17
 December 15

WSR 87-01-012
NOTICE OF PUBLIC MEETINGS
WALLA WALLA COMMUNITY COLLEGE
 [Memorandum—December 4, 1986]

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington Community College District No. 20 during calendar year 1987 shall be held at 1:30 p.m. in the College Board Room at 500 Tausick Way, Walla Walla, Washington, on the dates listed below.

An exception to this location is the meeting on April 29, 1987, which will be held in the multipurpose room at the Clarkston Branch of Walla Walla Community College, 1284 Chestnut, Clarkston, Washington.

Wednesday, January 28, 1987
 Wednesday, February 25, 1987
 Wednesday, April 1, 1987
 Wednesday, April 29, 1987
 Monday, June 1, 1987
 Wednesday, June 24, 1987
 Wednesday, July 29, 1987 (optional)
 Wednesday, August 26, 1987 (optional)
 Wednesday, September 30, 1987
 Wednesday, October 28, 1987
 Tuesday, November 24, 1987
 Wednesday, December 30, 1987

WSR 87-01-013**ADOPTED RULES
BEEF COMMISSION**

[Order 1912—Filed December 9, 1986]

I, Louise Schneider, chairman of the Washington State Beef Commission, do promulgate and adopt at Ellensburg, Washington, the annexed rules regarding Beef Commission assessment, WAC 60-12-010.

This action is taken pursuant to Notice No. WSR 86-21-130 filed with the code reviser on October 22, 1986. 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 16.67.120 and 16.67.122 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 December 9, 1986.

By Louise Schneider
Chairman

AMENDATORY SECTION (Amending Order 1527, filed 5/11/77)

WAC 60-12-010 LEVY OF ASSESSMENT. ((The twenty-cent per head assessment on all Washington cattle sold in this state or elsewhere to be paid by the seller at the time of sale as provided for in RCW 16.67.120 shall continue beyond July 1, 1977.))

(1) Pursuant to the National Beef Promotion and Research Program, 7 USC S 2901, et seq., RCW 16.67.120 and RCW 16.67.122, the Washington State Beef Commission levies an assessment of one dollar per head on all Washington cattle sold in this state or elsewhere, provided that no assessment shall be collected with reference to the following:

(a) Sales by a person who purchased cattle solely for resale when such resale occurs within ten days from such person's purchase of the cattle and when any assessment due in connection with that original purchase has been paid. In order to qualify for this exception, such persons additionally must present a certification of their status under this section, a brand inspection certificate, a bill of sale or other documentation establishing the date of their purchase of the cattle. Such documentation must be presented at the time of sale to the person responsible for collecting the assessment.

(2) Assessments shall be paid by and shall be collected from the seller of the cattle. The term seller shall not include an agent or representative who is compensated in connection with the sale solely on a commission, handling fee or other service fee basis.

(3) Where a brand inspection is conducted in conjunction with a sale, brand inspectors employed by the State Department of Agriculture shall collect the assessment from the seller of the cattle. Where no brand inspection is conducted in connection with the sale, the buyer of the cattle shall collect the assessment from the

cattle seller at the time of the sale. All assessments so collected shall be transmitted directly to the Washington State Beef Commission by the fifteenth of the month after the month of collection.

(4) That portion of each assessment remitted to the Washington State Beef Commission for purposes of providing funds for a National Beef Promotion and Research Program under 7 USC S 2901, et seq., and RCW 16.67.122 shall be remitted to the Cattlemen's Beef Promotion and Research Board by the Washington State Beef Commission.

WSR 87-01-014**ADOPTED RULES
LIQUOR CONTROL BOARD**

[Order 207, Resolution No. 216—Filed December 9, 1986]

Be it resolved by the Washington State Liquor Control Board, acting at the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to:

Amd WAC 314-20-105 Beer suppliers' price filings, contracts and memoranda.
Amd WAC 314-24-200 Wine suppliers' price filings, contracts and memoranda.

This action is taken pursuant to Notice No. WSR 86-22-029 filed with the code reviser on October 30, 1986. 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 Liquor Control Board as authorized in RCW 66.08.030.

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 December 9, 1986.

By Robert D. Hannah
Board Member

AMENDATORY SECTION (Amending Order 173, Resolution No. 182, filed 8/5/86)

WAC 314-20-105 BEER SUPPLIERS' PRICE FILINGS, CONTRACTS AND MEMORANDA. (1) Every licensed brewer shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such brewer may have with any beer wholesaler, which contracts or memoranda shall contain a schedule of prices charged to wholesalers for all items, all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances and incentive programs; all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified such revised contracts or memoranda shall forthwith be filed with the board as provided in this regulation.

Each price schedule shall be made on a form prepared and furnished by the board, or a reasonable facsimile thereof, and shall set forth all brands, types, packages and containers of beer offered for sale by such licensed brewer; all additional information required may be filed as a supplement to said price schedule forms.

(2) Filing date—All written contracts and memoranda of oral agreements must be received by the board not later than the twenty-fifth day of the month, and if approved will become effective on the first day of the second calendar month following the date of such filing. An additional period will be allowed for revision of such filings to correct errors and omissions, or to meet competitive prices, filed during the current posting period, but a revised contract or memorandum of oral agreement must be on file with the board not later than the first day of the month in order to become effective on the first day of the following month: PROVIDED, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

(a) When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it, or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(b) Exceptions for changes in wholesalers and newly licensed wholesalers are set forth in WAC 314-20-100 (9) and (13).

(3) Filing date exception—Whenever the twenty-fifth day of the month falls on Saturday, Sunday, or a legal holiday, an original contract or memorandum of oral agreement may be filed not later than the close of business the next business day.

(4) In the event that a brewer determines to make no changes in any items or prices listed in the last filed and approved schedule, such prices listed in the schedule previously filed and in effect, shall remain in effect for each succeeding posting period until a revised or amended schedule is filed and approved, as provided herein.

Provision for filing of temporary price reductions—In the event a licensed brewer elects to file postings listing selected items on which prices are temporarily reduced for a period of one posting period only, such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the posting period for which the price reductions will be in effect. At the expiration of the posting period during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(5) Prices filed by a licensed brewer shall be uniform prices to all wholesalers on a statewide basis less bona fide allowances for freight differentials. Quantity discounts are prohibited. No price shall be filed which is below acquisition cost plus ten percent of acquisition cost: PROVIDED, That acquisition cost plus ten percent

of acquisition cost shall not apply to sales of beer between a beer importer who sells beer to another beer importer or to a beer wholesaler, or to a beer wholesaler who sells beer to another beer wholesaler.

(6) No licensed brewer shall sell or offer to sell any beer to any persons whatsoever in this state until copies of such written contracts or memoranda of such oral agreements are on file with the board.

(7) No licensed brewer shall sell or offer to sell any package or container of beer to any wholesaler at a price differing from the price for such package or container as shown in the schedule of prices filed by the brewer and then in effect.

(8) The provisions set forth in the foregoing subsections of this regulation shall also apply to written contracts and memoranda of oral agreements which must be filed with the board by every certificate of approval holder who sells beer to a beer importer, every beer importer who sells beer to another beer importer or to a beer wholesaler, and every beer wholesaler who sells beer to another beer wholesaler: PROVIDED, That the provisions of this subsection shall not apply, and filings will not be required in the instance of beer wholesalers making accommodation sales to other beer wholesalers when such sales are made at a selling price not to exceed the laid-in cost of the beer being sold. Accommodation sales may only be made when the wholesaler purchasing the beer is an authorized purchaser of the brand and product being sold, having been designated as an authorized purchaser by the manufacturer or importer of the product being sold, as demonstrated by an existing contract or memoranda on file and in effect under the provisions of this rule.

(9) Holders of certificates of approval may ship beer into this state when the beer has been sold and consigned to the holder of a beer importer's license at his licensed premises. The bill of lading covering such consignment shall not be changed or the beer diverted unless such diversion is to another beer importer, and the board so notified immediately.

(10) The board may reject any supplier's price filing, contract or memorandum of oral agreement or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of beer. Whenever the board shall reject any such price filing, contract or memorandum the licensee submitting said price filing, contract or memorandum may be heard by the board and shall have the burden of showing that the said price filing, contract or memorandum is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of beer. Thereupon if said price filing, contract or memorandum is accepted it shall become effective at a time fixed by the board. If said price filing, contract or memorandum or portion thereof is rejected, the last effective price filing, contract or memorandum shall remain in effect until such time as an amended price filing, contract or memorandum is filed and approved, in accordance with the provisions of this regulation.

(11) All prices, contracts and memoranda filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of

Washington and shall not in any sense be considered confidential.

AMENDATORY SECTION (Amending Order 173, Resolution No. 182, filed 8/5/86)

WAC 314-24-200 WINE SUPPLIERS' PRICE FILINGS, CONTRACTS AND MEMORANDA. (1) Every domestic winery shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such winery may have with any wine wholesaler, which contracts or memoranda shall contain a schedule of the prices charged to wholesalers for all items. Requirements for including or omitting from such prices the wine tax plus surcharge of \$0.2167 cents per liter, imposed under RCW 66.24.210 and 82.02.030, are set forth in subsection (8) of this ((regulation)) section. Contracts and memoranda required to be filed under this subsection must list all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances; and all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified such revised prices, contracts or memoranda shall be filed with the board, as provided in this regulation.

Each price schedule shall be made on a form prepared and furnished by the board, or a reasonable facsimile thereof, and shall set forth all brands, types, packages and containers of wine offered for sale by such licensed domestic winery; all additional information required may be filed as a supplement to said price schedule forms.

(2) Filing date—All written contracts and memoranda of oral agreements must be received by the board not later than the twenty-fifth day of the month, and if approved will become effective on the first day of the second calendar month following the date of such filing. An additional period will be allowed for revision of such filings to correct errors and omissions, or to meet competitive prices, filed during the current posting period, but a revised contract or memorandum of oral agreement must be on file with the board not later than the first day of the month in order to become effective on the first day of the next calendar month: **PROVIDED**, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever the twenty-fifth day of any month falls on Saturday, Sunday, or a legal holiday, an original contract or memorandum of oral agreement may be filed not later than the close of business the next business day.

(4) Exceptions for changes in wholesalers and newly licensed wholesalers are set forth in WAC 314-24-190 (9) and (10).

(5) In the event that a domestic winery determines to make no changes in any contracts or memoranda last filed and then in effect, such contracts or memoranda shall remain in effect for each succeeding calendar month until revised or amended contracts or memoranda are filed and placed into effect as provided herein.

Provision for filing of temporary price reductions—In the event a licensed domestic winery elects to file postings listing selected items on which prices are temporarily reduced for a period of one calendar month only such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the month for which the price reductions will be in effect. At the expiration of the month during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(6) Prices filed by a domestic winery shall be uniform prices to all wholesalers on a statewide basis less bona fide allowances for freight differentials. Quantity discounts are prohibited. No price shall be filed which is below acquisition cost plus ten percent of acquisition cost: **PROVIDED**, That acquisition cost plus ten percent of acquisition cost shall not apply to sales of wine between a wine importer who sells wine to a wine wholesaler, or to a wine wholesaler who sells wine to another wine wholesaler.

(7) The provisions set forth in subsections (1), (2), (3), (4), (5) and (6) of this section shall also apply to written contracts and memoranda of oral agreements which must be filed with the board by certificate of approval holders who sell wine to wine importers; wine importers who sell to wine wholesalers; and wine wholesalers who sell to other wine wholesalers: **PROVIDED**, That the provisions of this subsection shall not apply, and filing will not be required, in the instance of wine wholesalers making accommodation sales to other wine wholesalers when such sales are made at a selling price not to exceed the laid-in cost of the wine being sold. Accommodation sales may only be made when the wholesaler purchasing the wine is an authorized purchaser of the brand and product being sold, having been designated as an authorized purchaser by the manufacturer or importer of the product being sold, as demonstrated by an existing contract or memoranda on file and in effect under the provisions of this rule.

(8) The wine tax plus surcharge, imposed under RCW 66.24.210 and 82.02.030, is not to be included in the prices filed as required by subsection (1) of this ((regulation)) section by (a) a domestic winery, nor (b) by a certificate of approval holder who is not licensed as a wine wholesaler, nor (c) a wine importer who is not licensed as a wine wholesaler.

Every wine wholesaler who sells wine to another wine wholesaler shall include such tax in the prices posted on such required schedules.

(9) No domestic wineries, certificate of approval holders, wine importers, or wine wholesalers shall sell any wine to any persons whatsoever in this state until copies of such written contracts or memoranda of such oral agreements are on file with the board.

(10) Certificate of approval holders may ship wine into this state when the same has been sold and consigned to the holder of an importer's license at his licensed premises. The bill of lading covering such consignment shall not be changed or the wine diverted unless such diversion is to another importer, and the board so notified immediately.

(11) The board may reject any supplier's price filing, contract or memorandum of oral agreement or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any such price filing, contract or memorandum of oral agreement the licensee submitting said price filing, contract or memorandum may be heard by the board and shall have the burden of showing that the said price filing, contract or memorandum is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said price filing, contract or memorandum is accepted it shall become effective at a time fixed by the board. If said price filing, contract or memorandum or portion thereof is rejected the last effective price filing, contract or memorandum shall remain in effect until such time as an amended price filing, contract or memorandum is filed and approved, in accordance with the provisions of this regulation.

(12) All prices, contracts and memoranda filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.

WSR 87-01-015

EMERGENCY RULES

LIQUOR CONTROL BOARD

[Order 212, Resolution No. 221—Filed December 9, 1986]

Be it resolved by the Washington State Liquor Control Board, acting at the Offices of the Liquor Control Board, Capital Plaza Building, 5th Floor, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to Advertising by retail licensees, offering for sale or selling beer, wine or spirituous liquor at less than cost—Prohibited—Exceptions, WAC 314-52-114.

We, the Washington State Liquor Control Board, 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 board has determined that some retail licensees are now and apparently plan to continue selling liquor at a price less than ten percent over acquisition cost. While the board has initiated actions to deal with the specific violations,

it expects the resolution of these issues, through the hearing and judicial review process, will take considerable time. During the interim, in order not to afford alleged violators a competitive advantage over those in compliance with the board's rule (WAC 314-52-114), it is deemed emergent and essential to allow other retail licensees in the same trade area to lower their prices, if they choose to do so, to meet a competitor's price. Since the alleged violations are current and ongoing, putting other retail liquor licensees at a possible competitive disadvantage, it is deemed necessary to take this emergency action with a view to promulgating the emergency rule as a permanent rule change.

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 Washington State Liquor Control Board as authorized in RCW 66.08.030, 66.98.070 and 66.08.060, and as an emergency measure under RCW 34.04.030.

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 December 9, 1986.

By Robert D. Hannah
Board Member

AMENDATORY SECTION (Amending Order 173, Resolution No. 182, filed 8/5/86)

WAC 314-52-114 **ADVERTISING BY RETAIL LICENSEES, OFFERING FOR SALE OR SELLING BEER, WINE OR SPIRITUOUS LIQUOR AT LESS THAN COST—PROHIBITED—EXCEPTIONS.** (1) Beer, wine, or spirituous liquor shall not be advertised, offered for sale or sold by retail licensees at less than acquisition cost plus ten percent of acquisition cost.

(2) The provisions of this section shall not apply to any sale made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such article or product and in the case of the sale of seasonal goods or to the bona fide sale of perishable goods to prevent loss to the vendor by spoilage or depreciation: **PROVIDED**, Notice is given to the public thereof;

(b) When the goods are damaged or deteriorated in quality, and notice is given to the public thereof;

(c) By an officer acting under the orders of any court;

(d) In an endeavor made in good faith to meet the ((~~total~~)) prices of a competitor selling the same article or product in the same locality or trade area and in the ordinary channels of trade.

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 87-01-016
ADOPTED RULES
DEPARTMENT OF LICENSING
 [Order DLR 115—Filed December 9, 1986]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to with the exception of proposed WAC 308-66-145, these rules are for the implementation of chapter 241, Laws of 1986 (ESSB 4497), concerning the vehicle dealer license application, subagency of principal place of business, defining business procedures for listing dealers and covering remanufactured vehicles. Proposed WAC 308-66-145 implements chapter 199, Laws of 1986 (SB 4891), providing guidelines concerning applications for waivers and the processing of waivers.

This action is taken pursuant to Notice No. WSR 86-16-052 filed with the code reviser on August 1, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.70.160 and new section 1, chapter 199, Laws of 1986 (SB 4891), 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 December 4, 1986.

By Theresa Anna Aragon
 Director

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-110 DEFINITIONS. For the purpose of administering chapter 46.70 RCW, the following terms shall be construed in the following manner:

(1) "Offering" the sale of a vehicle shall include the distribution by any means of a list, with or without prices, of vehicles for sale.

(2) "Soliciting" the sale of a vehicle shall include an offer to effect the purchase or sale of a vehicle on behalf of another person.

(3) "Normal business hours" or "reasonable times" shall include, but not be limited to, the hours from 10:00 a.m. through 4:00 p.m. for five days each week. All hours during which the place of business is open for the purpose of bartering, trading or selling vehicles are normal business hours or reasonable times as long as the dealer is open for business at regular intervals. Whenever a dealer closes his place of business during normal business hours, a sign must be posted on the main door of the business stating the time that he will next be open for business or where he may be contacted.

(4) An "employee" of a dealer is one who is paid compensation for a minimum of sixteen hours each week and/or appears on the record of an employer as an employee for whom social security, withholding tax, and all deductions required by law have been made.

(5) A "bona fide full time employee" is one that is employed by the dealer for a minimum of thirty-five hours a week and appears on the records of an employer as an employee for whom social security, withholding tax, and all deductions required by law have been made.

(6) A "broker" shall mean any person, partnership, corporation, or association acting independently, who for a commission, fee or any other form of compensation arranges or engages in the wholesale or retail purchase, sale or lease with option to purchase, of a vehicle.

(7) An "employee identification card" is a card that may be issued by a licensed dealer to an employee, identifying such employee as being in the employ of such dealer. The department will issue blank identification cards to licensed dealers on request.

(8) A "demonstration permit" is a permit issued by a dealer to a prospective customer entitling the prospective customer to operate a particular vehicle for demonstration purposes.

(9) Current Service Agreement - The agreement between a vehicle manufacturer or vehicle distributor and a seller, stipulating that the seller will provide warranty adjustments for the owners of said manufacturer's or distributor's new vehicles which qualify for adjustments under the said manufacturer's or distributor's warranty.

(10) New Vehicle Warranty - The warranty extended by a manufacturer or distributor to the first retail purchaser.

(11) "Closing" shall mean the process of completion of sale transaction.

(12) "Completion of sale" shall mean purchaser has possession of vehicle, all liens against vehicle are paid, seller has sale proceeds, and warranty of title to vehicle has been accomplished.

(13) "Listing" shall mean a contract between a seller of a used mobile home and a listing dealer for the dealer to locate a willing purchaser of that listed used mobile home.

(14) "Seller", as it relates to listing dealers, shall mean a person who lists a used mobile home with a listing dealer.

(15) "Purchaser", as it relates to listing dealers, shall mean a person who agrees to buy a used mobile home listed through a listing dealer.

(16) "Consignment" shall mean an arrangement whereby a motor vehicle dealer accepts delivery or entrustment of a vehicle and agrees to sell the vehicle on behalf of another.

(17) "Consignee" shall mean a vehicle dealer who accepts delivery or to whom a motor vehicle is entrusted for the purpose of sale on behalf of another.

(18) "Consignor" shall mean a person who delivers or entrusts a vehicle to a dealer for the purpose of sale.

(19) "Remanufactured" shall mean to remake or re-process into a finished product by a large scale industrial process.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-120 DEALER'S LICENSE APPLICATION. (1) Each application shall contain in addition to the information required by RCW 46.70.041:

(a) The names and addresses of all owners of ten percent or more of the assets of the firm and the names and addresses of managing employees;

(b) The name and address of the principal place of business of the firm;

(c) The names and addresses of each and every subagency of the firm, if any;

(d) A current balance sheet of assets and liabilities which shall have been prepared within ninety days of its submission;

(e) A statement of whether or not the applicant or any partner, officer, director, owner of ten percent or more of the assets of the firm, or managing employee, was the holder of a license issued pursuant to chapter 46.70 RCW which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled;

(f) A detailed list of all dealerships previously operated by each person named on the application and with which each person presently or was formerly connected or employed.

(2) An applicant shall appear for a personal interview if requested by the department.

~~((3))~~ A dealer's license issued to a corporation entitles three of the corporate officers to sell without obtaining a salesman's license. The corporate officers so designated shall be named as individuals on the dealer's bond in addition to the name of the corporation appearing on the bond. All other corporate officers or employees who are engaged in sales activities shall be licensed as salesmen.

~~(4))~~ (3) The department may require a credit report for each party named on each application for a dealer's license.

(4) An applicant shall provide as evidence of leasehold or ownership interest of business location either:

(a) a copy of the rental or lease agreement between the applicant and landowner showing the business location by commonly known address, or

(b) a copy of the county assessor's record showing ownership of the business location, the applicant's name and the commonly known address.

(5) The bank reference for verifying financial condition consisting of:

(a) the name of applicant's bank, a person to contact at that bank concerning applicant's financial condition, or

(b) a letter of credit current within last 90 days, or

(c) a flooring agreement, if with a financial institution, or

(d) a line of credit with a financial institution.

(6) The department may require an applicant for a vehicle dealer license to provide evidence that the business location conforms to all zoning and land use ordinances.

(7) A corporation applicant shall provide the corporation number and corporation name issued by the Secretary of State's office authorizing the company to do business within this state.

(8) The name and address on the license application and all required supporting documents must be the same. The sign at the certified location must identify the

doing business as name (dba), if any, and that name shall appear on all documents as the applicant's name. The business telephone listing must also reflect the business name or the doing business as name.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-140 PLACE OF BUSINESS AND PLACES OF BUSINESS. (1) A dealer shall advise the department of each and every:

(a) Name under which the firm does business, and

(b) Location at which the firm does business.

If there is any addition, deletion or change in the above, the dealer shall so inform the department within ten days of such action.

~~((2)) If a dealer does business and maintains places of business in more than one county, he shall obtain a separate principal license with appropriate bond in each county.~~

~~(3))~~ (2) A dealer shall designate one name and one location ~~((in each county as set forth in subsection (1)))~~ as the principal name and principal place of business of the firm.

(a) All other locations that are physically and geographically separated from the principal place of business shall be designated and licensed as subagencies of that dealership;

(b) All other names shall be designated and licensed as subagencies of that dealership;

(c) If a dealer is required to obtain a subagency license under ~~((3))~~ (2)(a) of this section, he shall not be required to obtain an additional subagency license under ~~((3))~~ (2)(b) of this section, unless he does business under more than one name at that location;

~~((d)) All subagencies shall be covered by the bond of the dealership.~~

~~(4))~~ (3) The director shall fail to renew, suspend~~((;))~~ or revoke~~((, or fail to renew))~~ a subagency license of a dealership if the dealer ceases to maintain "an established place of business" at that subagency location.

(4) All temporary subagencies shall be covered by the bond of the dealer's principal place of business.

(5) A new motor vehicle dealer that is unable to locate his/her used vehicle sales facilities adjacent to or at the established place of business need not obtain and hold a subagency license if:

(a) vehicle sales lot is contained within the same city block, or

(b) directly across the street, or

(c) is within sight, and

(d) location is zoned properly, and

(e) dealer bond covers sales lot.

(6) If sales lot referred to in section 5 is in sight of the principal place of business, no sign is required at that sales lot.

(7) The department may require that a dealer provide evidence that each place of business conforms to all zoning and land use ordinances.

~~((5))~~ (8) Each and every subagency license of a dealership shall automatically be deemed ~~((void))~~ cancelled upon the termination, for whatever reason, of the principal license of that dealership.

~~((6))~~ (9) No license shall be issued to any applicant for a vehicle dealer or vehicle manufacturer license under a name that is the same as that of any dealer or manufacturer holding a current license issued pursuant to chapter 46.70 RCW.

(10) The fee will be ten dollars (\$10.00) for each temporary subagency prior to July 1, 1986 and thereafter the fee will be twenty-five dollars (\$25).

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 308-66-145 ESTABLISHED PLACE OF BUSINESS - WAIVER PROCEDURE. (1) An applicant for a vehicle dealer license who requests a waiver of any established place of business requirement(s) must submit the following to the department:

(a) All required documents and fees for an original application as provided for in RCW 46.70.041, RCW 46.70.061, RCW 46.70.070, and WAC 308-66-120, with the exception of a leasehold agreement or evidence of real property ownership, PROVIDED, that if a waiver is granted to the applicant, the applicant must provide evidence of leasehold or real property ownership to the department before the license will be issued.

(b) A written request for waiver, in the form of either a letter or a request completed on the department's prescribed form, which contains the following minimum information:

- (i) specific nature or type of activity the applicant intends to conduct,
- (ii) specific element(s) of the established place of business requirements requested to be waived,
- (iii) a clear and concise statement which identifies the unique circumstances necessitating the request for waiver, and,
- (iv) any other information the department may require.

(2) A licensee who requests a waiver of any established place of business requirement(s) must submit the following to the department:

(a) All required documents and fees, as provided for in RCW 46.70.061 and WAC 308-66-140, with the exception of a leasehold agreement or evidence of real property ownership, PROVIDED, that if a waiver is granted the licensee must provide evidence of leasehold or real property ownership to the department within thirty (30) days of waiver approval.

(b) A written request for waiver, in the form of either a letter or a request completed on the department's prescribed form, which contains the following minimum information:

- (i) specific nature or type of activity the licensee intends to conduct,
- (ii) specific element(s) of the established place of business requirements requested to be waived,

(iii) a clear and concise statement which identifies the unique circumstances necessitating the request, and,

(iv) any other information the department may require.

(3) Upon receipt by the department of all the required information, the director or the director's designee will review the request for waiver of any established place of business requirement(s) and issue a final determination in writing.

(4) A waiver granted under section (3) will remain in effect only as long as the unique circumstance(s) under which the waiver was originally granted have not changed or until the director lifts the waiver for cause.

AMENDATORY SECTION (Amending Order MV-352, filed 3/4/76)

WAC 308-66-155 CONSIGNMENT. ~~((1))~~ Definitions:

~~(a) "Consignment" shall mean an arrangement whereby a motor vehicle dealer accepts delivery or entrustment of a vehicle and agrees to sell the vehicle on behalf of another.~~

~~(b) "Consignee" shall mean a vehicle dealer who accepts delivery or to whom a motor vehicle is entrusted for the purpose of sale on behalf of another.~~

~~(c) "Consignor" shall mean a person who delivers or entrusts a vehicle to a dealer for the purpose of sale.))~~

~~((2))~~ (1) Contract.

(a) It shall be considered an unlawful practice within the meaning of RCW 46.70.180 for a vehicle dealer to accept any vehicle on consignment without first reducing the consignment to writing.

(b) Minimum information required for consignment contracts.

(i) The names of the parties to the contract including the identity of the legal owner.

(ii) A statement by the consignor indicating the location of the title and the unpaid balance of the vehicle, if any.

(iii) The date of the consignment agreement.

(iv) The specific effective duration of the contract.

(v) The agreed upon price which the consignor will receive for his vehicle.

(vi) The description of the consigned vehicle, by make, model, vehicle identification number, and license number.

(vii) The signatures of the parties to the contract.

(viii) If no price has been specified in (v) above, then the minimum retail price and the commission, fee, or compensation to which the vehicle dealer will be entitled upon the sale of the consigned vehicle.

~~((3))~~ (2) In the event the dealer-consignee and the consignor shall deem it appropriate to vary the terms of the written contract, the dealer-consignee shall obtain written authorization from the consignor prior to the sale of the subject vehicle.

~~((4))~~ (3) Requirements for selling consigned vehicles.

(a) All funds received, including deposits or payments in full or proceeds from the sale of trade-ins, shall be placed in a trust account as required under ~~((WAC 308-66-150(7)))~~ RCW 46.69.180(9), and said funds shall

remain in such trust account until the consignor's and the legal owner's interest, if any, have been fully satisfied as provided in the consignment agreement. It shall be considered an unlawful practice for a vehicle dealer or ~~((salesman))~~ salesperson to commingle funds received on a consigned vehicle with the assets of the dealer and the ~~((salesman))~~ salesperson until all terms of the agreement have been completed.

(b) The amount due a consignor after the sale of the consigned vehicle shall be paid by the consignee immediately where title has been delivered to the purchaser, and in all cases shall be paid within ten days.

(c) The consignor shall receive a copy of the purchase order used to complete the sale at the time the funds are remitted where the sale has been on a fee or commission basis.

~~((5))~~, (4) Consignee's duty to transfer title.

(a) The sale of consigned vehicles imposes the same duty under RCW 46.12.120 to consignee as any other sale.

(b) Prior to accepting a vehicle for consignment and offering it for sale, it shall be the duty of the consignee to verify or confirm the title location. Failure to do so shall be considered an unlawful and deceptive practice under RCW 46.70.180(1).

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 308-66-157 LISTING. (1) Dealer responsibilities.

(a) The listing dealer shall be responsible for negotiating the agreement between seller and purchaser as follows:

(b) All written offers shall be presented to the seller for acceptance or refusal. A copy of the agreement shall be delivered to the purchaser immediately following the purchaser's signing.

(c) A copy of the offer to purchase shall be delivered to the seller immediately following seller's signing and acceptance of purchaser's offer.

(d) A copy of the agreement to purchase bearing the signature of the seller(s) shall be delivered to the purchaser as proof that the purchaser's offer was accepted.

(e) A legible copy of the agreement to purchase shall be retained in the listing dealer's files.

(f) A copy of the agreement between purchaser and dealer to disburse any funds from the trust account to pay liens against the used mobile home shall be retained in the dealer's files.

(2) At the time the sale is closed, the listing dealer may pay outstanding liens out of the trust account prior to paying the sale proceeds to the seller.

AMENDATORY SECTION [(Amending Order MV-446, filed 9/16/77)]

WAC 308-66-170 DENIAL, SUSPENSION OR REVOCATION OF LICENSE. (1) When the license of a vehicle dealer has been suspended or revoked or an application has been denied, the department shall post a

closure notice at or near the principal entry to the place of business. Such notice shall include a statement that the dealership is closed as to the sale of vehicles because of the denial, suspension or revocation of a license. In case of a suspension, the duration of the suspension shall be stated on the notice. A dealer shall not remove any closure notice without written permission from an authorized representative of the director.

~~((2))~~ When the license of a vehicle salesman has been suspended or revoked, the dealer by whom the salesman has been employed, shall remove the salesman's license from display and surrender it promptly to the department. Upon suspension or revocation the salesman shall surrender his pocket copy of his license promptly to the department. When the terms of a suspension have been fulfilled, the wall and pocket copies of the salesman's license shall be returned to the salesman at his place of employment.

~~((3))~~ (2) Practices inimical to the health and safety of the citizens of the State of Washington pursuant to RCW 46.70.101 (3)(k) shall include, but not be limited to, failure to comply with the following federal and state standards, as presently constituted and as hereafter amended, amplified or revised, pertaining to the construction and safety of vehicles:

(a) "Federal motor vehicle safety standards", 49 Code of Federal Regulations, part 571;

(b) "Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines", 40 Code of Federal Regulations, part 85;

(c) "Vehicle Lighting and Other Equipment", chapter 46.37 RCW;

(d) Rules and regulations adopted by the state commission on equipment pursuant to RCW 46.37.005, Title 204 Washington Administrative Code;

(e) "Mobile Homes, Trailer Coaches, and Recreational Vehicles", chapter 296-48 Washington Administrative Code;

(f) Housing and Community Development Act of 1974, Public Law 93-383, Title VI Mobile Home Construction and Safety Standards, S 603, 604, 610, 615, 616, 617.

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

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-180 RECORD OF TRANSACTIONS. (1) The record of purchase and sale of vehicles maintained by a dealer shall, where applicable, ~~((consist of))~~ include, but not be limited to:

~~((a))~~ The license and title numbers of the state in which the vehicle was last registered;

~~((b))~~ (a) A description of the vehicle, which shall include those items of description required on the Washington application for title;

~~((c))~~ The name and current address of the person from whom purchased, including the last legal owner;

~~(d) The name and current address of the purchaser;~~
~~(e)) (b) The Washington license plate number assigned to the vehicle upon transfer;~~
~~((f) The name and dealer license number of the selling or purchasing dealer on each wholesale transaction;~~
~~(g)) (c) The required odometer statement ((reading on the vehicle at the time the vehicle was obtained by the dealer, which may consist of the notice received by the dealer from his transferor pursuant)) disclosure form which shall conform to 49 Code of Federal Regulations, part 580;~~

~~((h)) (d) The hardback copy of the temporary license permit after the permanent license plates have been provided to the purchaser, if the vehicle is delivered on such permit issued by the dealer.~~

(2) The record of purchase and sale of the vehicle shall be maintained on all transactions whether at retail or wholesale.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-210 STATEMENT OF CHANGE IN BUSINESS STRUCTURE, OWNERSHIP INTEREST OR CONTROL. (1) Any person, firm, association, corporation or trust licensed as a dealer under RCW 46.70.021 must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change effected in its business structure or the change in ownership interest. In addition, persons newly assuming executive or control functions, including but not limited to new corporate officers, directors, majority stockholders, managing partners or trustees, must file within ten days of assuming such function an application and a legal and financial history, including corporation number if a corporation.

(2) Any person, firm, association, corporation or trust licensed as a vehicle manufacturer pursuant to chapter 46.70 RCW shall advise the department within ten days of the change and/or addition to:

- (a) The business structure of the licensee;
- (b) The mailing address of a licensee;

(c) The name and address of employees or agents designated pursuant to RCW 46.70.041 and RCW 46.70.101 to provide service or repairs to vehicles located within the state of Washington. If the licensee requires warranty service to be performed by all of its dealers pursuant to current service agreements on file with the department, it need not advise the department of changes in its lists of dealers.

(3) Any and all changes affecting the applicability of a bond, if posted, shall be reflected by appropriate endorsement to such bond.

NEW SECTION

WAC 308-66-225 REMANUFACTURED VEHICLES IN WHOLE OR IN PART. (1) If the remanufacturing process of the vehicle will involve the removal,

destruction, or concealment of any identification number, the parts shall be inspected by an authorized member of the Washington State Patrol prior to the removal, destruction, or concealment of the number.

(2) At no time shall a vehicle that falls within the purview of WAC 308-56A-455 or WAC 308-56A-460 be considered remanufactured by a manufacturer.

AMENDATORY SECTION (Amending Order 69-1, filed 8/28/69)

WAC 308-66-230 TITLES—COMBINATION TOW TRUCK OPERATOR-DEALER. A dealer who is also a tow truck operator, must obtain a title in his own name for all motor vehicles held in his inventory which he has obtained as a result of a ~~((registered disposer))~~ tow truck operator of abandoned vehicle sale conducted in accordance with chapter 46.5((2))5 RCW. A vehicle sold directly to a purchaser at the time the ~~((registered disposer of))~~ tow truck operator's abandoned vehicle sale was originally conducted, need not be titled in the dealer's name before making an application for title for the purchaser.

REPEALER

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

WAC 308-66-130 Salesperson's License Application.

WSR 87-01-017

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 16-86—Filed December 10, 1986]

Be it resolved by the State Board of Education, acting at the Seattle Sheraton, Seattle, Washington, that it does adopt the annexed rules relating to uniform entry qualifications, chapter 180-39 WAC.

This action is taken pursuant to Notice No. WSR 86-21-138 filed with the code reviser on October 22, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.58-.190 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 December 5, 1986.

By Monica Schmidt
Secretary

NEW SECTION

WAC 180-39-027 FEES. A school district, that conducts a screening process to identify individual exceptions to the uniform entry qualifications, may collect fees not to exceed seventy-five dollars per preadmission student to cover expenses incurred in the administration of such a screening process: PROVIDED, That such fees shall not be charged for children who are being assessed or reassessed for entry to the first grade in accordance with the provision of WAC 392-171-384.

NEW SECTION

WAC 180-39-028 FEE WAIVERS. Any school district that collects fees for screening processes, pursuant to WAC 180-39-027, shall adopt regulations for waiving and reducing such fees in the cases of those persons whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees.

AMENDATORY SECTION (Amending Order 5-83, filed 6/2/83)

WAC 180-39-030 EARLY ENTRY NONDISCRIMINATION. Any school district that adopts regulations pursuant to WAC 180-39-025, 180-39-027, and 180-39-028, providing for individual exceptions to the uniform entry qualifications, the charging of screening fees, and the waiver of screening fees, is governed by the nondiscrimination provisions of WAC 180-40-215(1).

AMENDATORY SECTION (Amending Order 5-83, filed 6/2/83)

WAC 180-39-035 APPEAL PROCESS. Any school district that adopts regulations pursuant to WAC 180-39-025, 180-39-027, and 180-39-028, providing for individual exceptions to the uniform entry qualifications, the charging of screening fees, and the waiver of screening fees, shall provide, by regulation, for an internal district appeal process for parents or guardians to seek review of the decision made by the administrator responsible for the screening process, and the charging of screening fees, and waiving of screening fees, authorized by WAC 180-39-025, 180-39-027, and 180-39-028.

WSR 87-01-018
EMERGENCY RULES
STATE BOARD OF EDUCATION
 [Order 17-86—Filed December 10, 1986]

Be it resolved by the State Board of Education, acting at the Seattle Sheraton, Seattle, Washington, that it does adopt the annexed rules relating to School district organization—Election of regional committee members, WAC 180-24-300 through 180-24-380.

We, the State Board of Education, 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 were adopted on an emergency basis on September 25, 1986, for 90 days. These rules are necessary for the implementation of ESD elections and for the orderly operation of government.

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

This rule is promulgated pursuant to RCW 28A.57-.060 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 December 5, 1986.

By Monica Schmidt
Secretary

NEW SECTION

WAC 180-24-300 ELECTION OF REGIONAL COMMITTEE MEMBERS—APPLICABLE PROVISIONS. *The provisions of WAC 180-24-300 through 180-24-380 shall apply to the election of regional committee members.*

NEW SECTION

WAC 180-24-305 ELECTION OF REGIONAL COMMITTEE MEMBERS—ELECTION OFFICER. *In accordance with RCW 28A.57.032, the educational service district superintendent shall serve as the election officer for the coordination and conduct of the election of members of the respective regional committees of the educational service districts.*

NEW SECTION

WAC 180-24-310 ELECTION OF REGIONAL COMMITTEE MEMBERS—ANNUAL ELECTIONS. *Elections for members of regional committees shall be conducted annually within the time periods noted in WAC 180-24-312 through 180-24-380. Following the election of the initial regional committees in 1985, the regular annual election of regional committee members for five-year terms shall be conducted for the following positions in the years specified and every five years thereafter: 1986, position number five; 1987, positions number four and nine; 1988, positions number three and eight; 1989, positions number two and seven; and, 1990, positions number one and six.*

NEW SECTION

WAC 180-24-312 ELECTION OF REGIONAL COMMITTEE MEMBERS—TENTATIVE CERTIFICATION OF ELECTORS. *On September twenty-first of each year or if such date is a Saturday, Sunday, or holiday the state working day immediately preceding such date, the educational service district superintendent*

shall certify a tentative list of electors consisting of all persons eligible to vote, per RCW 28A.57.032, if the election were held on that date.

NEW SECTION

WAC 180-24-315 ELECTION OF REGIONAL COMMITTEE MEMBERS—CALL FOR ELECTION—REGIONAL COMMITTEE MEMBERS. On or before September twenty-fifth of each year, the educational service district superintendent shall call for an election for the purpose of electing members of the regional committee for those positions whose term of office expires in January of the following year. Such notice shall be sent to each eligible voter and shall contain instructions and a copy of the pertinent rules and regulations for the conduct of the election.

NEW SECTION

WAC 180-24-320 ELECTION OF REGIONAL COMMITTEE MEMBERS—CANDIDATES—ELIGIBILITY—FILING. (1) Eligibility. A person is eligible to be a candidate for membership on the regional committee if he or she is a registered voter and a resident of the committee member district for which the candidate files. Eligibility, due to other service, is restricted pursuant to RCW 28A.57.031.

(2) Forms for filing. A person who desires to be a candidate shall complete:

(a) The declaration of candidacy and affidavit form provided for in WAC 180-24-325; and

(b) The biographical data form provided for in WAC 180-24-327: PROVIDED, That a declarant may elect not to submit biographical data.

(3) Filing period. The filing period for candidates for a position on a regional committee is from October first through October fifteenth. Any declaration of candidacy that is not received by the educational service district superintendent on or before 5:00 p.m. October fifteenth shall not be accepted and such a declarant shall not be a candidate: PROVIDED, That any declaration that is postmarked on or before midnight October fifteenth and received by mail on or before 5:00 p.m. October twentieth shall be accepted: PROVIDED FURTHER, That any declaration received pursuant to the United States mail on or before 5:00 p.m. October twentieth that is not postmarked or legibly postmarked shall also be accepted.

NEW SECTION

WAC 180-24-325 ELECTION OF REGIONAL COMMITTEE MEMBERS—DECLARATION AND AFFIDAVIT OF CANDIDACY FORM. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I,, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No. . . . , within the boundary of regional committee member district No. . . . , and am a registered voter of the same regional committee member district; That I am aware that, if elected, I cannot concurrently serve as the

superintendent of public instruction, a member of the state board of education, an educational service district superintendent, a member of a board of directors of a school district, a member of an educational service district board, a member of a governing board of either a private school or a private school district which conducts any grades kindergarten through twelve, an officer appointed by any such governing board, an employee of a school district, an employee of an educational service district, an employee of the office of the superintendent of public instruction, an employee of a private school, or an employee of a private school district; and That I hereby declare myself a candidate for membership on Educational Service District No. . . . Regional Committee on school district organization for a term of five years beginning the second Monday in January, 19. . . , subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

Further, I solemnly swear (or affirm) that I will support the Constitution and laws of the state of Washington.

(Signed) _____
Address: _____

SUBSCRIBED and sworn (or affirmed) to before me this . . . day of, 19. . .

NOTARY PUBLIC in and for the
state of Washington, residing
at _____

NEW SECTION

WAC 180-24-327 ELECTION OF REGIONAL COMMITTEE MEMBERS—BIOGRAPHICAL DATA FORM. The educational service district superintendent shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted to the educational service district superintendent by a candidate must be camera ready. Biographical data forms shall be reproduced as submitted and distributed by the superintendent with the ballots to each voter. The biographical data form shall require no more information from the candidate than the candidate's name and address and the regional committee district number for which the candidate is filing.

NEW SECTION

WAC 180-24-330 ELECTION OF REGIONAL COMMITTEE MEMBERS—WITHDRAWAL OF CANDIDACY. Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the educational service district superintendent on or before 5:00 p.m. October twentieth. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

A regional committee member district position shall be stricken from the ballot if no candidate files for the

position within the timelines specified in WAC 180-24-320.

Board-member district positions which become vacant after the call of election specified in WAC 180-24-315 shall be filled by appointment by the regional committee pursuant to RCW 28A.57.033 and the appointee shall serve until his or her successor has been elected at the next election called by the educational service district superintendent.

NEW SECTION

WAC 180-24-335 ELECTION OF REGIONAL COMMITTEE MEMBERS—CERTIFICATION OF ELECTORS. The list of eligible voters as authorized by RCW 28A.57.032(3) shall remain open for changes and deletions until 5:00 p.m. October twenty-sixth or, in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The educational service district superintendent as soon thereafter as is practical shall certify the list of electors.

NEW SECTION

WAC 180-24-340 ELECTION OF REGIONAL COMMITTEE MEMBERS—BALLOTS—CONTENTS. Ballots shall be prepared by the educational service district superintendent. The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. There shall be a separate listing of the candidates for each regional committee member district open in the particular educational service district. The educational service district superintendent shall develop voting instructions which shall accompany the ballots.

NEW SECTION

WAC 180-24-345 ELECTION OF REGIONAL COMMITTEE MEMBERS—BALLOTS AND ENVELOPES—MAILING TO VOTERS. (1) On or before November first ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:

- (a) Be labeled "official ballot";
- (b) Be preaddressed with the educational service district superintendent as addressee;
- (c) Have provision for prepaid postage; and
- (d) Have provision for the identification of the voter, mailing address, his or her school district, and educational service district.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and two envelopes to be used for voting purposes and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors as certified by the educational service district superintendent pursuant to WAC 180-24-335.

NEW SECTION

WAC 180-24-350 ELECTION OF REGIONAL COMMITTEE MEMBERS—VOTING—MARKING AND RETURN OF BALLOTS. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.57.032.

(2) Marking of ballots. Each member of a public school district board of directors may vote for one of the candidates in each regional committee district named on his or her ballot by placing an "X" or other mark in the space provided next to the name of a candidate.

(3) Return of ballots. Each member of a public school district board of directors shall complete voting by:

(a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;

(b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;

(c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district, and educational service district;

(d) Placing the official ballot envelope in the United States mail to the superintendent of the educational service district.

NEW SECTION

WAC 180-24-355 ELECTION OF REGIONAL COMMITTEE MEMBERS—ELECTION BOARD—APPOINTMENT AND COMPOSITION. The educational service district board shall annually appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections, conducted pursuant to this chapter shall be counted by the educational service district superintendent or his or her designee and the election board.

NEW SECTION

WAC 180-24-360 ELECTION OF REGIONAL COMMITTEE MEMBERS—RECEIPT OF BALLOTS AND COUNT OF VOTES. (1) As official ballot envelopes are received by the educational service district superintendent, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters that the voter has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes after November twenty-first and not later than November twenty-fifth or the next business day if the twenty-fifth falls on a Saturday, Sunday, or legal holiday at a date, time and place designated by the educational service district superintendent. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

(4) Each vote cast shall count as one full vote, and a candidate shall be elected by a majority of the total votes cast for all candidates for the particular position.

NEW SECTION

WAC 180-24-365 ELECTION OF REGIONAL COMMITTEE MEMBERS—INELIGIBLE VOTES. The following ballots and votes shall be declared void and shall not be accepted:

(1) Votes for write-in candidates;

(2) Votes cast on other than an official ballot provided pursuant to this chapter;

(3) Ballots which contain a vote for more than one candidate in a regional committee member district;

(4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;

(5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;

(6) Ballots received after 5:00 p.m. November sixteenth: **PROVIDED**, That any ballot that is postmarked on or before midnight November sixteenth and received prior to the initial counting of votes by the election board shall be accepted: **PROVIDED FURTHER**, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on November twenty-first that is not postmarked or legibly postmarked shall also be accepted; and

(7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

NEW SECTION

WAC 180-24-370 ELECTION OF REGIONAL COMMITTEE MEMBERS—RECOUNT OF VOTES CAST—AUTOMATIC—BY REQUEST. (1) Automatic. A recount of votes cast shall be automatic if the difference between any two viable candidates for the same position is one vote or less than one percent of votes cast for the position, whichever is greater. For the purpose of this section, the term viable candidate shall mean any candidate whose election outcome could be changed if the difference noted above were added to his or her total votes.

(2) Upon request. A recount of votes cast shall be afforded any candidate as a matter of right: **PROVIDED**, That the request shall be made in writing and received by the educational service district superintendent within seven calendar days after the date upon which the votes were counted by the election board.

NEW SECTION

WAC 180-24-375 ELECTION OF REGIONAL COMMITTEE MEMBERS—CERTIFICATION OF ELECTION. Within ten calendar days after the date upon which the votes were counted, the educational service district superintendent shall officially certify to the superintendent of public instruction the name or names of candidates elected to membership on the regional committee.

NEW SECTION

WAC 180-24-380 ELECTION OF REGIONAL COMMITTEE MEMBERS—RUN OFF ELECTIONS. If no candidate receives a majority of the votes cast, then, not later than the first day of December, the educational service district superintendent shall call a second election to be conducted in the same manner as the first election and at which the candidates shall be the two candidates receiving the highest and next highest number of votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of December, or if not postmarked or the postmark is not legible, if received by mail after 5:00 p.m. of the twenty-first day of December. Votes cast at the second election shall be counted in accordance with WAC 180-24-355, 180-24-360, 180-24-365, and 180-24-370 prior to the second Monday of January next following. The candidate receiving a majority of the votes cast at any such second election shall be declared elected. In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the educational service district superintendent.

WSR 87-01-019

ADOPTED RULES

LIBRARY COMMISSION

[Order 86-03—Filed December 10, 1986]

Be it resolved by the Washington State Library Commission, acting at the Sea-Tac Auditorium, Sea-Tac Airport, Seattle, Washington, that it does adopt the annexed rules relating to rules and regulations for operating the Western Library Network Computer Service, chapter 27.26 RCW, chapter 304-25 WAC.

This action is taken pursuant to Notice No. WSR 86-21-089 filed with the code reviser on October 17, 1986. 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 Library Commission as authorized in chapter 27.26 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 December 4, 1986.

By Nancy Zussy
Secretary

AMENDATORY SECTION (Amending Order 1-80, filed 1/11/80)

WAC 304-25-530 DEFINITIONS. (1) "Computer service" means the communication facilities, computers, peripheral computer devices and software supporting the automated library system and the resource sharing network developed by the state of Washington.

(2) "Continuing education and training" pertains to planned learning activities to provide relevant knowledge and/or skills for improvement of competencies and development of staff. Learning activities include group and individual experiences, academic instruction, workshops, seminars, programmed instruction, use of educational technology, and other learning experiences.

(3) "Memberships" categories are as follows:

(a) Principal membership requires both ownership or lease of bibliographic terminals and the input of appropriate cataloging and holdings records and allows the use of other subsystems such as acquisitions.

(b) ~~((On-line membership involves responsibilities and privileges identical to those of principal members; it differs only in that the relationship to the WLN computer service is defined by an agreement with a principal member.~~

(c)) Associate membership allows indirect access to the computer service through a principal ~~((or on-line))~~ member and requires a contract with a principal ~~((or on-line))~~ member for input of original cataloging and holdings records.

(c) Other membership categories may be created by the Washington state library commission to accommodate partial use of the computer service, its products, and its services.

(4) "Protocols" are codes or rules prescribing correct or preferred methods or routines of accessing and using the resources and services.

(5) "Resource sharing" means a system whereby all people may have access to library and information resources through utilization of established protocols and procedures regardless of the individual's location, social or physical condition or level of intellectual development.

(6) "Resources" are library materials which include but are not limited to print, nonprint (e.g., audiovisual, realia, etc.), and microform formats; network resources such as software, hardware, and equipment; electronic and magnetic records; data bases; communication technology; facilities; and human expertise.

(7) "Software" consists of the intellectual instructions, such as a computer program, which govern machine operations.

(8) "Telecommunications" consists of the facilities necessary to accommodate terminal - terminal, terminal - computer, and computer - computer communication.

AMENDATORY SECTION (Amending Order 1-80, filed 1/11/80)

WAC 304-25-540 COMPUTER SERVICE ORGANIZATION. (1) The computer service members shall consist of autonomous, geographically dispersed libraries, library systems, and related organizations and institutions which have accepted by written agreement the purposes of the computer service and the responsibilities and rights of membership.

(2) Members in participating states shall be involved in the determination of computer service programs, services, and activities through representation in the appropriate organizational state-wide body as determined within the respective state.

(3) State bodies shall participate in the determination of computer service programs, services, and activities through representation on the WLN ~~((computer))~~ network services council.

(4) The WLN ~~((computer))~~ network services council shall be composed of ~~((elected))~~ representatives from the computer service membership and shall have responsibilities and rights outlined in WAC 304-25-570.

(5) The executive officer of the computer service shall be responsible for the efficient, effective, and coordinated development and utilization of the computer service.

AMENDATORY SECTION (Amending Order 1-80, filed 1/11/80)

WAC 304-25-550 COMPUTER SERVICE MEMBERSHIP. (1) Any library or library system is eligible for membership in the computer service, and any institution or organization financially supporting library/information services may provide membership for that library/information service.

(2) Written agreements for cooperative undertakings for mutual advantage for libraries in the Pacific Northwest can be established as provided in the Interstate Compact as entered into by respective states.

(3) Categories of membership are principal, ~~((on-time))~~ and associate and others as may be defined by the Washington state library commission.

AMENDATORY SECTION (Amending Order 86-01, filed 3/27/86)

WAC 304-25-560 ~~((COMPUTER))~~ NETWORK SERVICES COUNCIL. (1) The WLN ~~((computer))~~ network services council hereinafter referred to as the ~~((computer))~~ network services council shall have an upper limit of eleven representatives from members in participating states. The term for Washington ~~((computer))~~ network services council members shall be three years except when resignation, withdrawal from membership, or other factors limit the term of service. Washington representatives shall be elected by principal members in Washington state. Other states will determine the term and method of selecting their representatives and alternates.

(2) The ~~((computer))~~ network services council shall have the following representation: Four members representing libraries within Washington state, at least three of whom shall be from principal member libraries; one member representing each of the other states where at least three libraries participate in the computer service. The executive officer of the computer service shall have ex officio and voting status.

(3) ~~((Elected))~~ Washington representatives on the ~~((computer))~~ network services council shall serve no more than two consecutive full terms. Former representatives, after an interval of at least one year, may be reelected.

(4) Officers of the ~~((computer))~~ network services council shall be the ~~((chairperson))~~ chair and vice ~~((chairperson))~~ chair who shall be elected from and by the ~~((computer))~~ network services council for a one-year

term. The executive officer of the computer service, or designee, shall serve as secretary.

(5) The ((~~computer~~)) network services council shall develop and establish procedures or bylaws for the conduct of meetings and transaction of business.

AMENDATORY SECTION (Amending Order 85-02, filed 9/24/85)

WAC 304-25-570 ((~~COMPUTER~~)) NETWORK SERVICES COUNCIL—RESPONSIBILITIES AND RIGHTS. (1) The ((~~computer~~)) network services council has the responsibility to develop policy recommendations. The recommendations shall be presented by the ((~~executive officer~~)) chair or designee of the ((~~computer~~)) network services council to the Washington state library commission for its consideration.

(2) The ((~~computer~~)) network services council shall develop, adopt, and/or maintain, protocols and standards, promote and support cooperative programs, services, and activities; review and evaluate the effectiveness of computer service services; appoint committees and task forces; recommend performance criteria, responsibilities, and terms of contracts; and identify other concerns and responsibilities for the improvement of computer service efficacy and services.

(3) The network services council shall continually evaluate the progress of the operation, including the use of consultants, committees, audits and questionnaires and focus on performance, financial status, internal and external inter-relationships, and governance.

(4) The network services council shall maintain on-going communication with appropriate units.

(5) In appointing committees and task forces, the ((~~computer~~)) network services council shall consider the inclusion of users of libraries in order to include the point of view of the ultimate consumer, where appropriate, and/or incorporate special skills and expertise which would enhance the overall capabilities of the working group.

(6) The ((~~computer~~)) network services council shall encourage the coordination of activities with western library network and with other multistate resource sharing networks.

(7) The ((~~computer~~)) network services council shall receive from the executive officer of the computer service and shall review and transmit to the Washington state data processing authority and the Washington state library commission long range plans, an annual report, a preliminary annual budget, and shall annually review and recommend adjustments in service rates and marketing patterns as appropriate.

(8) The ((~~computer~~)) network services council shall meet at least quarterly consistent with chapters 42.30 and 42.32 RCW.

(9) The ((~~computer~~)) network services council shall not be compensated for service but shall be reimbursed from computer service revenue for subsistence, lodging, and travel expenses for meetings and approved business as provided in chapter 43.03 RCW as now or hereafter amended.

AMENDATORY SECTION (Amending Order 1-80, filed 1/11/80)

WAC 304-25-580 **COMPUTER SERVICE.** (1) The computer service shall support and monitor the implementation of standards and protocols; maintain and support access to state, national, and international information resources; perform and support research and development related to library/information services; provide continuing education and training for membership; compile information on the services and the effectiveness of the computer service for review by the ((~~computer~~)) network services council; and other tasks and duties as necessary to maintain and improve computer service efficacy and services.

(2) The Washington state library commission has the power to contract with other state agencies, other states, public and private library agencies, private vendors, and/or networks as provided in chapters 27.18 and 39.34 RCW for provision of information, services, and products, and for the reciprocal sharing of resources.

WSR 87-01-020

PROPOSED RULES

COMMISSION ON EQUIPMENT

[Filed December 10, 1986]

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

that the agency will at 1:30 p.m., Wednesday, February 4, 1987, in Conference Room 209, Second Floor, General Administration Building, Olympia, 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 46.37.005.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 4, 1987.

Dated: December 10, 1986

By: Lieutenant Gary R. Hallett
Executive Secretary

STATEMENT OF PURPOSE

Title: The electronic industry has developed preprogrammed electronic message boards that produce a variety of messages. These message boards are intended to replace the eye level brake light that has been mandated by the United States Department of Transportation.

Authority: RCW 46.37.005 relating to the authority of the Commission of Equipment's power and duty to adopt, apply, and enforce rules relating to vehicle equipment.

Summary: Electronic message boards that display any type of message, except those required for control of traffic displayed from publically owned vehicles, may create a distraction or be offensive to other motorists.

Agency: Commission on Equipment, Washington State Patrol, Lieutenant Gary R. Hallett, General Administration Building, AX-12, Olympia, WA 98504.

Comments: RCW 46.37.005 gives the Commission on Equipment the authority to adopt rules that pertain to the type and usage of vehicle equipment that is used on or displayed from vehicles that travel on the public roadways of this state.

Government: RCW 46.37.005.

CHAPTER 204-65 WAC

DISPLAY OF ELECTRONIC MESSAGES

NEW SECTION

WAC 204-65-010 AUTHORITY. This chapter is promulgated pursuant to 46.37.005 R.C.W.

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

NEW SECTION

WAC 204-65-020 PURPOSE. The purpose of this rule is to prevent the display of electronically powered messages from privately owned vehicles while traveling on the public roadways of this state.

NEW SECTION

WAC 204-65-030 ELECTRONIC MESSAGES. Electronically powered signing or message boards will not be allowed to be displayed on or from privately owned vehicles while traveling on public roadways. This will include any type of electronically displayed letter, number, sign or symbol or any combination thereof that displays a message that may be observed from outside of the vehicle.

NEW SECTION

WAC 204-65-040 EYE LEVEL BRAKE LIGHT. Eye level brake lights shall meet the present or future requirements of the Code of Federal Regulations, Federal Motor Vehicle Safety Standard 49, Section 571.108. Eye level brake lights shall not be combined with any type of letter, number, sign or symbol or combination thereof. No function other than red reflex reflectors shall be combined in the supplemental high mounted stop lamp.

NEW SECTION

WAC 204-65-050 PUBLIC OWNED VEHICLES. Vehicles that are publically owned and used in conjunction with motor vehicle traffic control or movement are allowed to display electronically powered messages or signs that are utilized to assist in the efficient control of traffic movement on public roadways.

NEW SECTION

WAC 204-65-060 TAXI CABS. Electronic signing that is normally utilized to identify taxi-cabs will not be effected by this rule.

WSR 87-01-021

EMERGENCY RULES

DEPARTMENT OF REVENUE

[Order PT 86-8—Filed December 10, 1986]

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

- New WAC 458-19-100 Limitation of consolidated levy rate.
New WAC 458-19-105 Proration.

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 property tax levy rates are currently being calculated and reduction, elimination or proration of certain levies will be required. These rules are to provide which taxing districts will have their levies reduced or eliminated and the method of prorating levy rates which will have the least total affect on all of the taxing districts that are subject to proration.

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

This rule is promulgated pursuant to RCW 84.55.070 which directs that the Department of Revenue has authority to implement the provisions of chapters 84.52 and 84.55 RCW.

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 84.08.070.

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 December 10, 1986.

By Trevor W. Thompson
Assistant Director

NEW SECTION

WAC 458-19-100 LIMITATION OF CONSOLIDATED LEVY RATE. The consolidated levy rate must be checked for compliance with the \$9.15 regular property tax limit (RCW 84.52.043). To calculate a consolidated levy rate, the state school levy is added in at the rate used for the state, prior to the apportionment between counties. The entire state comprises one tax district for the calculation of the \$9.15 limit. The port districts, public utility districts, emergency medical service regular levies, excess levies, and bond levies are not subject to this limit.

Table with 2 columns: Inside City and Outside City. Rows include County current expense, State common schools, City, Metropolitan park, Hospital district, and Fire district. Totals are \$8.9166 and \$8.8286.

In the preceding calculation, the \$9.15 levy limit was not exceeded. If this calculation had shown this levy limit was exceeded, the assessor shall calculate in the following priority:

- (1) The extension of the full lawful rates certified to him for state, county, county road districts, and cities or towns;
(2) Reduce or eliminate in uniform percentages the levies of:

(a) Cultural arts, stadium, and convention districts (RCW 67.38.130);

(b) Park and recreation service area (RCW 36.68-.525); and

(c) Park and recreation district (RCW 36.69.145);

(3) If the levy limit is still exceeded at this point, reduce or eliminate in uniform percentages the levies of:

(a) The fire protection districts of any amounts exceeding \$.50 (RCW 52.16.140 and 52.16.160); and

(b) Flood control zone district (RCW 86.15.160); and

(4) If necessary, reduce in uniform percentages the regular levy's of the remaining taxing districts. The levy or portion of the levy for fire protection district (RCW 52.16.140 and 52.16.160) and flood control zone district (RCW 86.15.160) may be made when dollar rates of other taxing units are released by agreement.

EXAMPLE OF ELIMINATION, REDUCTION AND PRORATION FOR THE \$9.15 LIMIT

Original District	Certified Levy	Maximum Allowable	Balance to Reduced or Prorate
State common schools	\$ 3.50		
County current expense	1.75		
County roads	2.20		
Hospital district	.75		
Fire district	1.00		
Cultural arts, stadium, and convention district	.25		
Library district	.50		
Flood control zone district	.50		
Ferry district	.50		
Park and recreation district	.15		
	<u>\$11.10</u>	\$9.15	\$1.95

The lawful levies are calculated in the following priority:

- Major taxing districts at the certified levy rate for state common schools, county current expense, and county roads. (3.50 + 1.75 + 2.20) \$7.45
- Available to junior taxing districts. (\$9.15 - 7.45) \$1.70
- The property tax levy of those districts that by law "... shall be reduced or eliminated before the property tax levies of other taxing districts are reduced."

In this example, the eliminations are:

Cultural arts, stadium, and convention dist. (RCW 67.38.130)	\$.25
Park and recreation district (RCW 36.69.145)	.15
Total	<u>\$.40</u>

- The second reduction or elimination applies to those taxing district levies "... which will not cause the combined levies to exceed the constitutional or statutory limitations."

In the example, the eliminations are:

Fire district (RCW 52.16.140)	\$.50
Flood control zone district (RCW 86.15.160)	.50
Total	<u>\$1.00</u>

- The final reduction or proration:

The proration rate is the balance to prorate divided by the certified levy rate. $\frac{1.70}{2.25} = .7555$

Remaining Districts	Certified Levy Rate	Proration Rate	Remaining Allowable
Hospital district	\$.75	.7555	.5667
Fire district	.50	.7555	.3777
Library district	.50	.7555	.3777

Water district	.50	.7555	.3777
Total remaining levy	<u>\$2.25</u>		<u>1.6998</u>

FINAL ADJUSTED LEVIES

District	Allowable Levy
State common schools	\$ 3.50
County current expense	1.75
County roads	2.20
Hospital district	.5667
Fire district	.3777
Cultural arts, stadium, and convention district	0
Library district	.3777
Flood control zone district	0
Ferry district	.3777
Park and recreation district	0
	<u>\$ 9.1498</u>

NEW SECTION

WAC 458-19-105 PRORATION. When prorating is required it must be done in such a manner as to have the least effect on the total of all levies of all taxing districts involved.

(1) When regular property tax rates exceed the \$9.15 limit in any tax code area, WAC 458-19-100 (2) and (3) denotes which taxing districts are to be reduced or eliminated first. If \$9.15 is still exceeded after reducing or eliminating those districts then the remaining districts, except the state, county, county road and city levies, shall be reduced in the following manner:

(a) The levies in each tax code area shall be uniformly reduced to \$9.15 without regard to any reductions in any other tax code areas.

(b) After all tax code areas have been reduced to \$9.15, the lowest levy for each district shall then be carried throughout the balance of the tax code areas.

(c) After the foregoing reductions, if any tax code areas are less than \$9.15, the districts may be uniformly increased to the point that it does not cause any other tax code area to exceed \$9.15.

(2) When \$9.15 is exceeded in any tax code area and one of the districts is a multicounty district, then all counties where the limit is exceeded must calculate the deductions simultaneously in accordance with subsection (1) of this section. For purposes of these calculations, all counties within the multicounty district will be considered the same as one county.

WSR 87-01-022

**NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGE DISTRICT
[Memorandum—December 3, 1986]**

In compliance with the Open Meeting Law notice provisions, following is a list of the regularly scheduled meetings of the board of trustees for the Seattle Community College District for the calendar year 1987.

January 20, 1987	NSCC
February 17, 1987	SCCC
March 17, 1987	SSCC

April 21, 1987	NSSC
May 19, 1987	SCCC
June 16, 1987	SSCC
July	No meeting scheduled
August 18, 1987	SCCD
September 15, 1987	NSSC
October 20, 1987	SCCC
November 17, 1987	SSCC
December 15, 1987	SCCD

Seattle Community College District (SCCD)
 300 Elliott Avenue West
 Seattle, WA 98119

North Seattle Community College (NSCC)
 9600 College Way North
 Seattle, WA 98103

Seattle Central Community College (SCCC)
 1701 Broadway
 Seattle, WA 98122

South Seattle Community College (SSCC)
 6000 16th Avenue S.W.
 Seattle, WA 98106

WSR 87-01-023
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD
 [Memorandum—December 10, 1986]

The following schedule of the 1987 regular meetings of the Community Economic Revitalization Board is as follows:

January 17, 1987
 March 21, 1987
 May 21, 1987
 July 16, 1987
 September 7, 1987
 November 19, 1987

The meetings held during the legislative session will be held on Saturdays in Olympia. All other CERB meetings will be held on Thursdays in Seattle.

In accordance with Executive Order 79-03, the meeting site has been selected to be barrier free to the greatest extent feasible. Brailled or taped agenda items for the visually impaired and interpreters for those with hearing impairments will be provided if requested at least ten working days in advance.

Any questions regarding the CERB meetings should be sent to:

CERB Administrator
 Community Economic Revitalization Board
 c/o Department of Trade and Economic
 Development
 101 General Administration Building
 Olympia, WA 98504 (AX-13)
 Phone (206) 586-1667

WSR 87-01-024
PROCLAMATION NO. 86-07
OFFICE OF THE GOVERNOR

Declaring An Emergency In Eight Western Counties of
 Washington State

WHEREAS, heavy rains, flooding, slides and winds occurred November 22-29, 1986, in Western Washington having caused a disaster, which threatened life and resulted in destruction and property damage beyond the capabilities of the affected political subdivisions, I subsequently find that a disaster affecting life, health and property exists in Western Washington. These conditions constitute an emergency as defined by the Washington State Comprehensive Emergency Management Plan and the revised Code of Washington.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, as a result of storm, slides and river flooding damage in the following eight Western Washington counties under the provisions of Chapters 43.06 and 38.52.060 RCW, do hereby proclaim that a state of emergency exists in Cowlitz, Lewis, King, Pacific County (City of Long Beach), Pierce, Snohomish, Wahkiakum and Whatcom Counties, and that the Washington State Comprehensive Emergency Management Plan be executed. The resources of the State of Washington are authorized to be employed to assist affected political subdivisions in a concerted effort to cope with the emergency. Additionally, the Department of Community Development, Division of Emergency Management, is instructed to coordinate all state assistance to affected areas. The Division is also instructed to determine whether federal disaster assistance is needed.

IN WITNESS WHERE-
 OF, I have hereunto set my
 hand and caused the seal of
 the State of Washington to
 be affixed at Olympia this
 9th day of December A.D.,
 Nineteen Hundred and
 Eighty Six.

Booth Gardner

 Governor of the
 State of Washington

BY THE GOVERNOR:

Ralph Munro

 Secretary of State

WSR 87-01-025
NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION
 [Memorandum—December 5, 1986]

1987 COMMISSION MEETING SCHEDULE

<u>Type Meeting</u>	<u>Month/Day</u>	<u>Location</u>
Regular	February 6, 1987	Olympia
Regular	March 6, 1987	Olympia
Regular	May 1, 1987	Sea-Tac
Regular	August 7, 1987	Olympia
Regular	November 6, 1987	Olympia
Regular	December 4, 1987	Sea-Tac

WSR 87-01-026
ADOPTED RULES
EMPLOYMENT SECURITY DEPARTMENT
 [Order 5-86—Filed December 11, 1986]

I, Ernest F. LaPalm, deputy commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New WAC 192-12-066 Tips as wages—Remuneration.
 Rep WAC 192-12-134 Overpayments—Offsets—Right to hearing.

This action is taken pursuant to Notice No. WSR 86-22-062 filed with the code reviser on November 5, 1986. 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 50.04.320 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Employment Security Department as authorized in RCW 50.12.010 and 50.12.040.

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

APPROVED AND ADOPTED December 10, 1986.
 By Ernest F. LaPalm
 Deputy Commissioner

NEW SECTION

WAC 192-12-066 TIPS AS WAGES—REMUNERATION. RCW 50.04.320 provides in part: "For the purpose of payment of benefits and payment of contributions, the term 'wages' includes tips which are received after January 1, 1987, while performing services which constitute employment, and which are reported to the employer for federal income tax purposes."

For the employment security department to make timely and accurate employer liability determinations and unemployment insurance payments, the commissioner prescribes:

(1) For the purposes of this chapter, "tips which are reported to the employer for federal income tax purposes" are those tips that the employee is required to report to the employer by federal law.

(2) Tips must be reported by the employer for unemployment insurance purposes, each quarter on an as paid basis. Tips are considered "paid" when they are reported by the employee to the employer for federal income tax purposes, or when they are distributed by the employer to the employee.

(3) Individuals receiving unemployment insurance benefits for a given week, must report all tips received during that week as earnings. At a claimant's request, the department will adjust benefits when tips that have been reported by the claimant for benefit purposes are later deemed nonreportable to the employer for federal income tax purposes.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 192-12-134 OVERPAYMENTS—OFFSETS—RIGHT TO HEARING.

WSR 87-01-027
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
 [Memorandum—December 11, 1986]

The Public Works Board, by motion at its regular meeting on Tuesday, December 9, 1986, has taken the following actions:

The next regular meeting of the Public Works Board will begin at 9:00 a.m. on Thursday, January 15, 1987, and continue through Friday, January 16, 1987. The meeting will be held at the La Conner County Inn, La Conner, Washington.

WSR 87-01-028
EMERGENCY RULES
DEPARTMENT OF LICENSING
 [Order TL/RG 30—Filed December 11, 1986]

I, Theresa Anna Aragon, director of the state of Washington Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the repeal of WAC 308-93-240, 308-93-310 and 308-96A-020.

I, Theresa Anna Aragon, 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 of Licensing no longer requires licensees to surrender license plates or tabs at the time of application for replacements.

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 director of the Department of Licensing as authorized in RCW 46.01.110 and 88.02.100.

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 December 10, 1986.
By Theresa Anna Aragon
Director

REPEALER

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

WAC 308-93-240 DUPLICATE FOR LOST,
STOLEN, MUTILATED, ETC., CERTIFICATES.
WAC 308-93-310 LOSS, DEFACEMENT, OR
DESTRUCTION OF DECALS—REPLACEMENT
FEE.
WAC 308-96A-020 REPLACEMENT PLATES
AND VALIDATION TABS.

WSR 87-01-029

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order 800-DOL—Filed December 11, 1986]

I, Theresa Anna Aragon, director of the Washington State Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Vehicle reciprocity—Restrictions and conditions—Nonresident students, amending WAC 308-99-040.

This action is taken pursuant to Notice No. WSR 86-21-128 filed with the code reviser on October 21, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.01.110 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 10, 1986.
By Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order 729-DOL [TL-RG-22], filed 9/9/83 [12/31/85])

WAC 308-99-040 RESTRICTIONS AND CONDITIONS. A vehicle properly licensed or registered in another jurisdiction may be operated in Washington

without further registration requirements subject to the following conditions and restrictions:

(1) Nonresident tourists: Length of stay cannot exceed six months in any one continuous twelve month period.

(2) Nonresident students: The student must be in full-time attendance at an institution of higher learning accredited by the Northwest Association of Schools and Colleges or at a private vocational school as that term is defined by RCW 28C.10.020(7) and maintain their legal home of record at a location outside the state of Washington. Students' vehicles must be registered in their name or the name of their parent or legal guardian in the resident state of record. The student must carry documentation issued by the institution in the vehicle which readily establishes the nonresident status. Employment incidental to the full-time student status is permitted. The spouse of a nonresident student has the same licensing privilege as long as the vehicle is registered to the student or jointly to the student and spouse, regardless of the spouse's legal residence or employment.

(3) Nonresident military personnel: Vehicles must be currently registered in the name of the military person at his official home of record. A vehicle licensed at the last duty station may be operated until expiration of the registration at which time it must be licensed in the home of record or in Washington. The spouse of a nonresident military person has the same licensing privilege as long as the vehicle is registered to the military person or jointly to the military person and spouse, regardless of the spouse's legal residence or employment.

(4) Foreign tourists: Tourists from foreign countries are permitted to operate a vehicle which is currently licensed in their country of residence for up to one year from the date of entry of the vehicle into the United States.

(5) Temporary employment: Nonresident persons engaged in employment of a temporary nature may operate a vehicle in this state which is currently licensed in another jurisdiction for a period not to exceed six months. Proof of the temporary nature of the employment may be required.

(6) Borrowed vehicle: A borrowed vehicle currently licensed in another jurisdiction may be operated by a Washington resident for a period not to exceed ten days in any one calendar year. If the period of use exceeds ten days the vehicle must be registered and licensed in Washington. This provision does not apply to business vehicles.

(7) Salesmen: Nonresident salesmen based at a location outside Washington are permitted to operate vehicles not to exceed 12,000 pounds registered gross vehicle weight licensed in another jurisdiction in this state without registration.

(8) Business vehicle: A vehicle or a combination of vehicles, not exceeding a registered gross or combined gross vehicle weight of 12,000 pounds, which is properly base licensed in another jurisdiction, and used for business purposes in this state is not required to obtain Washington vehicle license registration except when such vehicle is owned or operated by a business or branch office of a business located in Washington, or

when such vehicle is in the overnight custody of a Washington resident.

(9) Nonresident employed in Washington: May operate a vehicle licensed in another jurisdiction as long as no permanent, temporary, or part-time residence is maintained in this state.

(10) New resident: New Washington residents shall be allowed sixty days from the date of establishing residency to procure Washington registration for their vehicle.

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

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 87-01-030

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order TL/RG 31—Filed December 11, 1986]

I, Theresa Anna Aragon, director of the state of Washington Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the repeal of WAC 308-93-240, 308-93-310 and 308-96A-020.

This action is taken pursuant to Notice No. WSR 86-15-070 filed with the code reviser on July 22, 1986. 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 director of the Department of Licensing as authorized in RCW 46.01.110 and 88.02.100.

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 December 10, 1986.

By Theresa Anna Aragon
Director

REPEALER

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

WAC 308-93-240 DUPLICATE FOR LOST, STOLEN, MUTILATED, ETC., CERTIFICATES.

WAC 308-93-310 LOSS, DEFACEMENT, OR DESTRUCTION OF DECALS—REPLACEMENT FEE.

WAC 308-96A-020 REPLACEMENT PLATES AND VALIDATION TABS.

WSR 87-01-031

ADOPTED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Radiation Control)

[Order 2450—Filed December 11, 1986]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to radiation control, amending Title 402 WAC.

This action is taken pursuant to Notice No. WSR 86-20-040 filed with the code reviser on September 25, 1986. 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 70.98.080 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 70.98 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 December 9, 1986.

By Lee D. Bomberger, Acting Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-12-030 PURPOSE. It is the purpose of these regulations to state such requirements as shall be applied ~~((im))~~ to the use of all radiation, radiation machines, and radioactive materials to ensure the maximum protection of the public health and the maximum safety to all persons at, or in the vicinity of, the place of use, storage, or disposal thereof. These regulations are intended to be consistent with the best use of radiation machines and radioactive materials.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-12-050 DEFINITIONS. As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain part will be found in that part.

(1) "A₁" means the maximum activity of special form radioactive material permitted to be transported in a Type A package. "A₂" means the maximum activity of normal form radioactive material permitted to be transported in a Type A package. A₁ and A₂ values are assigned to individual radionuclides and are tabulated in Appendix A of WAC 402-12-200. Methods of calculating values are also given.

(2) "Accelerator produced material" means any material made radioactive by exposing it in a particle accelerator.

~~((2))~~ (3) "Act" means Nuclear energy and radiation ~~((Legislation))~~, chapter 70.98 RCW.

~~((3))~~ (4) "Agreement state" means any state with which the United States Nuclear Regulatory Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954, as amended (73 Stat. 689).

~~((4))~~ (5) "Airborne radioactive material" means any radioactive material dispersed in the air in the form of dusts, fumes, mists, vapors, or gases.

~~((5))~~ (6) "Airborne radioactivity area" means (a) any room, enclosure, or operating area in which airborne radioactive material exists in concentrations in excess of the amounts specified in Appendix A, Table I, Column 1 of chapter 402-24 WAC (~~Part D~~); or (b) any room, enclosure, or operating area in which airborne radioactive material exists in concentrations which, averaged over the number of hours in any week during which individuals are in the area, exceed ~~((25))~~ twenty-five percent of the amounts specified in WAC 402-24-220, Appendix A, Table I, Column 1.

~~((6))~~ (7) "Byproduct material" means: (a) Any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material, and (b) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

~~((7))~~ (8) "Calendar quarter" means not less than ~~((12))~~ twelve consecutive weeks nor more than ~~((14))~~ fourteen consecutive weeks. The first calendar quarter of each year shall begin in January and subsequent calendar quarters shall be so arranged such that no day is included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method (~~observed by him~~) of determining calendar quarters for purposes of these regulations except at the beginning of a calendar year.

~~((8))~~ (9) "CFR" means Code of Federal Regulations.

~~((9))~~ (10) "Controlled area." See "Restricted area."

~~((10))~~ (11) "Curie" means a unit of measurement of radioactivity. One curie (Ci) is that quantity of radioactive material which decays at the rate of 3.7×10^{10} transformations per second (tps). Commonly used submultiples of the curie are the millicurie and the microcurie. One millicurie (mCi) = 0.001 curie = 3.7×10^7 tps. (Formerly referred to as disintegrations per seconds or dps.) One microcurie (uCi) = 0.000001 curie = 3.7×10^4 tps. One picocurie (pCi) = 10^{-12} Ci. One nanocurie (nCi) = 10^{-9} Ci. One tps = 60 dpm.

~~((11))~~ (12) "Department" means the department of social and health services, office of radiation protection, which has been designated as the state radiation control agency.

~~((12))~~ (13) "Depleted uranium" means the source material uranium in which the isotope Uranium-235 is less than 0.711 (~~weight~~) percent by weight of the total uranium present. Depleted uranium does not include special nuclear material.

~~((13))~~ (14) "dpm" means disintegrations per minute. See also "curie."

~~((14))~~ (15) "Dose" as used in these regulations shall mean absorbed dose or dose equivalent as appropriate.

(a) "Absorbed dose" is the energy imparted to matter by ionizing radiation per unit mass of irradiated material at the place of interest. The special unit of absorbed dose is the rad. (See rad.)

(b) "Dose equivalent" is a quantity that expresses on a common scale for all radiation a measure of the postulated effect on a given organ. It is defined as the absorbed dose in rads times certain modifying factors. The unit of dose equivalent is the rem. (See rem.)

~~((15))~~ (16) "Dose commitment" means the total radiation dose to a part of the body that will result from retention in the body of radioactive material. For purposes of estimating the dose commitment, it is assumed that from the time of intake the period of exposure to retained material will not exceed fifty years.

~~((16))~~ (17) "Exposure" means the quotient of dQ by dm where "dQ" is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having "dm" are completely stopped in air. (The special unit of exposure is the roentgen (R).)*

NOTE:

*When not underlined as above the term 'exposure' has a more general meaning in these regulations.

~~((17))~~ (18) "Exposure rate" means the exposure per unit of time, such as R/min., mR/h, etc.

~~((18))~~ (19) "Former United States Atomic Energy Commission (AEC) or United States Nuclear Regulatory Commission (NRC) licensed facilities" means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

~~((19))~~ (20) "Healing arts" means the disciplines of medicine, dentistry, osteopathy, chiropractic, podiatry, and veterinary medicine.

~~((20))~~ (21) "High radiation area" means any area, accessible to individuals, in which there exists radiation at such levels that a major portion of the body could receive in any one hour a dose in excess of 100 millirems.

~~((21))~~ (22) "Highway route controlled quantity" means a quantity of radioactive material in a single package which exceeds:

- (a) 3,000 times the A₁ or A₂ quantity as appropriate;
or
(b) 30,000 curies, whichever is least.

(23) "Human use" means the intentional(~~(:)~~) internal or external administration of radiation or radioactive material to human beings.

~~((22))~~ (24) "IND" means investigatory new drug for which an exemption has been claimed under the United States Food, Drug and Cosmetic Act (Title 10 CFR).

~~((23))~~ (25) "Individual" means any human being.

~~((24))~~ (26) "Inspection" means an official examination or observation by the department including but not limited to, tests, surveys, and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the department.

~~((25))~~ (27) "Irretrievable source" means any sealed source containing licensed material which is pulled off or not connected to the wireline downhole and for which all reasonable effort at recovery, as determined by the department, has been expended.

~~((26))~~ (28) "License" means a license issued by the department in accordance with the regulations adopted by the department.

~~((27))~~ (29) "Licensee" means any person who is licensed by the department in accordance with these regulations and the act.

~~((28))~~ (30) "Licensing state" means any state with regulations equivalent to the suggested state regulations for control of radiation relating to, and an effective program for, the regulatory control of NARM.

~~((29))~~ (31) "NARM" means any naturally occurring or accelerator-produced radioactive material except source material.

~~((30))~~ (32) "Natural radioactivity" means radioactivity of naturally occurring nuclides.

~~((31))~~ (33) "NDA" means a new drug application which has been submitted to the United States Food and Drug Administration.

~~((32))~~ (34) "Normal form radioactive material" means radioactive material which has not been demonstrated to qualify as "special form radioactive material."

(35) "Nuclear waste" as used in WAC 402-19-500(5) means any ~~((large))~~ quantity ~~((as defined in 10 CFR 71.4(f)))~~ of source or byproduct material, (not including radiography sources being returned to the manufacturer) required to be in Type B packaging while transported to, through, or across state boundaries to a disposal site, or to a collection point for transport to a disposal site. Nuclear waste, as used in these regulations, is a special classification of radioactive waste.

~~((33))~~ (36) "Occupational dose" means exposure of an individual to radiation in a restricted area; or in the course of employment in which the individual's duties involve exposure to radiation: PROVIDED, That occupational dose shall not be deemed to include any exposure of an individual to radiation for the purpose of diagnosis or therapy of such individual.

~~((34))~~ (37) "Ore refineries" means all processors of a radioactive material ore.

~~((35))~~ (38) "Particle accelerator" means any machine capable of accelerating electrons, protons, deuterons, or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of 1 MeV.

~~((36))~~ (39) "Permittee" means a person who has applied for, and received, a valid site use permit for use of the low-level waste disposal facility at Hanford, Washington.

(40) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent or agency of the foregoing.

~~((37))~~ (41) "Personal supervision" means supervision such that the supervisor is physically present at the

facility and in such proximity that contact can be maintained and immediate assistance given as required.

~~((38))~~ (42) "Personnel monitoring equipment" means devices (e.g., film badges, pocket dosimeters, and thermoluminescent dosimeters) designed to be worn or carried by an individual for the purpose of estimating the dose received by the individual.

~~((39))~~ (43) "Pharmacist" means an individual licensed by this state to compound and dispense drugs, and poisons.

~~((40))~~ (44) "Physician" means an individual licensed by this state to prescribe and dispense drugs in the practice of medicine.

~~((41))~~ (45) "Practitioner" means an individual licensed by the state in the practice of a healing art (i.e., physician, dentist, podiatrist, chiropractor, etc.).

~~((42))~~ (46) "Qualified expert" means an individual who has demonstrated to the satisfaction of the department possession of knowledge and training to measure ionizing radiation, to evaluate safety techniques, and to advise regarding radiation protection needs. The department reserves the right to recognize the qualifications of an individual in specific areas of radiation protection.

~~((43))~~ (47) "Rad" means the special unit of absorbed dose. One rad equals one-hundredth of a joule per kilogram of material; for example, if tissue is the material of interest, then 1 rad equals 100 ergs per gram of tissue.

~~((44))~~ (48) "Radiation" means ionizing radiation, i.e., gamma rays and x-rays, alpha and beta particles, high speed electrons, and other nuclear particles.

~~((45))~~ (49) "Radiation area" means any area, accessible to individuals, in which there exists radiation at such levels that a major portion of the body could receive in any one hour a dose in excess of 5 millirems, or in any ~~((5))~~ five consecutive days a dose in excess of 100 millirems.

~~((46))~~ (50) "Radiation machine" means any device capable of producing ionizing radiation except those which produce radiation only from radioactive material.

~~((47))~~ (51) "Radiation safety officer" means one who has the knowledge, authority, and responsibility to apply appropriate radiation protection regulations and measures.

~~((48))~~ (52) "Radiation source." See "Source of radiation."

~~((49))~~ (53) "Radioactive material" means any material (solid, liquid, or gas) which emits radiation spontaneously.

~~((50))~~ (54) "Radioactive waste" means any radioactive material which is no longer of use and intended for disposal or treatment for the purposes of disposal.

~~((51))~~ (55) "Radioactivity" means the transformation of unstable atomic nuclei by the emission of radiation.

~~((52))~~ (56) "Registrable item" means any radiation machine except those exempted by RCW 70.98.180 or exempted by the department pursuant to the authority of RCW 70.98.080.

~~((53))~~ (57) "Registrant" means any person who ~~((owns or possesses and administratively controls an x-ray system and is required by the provisions in chapters~~

~~402-12 and 402-16 WAC~~ to register with this department)) is registered by the department in accordance with these regulations and the act.

((54)) (58) "Registration" means registration with the department in accordance with the regulations adopted by the department.

((55)) (59) "Regulations of the United States Department of Transportation" means the regulations in 49 CFR Parts 170-189, 14 CFR Part 103, and 46 CFR Part 146.

((56)) (60) "Rem" means a measure of the dose of any radiation to body tissue in terms of its estimated biological effect relative to a dose received from an exposure to one roentgen (R) of x-rays. (One millirem (mrem) = 0.001 rem.) For the purpose of these regulations, any of the following is considered to be equivalent to a dose of one rem:

- (a) An exposure of 1 R of x, or gamma radiation;
- (b) A dose of 1 rad due to x, gamma, or beta radiation;
- (c) A dose of 0.05 rad due to particles heavier than protons and with sufficient energy to reach the lens of the eye;
- (d) A dose of 0.1 rad due to neutrons or high energy protons.*
- (e) A dose of 0.4 rad due to thermal neutrons.

NOTE:

*If it is more convenient to measure the neutron flux, or equivalent, than to determine the neutron absorbed dose in rads, one rem of neutron radiation may, for purposes of these regulations, be assumed to be equivalent to ((14)) fourteen million neutrons per square centimeter incident upon the body; or, if there exists sufficient information to estimate with reasonable accuracy the approximate distribution in energy of the neutrons, the incident number of neutrons per square centimeter equivalent to one rem may be estimated from the following table:

Neutron Flux Dose Equivalents

Neutron energy (MeV)	Number of neutrons per square centimeter for a dose equivalent of 1 rem (neutrons/cm ²)	Average flux density to deliver 100 millirems in 40 hours (neutrons/cm ² per second)
Thermal	970 x 10 ⁶	670
0.0001	720 x 10 ⁶	500
0.005	820 x 10 ⁶	570
0.02	400 x 10 ⁶	280
0.1	120 x 10 ⁶	80
0.5	43 x 10 ⁶	30
1.0	26 x 10 ⁶	18
2.5	29 x 10 ⁶	20
5.0	26 x 10 ⁶	18
7.5	24 x 10 ⁶	17
10.0	24 x 10 ⁶	17
10 to 30	14 x 10 ⁶	10

((57)) (61) "Research and development" means: (a) Theoretical analysis, exploration, or experimentation; or (b) the extension of investigative findings and theories of a scientific or technical nature into practical application

for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes. Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

((58)) (62) "Restricted area" (controlled area) means any area the access to which is controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive material. "Restricted area" shall not include any areas used for residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

((59)) (63) "Roentgen" (R) means the special unit of exposure. One roentgen equals 2.58 x 10⁻⁴ coulombs/kilogram of air (see "Exposure").

((60)) (64) "Sealed source" means radioactive material that is permanently bonded or fixed in a capsule or matrix designed to prevent release and dispersal of the radioactive material under the most severe conditions which are likely to be encountered in normal use and handling.

((61)) (65) "Source material" means: (a) Uranium or thorium, or any combination thereof, in any physical or chemical form, or (b) ores which contain by weight one-twentieth of one percent (0.05 percent) or more of (i) uranium, (ii) thorium, or (iii) any combination thereof. Source material does not include special nuclear material.

((62)) (66) "Source of radiation" means any radioactive material, or any device or equipment emitting or capable of producing ionizing radiation.

((63)) (67) "Source container" means a device in which ((sealed sources are)) radioactive material is transported or stored.

((64)) (68) "Source material milling" means any activity that results in the production of byproduct material as defined in ((WAC 402-12-050(6))) subsection (7)(b) of this section.

((65)) (69) "Special form radioactive material" means radioactive material which satisfies the following conditions:

(a) It is either a single solid piece or is contained in a sealed capsule that can only be opened by destroying the capsule;

(b) The piece or capsule has at least one dimension not less than five millimeters (0.197 inch); and

(c) It satisfies the test requirements of 10 CFR 71.75.

(70) "Special nuclear material in quantities not sufficient to form a critical mass" means uranium enriched in the isotope U-235 in quantities not exceeding ((350)) three hundred fifty grams of contained U-235; Uranium-233 in quantities not exceeding ((200)) two hundred grams; Plutonium in quantities not exceeding two hundred grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed "1" (i.e.,

unity). For example, the following quantities in combination would not exceed the limitation and are within the formula:

$$\begin{array}{r} 175(\text{grams contained U-235}) \\ \hline 350 \\ 50(\text{grams U-233}) \\ \hline 200 \\ 50(\text{grams Pu}) \\ \hline 200 \end{array} < 1$$

~~((66))~~ (71) "State" as used in WAC 402-19-500(5) means the several states of the union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

~~((67))~~ (72) "Survey" means an evaluation of the production, use, release, disposal, and/or presence of sources of radiation under a specific set of conditions to determine actual or potential radiation hazards. When appropriate, such evaluation includes, but is not limited to, tests, physical examinations and measurements of levels of radiation or concentration of radioactive material present.

~~((68))~~ (73) "Test" means a method for determining the characteristics or condition of sources of radiation or components thereof.

~~((69))~~ (74) "These regulations" mean all parts of ~~(the)~~ the rules ~~(and regulations)~~ for radiation protection~~(s)~~ of the state of Washington.

~~((70))~~ "Type A quantity." See WAC 402-24-125.

~~((71))~~ "Type B quantity" means a quantity the aggregate radioactivity of which does not exceed as follows:

Transport Group	Quantity in Curies
I	20
II	20
III	200
IV	200
V	5,000
VI and VII	50,000
Special Form	5,000

~~((72))~~ (75) "Type A packaging" means packaging designed to retain its integral containment and shielding under normal conditions of transport as demonstrated by tests described in 49 CFR 173.465 or 173.466 as appropriate. The contents are limited to A₁ or A₂ quantities. The package does not require competent authority approval.

(76) "Type A quantity" means a quantity of radioactive material less than the A₁ or A₂ value for a single radionuclide, or for which the sum of the fractions does not exceed unity for a mixture of radionuclides.

(77) "Type B packaging" means packaging approved by the United States nuclear regulatory commission for the transport of quantities of radioactivity in excess of A₁ or A₂. It is defined in detail in 10 CFR 71.4.

(78) "Type B quantity" means a quantity of radioactive material in excess of a Type A quantity. It requires Type B packaging for transportation.

(79) "Uncontrolled area." See "Unrestricted area."

~~((73))~~ (80) "United States Department of Energy" means the Department of Energy established by Public Law 95-91, August 4, 1977, 91 Stat. 565, 42 U.S.C. 7101 et seq., to the extent that the department exercises functions formerly vested in the United States Atomic Energy Commission, its chairman, members, officers and components and transferred to the United States Energy Research and Development Administration and to the administrator thereof pursuant to sections 104(b), (c) and (d) of the Energy Reorganization Act of 1974 (Public Law 93-438, October 11, 1974, 88 Stat. 1233 at 1237, effective January 19, 1975) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (Public Law 95-91, August 4, 1977, 91 Stat. 565 at 577-578, 42 U.S.C. 7151, effective October 1, 1977).

~~((74))~~ (81) "Unrefined and unprocessed ore" means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating, or refining.

~~((75))~~ (82) "Unrestricted area" (uncontrolled area) means any area access to which is not controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive material, and any area used for residential quarters.

~~((76))~~ (83) "Waste handling licensees" mean persons licensed to receive and store radioactive wastes prior to disposal and/or persons licensed to dispose of radioactive waste.

~~((77))~~ (84) "Worker" means an individual engaged in work under a license or registration issued by the department and controlled by a licensee or registrant, but does not include the licensee or registrant. If students of age ~~((18))~~ eighteen years or older are subjected routinely to work involving radiation, then the students are considered to be occupational workers. Individuals of less than ~~((18))~~ eighteen years of age shall meet the requirements of WAC 402-24-035.

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-12-140 IMPOUNDING. Sources of radiation shall be subject to ~~((impounding))~~ impoundment pursuant to RCW 70.98.160.

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-12-200 APPENDIX A—~~((INFORMATION ON TRANSPORTATION))~~ DETERMINATION OF A₁ AND A₂ VALUES. ~~((1))~~ Transport grouping of radionuclides.

Element ¹	Radionuclide ²	Group
Actinium (89)	Ac-277	I
	Ac-228	I
Americium (95)	Am-241	I

Element ¹	Radionuclide ²	Group	Element ¹	Radionuclide ²	Group
	Am-243	I	Erbium (68)	Er-169	IV
Antimony (51)	Sb-122	IV		Er-171	IV
	Sb-124	III	Europium (63)	Eu-150	III
	Sb-125	III		Eu-152m	IV
Argon (18)	Ar-37	VI		Eu-152	III
	Ar-41	II		Eu-154	II
	Ar-41			Eu-155	IV
	(uncompressed) ³	V	Fluorine (9)	F-18	IV
Arsenic (33)	As-73	IV	Gadolinium (64)	Gd-153	IV
	As-74	IV		Gd-159	IV
	As-76	IV	Gallium (31)	Ga-67	III
	As-77	IV		Ga-72	IV
Astatine (85)	At-211	III	Germanium (32)	Ge-71	IV
Barium (56)	Ba-131	IV	Gold (79)	Au-193	III
	Ba-133	II		Au-194	III
	Ba-140	III		Au-195	III
Berkelium (97)	Bk-249	I		Au-196	IV
Beryllium (4)	Be-7	IV		Au-198	IV
Bismuth (83)	Bi-206	IV		Au-199	IV
	Bi-207	III	Hafnium (72)	Hf-181	IV
	Bi-210	II	Holmium (67)	Ho-166	IV
	Bi-212	III	Hydrogen (1)	H-3 (see tritium)	
Bromine (35)	Br-82	IV	Indium (49)	In-113m	III
Cadmium (48)	Cd-109	IV		In-114m	III
	Cd-115m	III		In-115m	IV
	Cd-115	IV		In-115	IV
Calcium (20)	Ca-45	IV	Iodine (53)	I-124	III
	Ca-47	IV		I-125	III
Californium (98)	Cf-249	I		I-126	III
	Cf-250	I		I-129	III
	Cf-252	I		I-131	III
Carbon (6)	C-14	IV		I-132	IV
Cerium (58)	Ce-141	IV		I-133	III
	Ce-143	IV		I-134	IV
	Ce-144	III		I-135	IV
Cesium (55)	Cs-131	IV	Iridium (77)	Ir-190	IV
	Cs-134m	III		Ir-192	III
	Cs-134	III		Ir-194	IV
	Cs-135	IV	Iron (26)	Fe-55	IV
	Cs-136	IV		Fe-59	IV
	Cs-137	III	Krypton (36)	Kr-85m	III
Chlorine (17)	Cl-36	III		Kr-85m	
	Cl-38	IV		(uncompressed) ³	V
Chromium (24)	Cr-51	IV		Kr-85	III
Cobalt (27)	Co-56	III		Kr-85	
	Co-57	IV		(uncompressed) ³	VI
	Co-58m	IV		Kr-87	II
	Co-58	IV		Kr-87	
	Co-60	III		(uncompressed) ³	V
Copper (29)	Cu-64	IV	Lanthanum (57)	La-140	IV
Curium (96)	Cm-242	I	Lead (82)	Pb-203	IV
	Cm-243	I		Pb-210	II
	Cm-244	I		Pb-212	II
	Cm-245	I	Lutetium (71)	Lu-172	III
	Cm-246	I		Lu-177	IV
Dysprosium (66)	Dy-154	III	Magnesium (12)	Mg-28	III
	Dy-165	IV	Manganese (25)	Mn-52	IV
	Dy-166	IV		Mn-54	IV

Element ¹	Radionuclide ²	Group
Mercury (80)	Mn-56	IV
	Hg-197m	IV
	Hg-197	IV
	Hg-203	IV
Mixed fission products (MFP)		H
Molybdenum (42)	Mo-99	IV
Neodymium (60)	Nd-147	IV
	Nd-149	IV
Neptunium (93)	Np-237	I
	Np-239	I
Nickel (28)	Ni-56	III
	Ni-59	IV
	Ni-63	IV
	Ni-65	IV
Niobium (41)	Nb-93m	IV
	Nb-95	IV
	Nb-97	IV
Osmium (76)	Os-185	IV
	Os-191m	IV
	Os-191	IV
	Os-193	IV
Palladium (46)	Pd-103	IV
	Pd-109	IV
Phosphorus (15)	P-32	IV
Platinum (78)	Pt-191	IV
	Pt-193	IV
	Pt-193m	IV
	Pt-197m	IV
	Pt-197	IV
Plutonium (94)	Pu-238 (F)	I
	Pu-239 (F)	I
	Pu-240	I
	Pu-241 (F)	I
	Pu-242	I
Polonium (84)	Po-210	I
Potassium (19)	K-42	IV
	K-43	III
Praseodymium (59)	Pr-142	IV
	Pr-143	IV
Promethium (61)	Pm-147	IV
	Pm-149	IV
Protactinium (91)	Pa-230	I
	Pa-231	I
	Pa-233	H
Radium (88)	Ra-223	H
	Ra-224	H
	Ra-226	I
	Ra-228	I
Radon (86)	Rn-220	IV
	Rn-222	H
Rhenium (75)	Re-183	IV
	Re-186	IV
	Re-187	IV
	Re-188	IV
	Re-Natural	IV
Rhodium (45)	Rh-103m	IV
	Rh-105	IV
Rubidium (37)	Rb-86	IV

Element ¹	Radionuclide ²	Group
Ruthenium (44)	Rb-87	IV
	Rb-Natural	IV
	Ru-97	IV
	Ru-103	IV
Samarium (62)	Ru-105	IV
	Ru-106	III
	Sm-145	III
	Sm-147	III
Scandium (21)	Sm-151	IV
	Sm-153	IV
	Sc-46	III
Selenium (34)	Sc-47	IV
	Sc-48	IV
	Sc-75	IV
Silicon (14)	Si-31	IV
Silver (47)	Ag-105	IV
	Ag-110m	III
	Ag-111	IV
Sodium (11)	Na-22	III
	Na-24	IV
Strontium (38)	Sr-85m	IV
	Sr-85	IV
	Sr-89	III
	Sr-90	H
Sulfur (16)	Sr-91	III
	Sr-92	IV
	S-35	IV
Tantalum (73)	Ta-182	III
Technetium (43)	Tc-96m	IV
	Tc-96	IV
	Tc-97	IV
	Tc-97m	IV
	Tc-99m	IV
	Tc-99	IV
	Tellurium (52)	Tc-125m
Terbium (65)	Tc-127m	IV
	Tc-127	IV
	Tc-129m	III
	Tc-129	IV
	Tc-131m	III
	Tc-132	IV
	Tb-160	III
Thallium (81)	Tl-200	IV
	Tl-201	IV
	Tl-202	IV
	Tl-204	III
Thorium (90)	Th-227	H
	Th-228	I
	Th-230	I
	Th-231	I
	Th-232	III
	Th-234	H
Thulium (69)	Th-Natural	III
	Tm-168	III
	Tm-170	III
Tin (50)	Tm-171	IV
	Sn-113	IV
	Sn-117m	III

Element ¹	Radionuclide ²	Group
Fritium (1)	Sn=121	III
	Sn=125	IV
	H=3	IV
	H=3(as a gas, as luminous paint, or absorbed on solid material)	VII
Tungsten (74)	W=181	IV
	W=185	IV
	W=187	IV
Uranium (92)	U=230	II
	U=232	I
	U=233 (F)	II
	U=234	II
	U=235 (F)	III
	U=236	II
	U=238	III
	U=Natural	III
	U=Enriched (F)	III
U=Depleted	III	
Vanadium (23)	V=48	IV
	V=49	III
Xenon (54)	Xe=125	III
	Xe=131m	III
	Xe=131m (uncompressed) ³	III
	Xe=133	III
	Xe=133 (uncompressed) ³	VI
	Xe=135	II
Ytterbium (70)	Yb=175	IV
	Y=88	III
	Y=90	IV
	Y=91m	III
Yttrium (39)	Y=91	III
	Y=92	IV
	Y=93	IV
	Zn=65	IV
	Zn=69m	IV
Zinc (30)	Zn=69	IV
	Zr=93	IV
Zirconium (40)	Zr=95	III
	Zr=97	IV

NOTES:

- ¹Atomic number shown in parentheses.
- ²Atomic mass number shown after the element symbol.
- ³Uncompressed means at a pressure not exceeding one atmosphere.
- m-Metastable state.
- (F)Fissile material.

(2) "Transport group" means any one of seven groups into which radionuclides in normal form are classified, according to their radiotoxicity and their relative potential hazard in transport, in WAC 402-12-200, Appendix A above.

(a) Any radionuclide not specifically listed in one of the groups in WAC 402-12-200, Appendix A above shall be assigned to one of the groups in accordance with the following table:

Radionuclide	Radioactive Half-life		
	0 to 1000 days	1000 days to 10 ⁶ years	Over 10 ⁶ years
Atomic No. 1-81	Group III	Group II	Group III
Atomic No. 82 & over	Group I	Group I	Group III

(b) For mixtures of radionuclides the following shall apply:

(i) If the identity and respective activity of each radionuclide are known, the permissible activity of each radionuclide shall be such that the sum, for all groups present, of the ratio between the total activity for each group to the permissible activity for each group will not be greater than unity.

(ii) If the groups of the radionuclides are known but the amount in each group cannot be reasonably determined, the mixture shall be assigned to the most restrictive group present.

(iii) If the identity of all or some of the radionuclides cannot be reasonably determined, each of those unidentified radionuclides shall be considered as belonging to the most restrictive group which cannot be positively excluded.

(iv) Mixtures consisting of a single radioactive decay chain where the radionuclides are in the naturally occurring proportions shall be considered as consisting of a single radionuclide. The group and activity shall be that of the first member present in the chain, except that if a radionuclide "X" has a half-life longer than that of that first member and an activity greater than that of any other member, including the first, at any time during transportation, the transport group of the nuclide "X" and the activity of the mixture shall be the maximum activity of that nuclide "X" during transportation.))

I. Single radionuclides.

(1) For a single radionuclide of known identity, the values of A₁ and A₂ are taken from Table A-1 if listed there. The values A₁ and A₂ in Table A-1 are also applicable for radionuclides contained in (α, n) or (γ, n) neutron sources.

(2) For any single radionuclide whose identity is known but which is not listed in Table A-1, the values of A₁ and A₂ are determined according to the following procedure:

(a) If the radionuclide emits only one type of radiation, A₁ is determined according to the rules in paragraphs (i), (ii), (iii) and (iv) of this paragraph. For radionuclides emitting different kinds of radiation, A₁ is the most restrictive value of those determined for each kind of radiation. However, in both cases, A₁ is restricted to a maximum of 1000 Ci. If a parent nuclide decays into a shorter lived daughter with a half-life not greater than 10 days, A₁ is calculated for both the parent and

the daughter, and the more limiting of the two values is assigned to the parent nuclide.

(i) For gamma emitters, A_1 is determined by the expression:

$$A_1 = \frac{9}{\text{GRC}} \text{ curies}$$

where GRC is the gamma-ray constant, corresponding to the dose in R/h at 1 m per Ci; the number 9 results from the choice of 1 rem/h at a distance of 3 m as the reference dose-equivalent rate.

(ii) For X-ray emitters, A_1 is determined by the atomic number of the nuclide:

for $Z < 55$ - $A_1 = 1000 \text{ Ci}$

for $Z > 55$ - $A_1 = 200 \text{ Ci}$

where Z is the atomic number of the nuclide.

(iii) For beta emitters, A_1 is determined by the maximum beta energy (E_{max}) according to Table A-2;

(iv) For alpha emitters, A_1 is determined by the expression:

$A_1 = 1000 A_3$

where A_3 is the value listed in Table A-3;

(b) A_2 is the more restrictive of the following two values:

(i) The corresponding A_1 ; and

(ii) The value A_3 obtained from Table A-3.

(3) For any single radionuclide whose identity is unknown, the value of A_1 is taken to be two Ci and the value of A_2 is taken to be 0.002 Ci. However, if the atomic number of the radionuclide is known to be less than 82, the value of A_1 is taken to be 10 Ci and the value of A_2 is taken to be 0.4 Ci.

II. Mixtures of radionuclides, including radioactive decay chains.

(1) For mixed fission products the following activity limits may be assumed if a detailed analysis of the mixture is not carried out:

$A_1 = 10 \text{ Ci}$

$A_2 = 0.4 \text{ Ci}$

(2) A single radioactive decay chain is considered to be a single radionuclide when the radionuclides are present in their naturally occurring proportions and no daughter nuclide has a half-life either longer than 10 days or longer than that of the parent nuclide. The activity to be taken into account and the A_1 or A_2 value

from Table A-1 to be applied are those corresponding to the parent nuclide of that chain. When calculating A_1 or A_2 values, radiation emitted by daughters must be considered. However, in the case of radioactive decay chains in which any daughter nuclide has a half-life either longer than 10 days or greater than that of the parent nuclide, the parent and daughter nuclides are considered to be mixtures of different nuclides.

(3) In the case of a mixture of different radionuclides, where the identity and activity of each radionuclide are known, the permissible activity of each radionuclide R_1, R_2, \dots, R_n is such that $F_1 + F_2 + \dots + F_n$ is not greater than unity, where

$$F_1 = \frac{\text{Total activity of } R_1}{A_1(R_1)}$$

$$F_2 = \frac{\text{Total activity of } R_2}{A_1(R_2)}$$

$$F_n = \frac{\text{Total activity of } R_n}{A_1(R_n)}$$

$A_1(R_1, R_2, \dots, R_n)$ is the value of A_1 or A_2 as appropriate for the nuclide R_1, R_2, R_n .

(4) When the identity of each radionuclide is known but the individual activities of some of the radionuclides are not known, the formula given in paragraph (3) is applied to establish the values of A_1 or A_2 as appropriate. All the radionuclides whose individual activities are not known (their total activity will, however, be known) are classed in a single group and the most restrictive value of A_1 and A_2 applicable to any one of them is used as the value of A_1 or A_2 in the denominator of the fraction.

(5) Where the identity of each radionuclide is known but the individual activity of none of the radionuclides is known, the most restrictive value of A_1 or A_2 applicable to any one of the radionuclides present is adopted as the applicable value.

(6) When the identity of none of the nuclides is known, the value of A_1 is taken to be two Ci and the value of A_2 is taken to be 0.002 Ci. However, if alpha emitters are known to be absent, the value of A_2 is taken to be 0.4 Ci.

TABLE A-1.— A_1 AND A_2 VALUES FOR RADIONUCLIDES

(See footnotes at end of table)

Symbol of radionuclide	Element and atomic number	A_1 (Ci)	A_2 (Ci)	Specific activity (Ci/g)
$^{227}_{Ac}$	Actinium (89)	1000	0.003	7.2×10^3
$^{228}_{Ac}$		10	4	2.2×10^6
$^{105}_{Ag}$	Silver (47)	40	40	3.1×10^4 *
$^{110m}_{Ag}$		7	7	4.7×10^3
$^{111}_{Ag}$		100	20	1.6×10^3 *
$^{241}_{Am}$	Americium (95)	8	0.008	3.2
$^{243}_{Am}$		8	0.008	1.9×10^3
$^{37}_{Ar}$ (compressed or uncompressed)*	Argon (18)	1000	1000	1.0×10^3 *
$^{41}_{Ar}$ (uncompressed)*		20	20	4.3×10^7 *
$^{41}_{Ar}$ (compressed)*		1	1	4.3×10^7 *

TABLE A-1.—A₁ AND A₂ VALUES FOR RADIONUCLIDES

(See footnotes at end of table)

Symbol of radionuclide	Element and atomic number	A ₁ (Ci)	A ₂ (Ci)	Specific activity (Ci/g)	
⁷³ As	Arsenic (33)	1000	400	2.4X10 ⁴	
⁷⁴ As		20	20	1.0X10 ³	
⁷⁶ As		10	10	1.6X10 ³	
⁷⁷ As		300	20	1.1X10 ⁶	
²¹¹ At	Astatine (85)	200	7	2.1X10 ³	
¹⁹³ Au	Gold (79)	200	200	9.3X10 ³	
¹⁹⁶ Au		30	30	1.2X10 ³	
¹⁹⁸ Au		40	20	2.5X10 ³	
¹⁹⁹ Au		200	25	2.1X10 ⁶	
¹³¹ Ba	Barium (56)	40	40	8.7X10 ⁴	
¹³³ Ba		40	10	4.0X10 ⁴	
¹⁴⁰ Ba		20	20	7.3X10 ⁴	
⁷ Be	Beryllium (4)	300	300	3.5X10 ³	
²⁰⁶ Bi	Bismuth (83)	5	5	9.9X10 ⁴	
²⁰⁷ Bi		10	10	2.2X10 ⁴	
²¹⁰ Bi (RaE)		100	4	1.2X10 ³	
²¹² Bi		6	6	1.5X10 ⁷	
²⁴⁹ Bk	Berkelium (97)	1000	1	1.8X10 ³	
⁷⁷ Br		Bromine (35)	70	25	7.1X10 ³
⁸² Br	Carbon (6)	6	6	1.1X10 ⁶	
¹¹ C		20	20	8.4X10 ⁸	
¹⁴ C		1000	60	4.6	
⁴⁵ Ca	Calcium (20)	1000	25	1.9X10 ⁴	
⁴⁷ Ca		20	20	5.9X10 ³	
¹⁰⁹ Cd	Cadmium (48)	1000	70	2.6X10 ³	
^{115m} Cd		30	30	2.6X10 ³	
¹¹⁵ Cd		80	20	5.1X10 ³	
¹³⁹ Ce	Cerium (58)	100	100	6.5X10 ³	
¹⁴¹ Ce		300	25	2.8X10 ⁴	
¹⁴³ Ce		60	20	6.6X10 ³	
¹⁴⁴ Ce		10	7	3.2X10 ³	
²⁴⁹ Cf	Californium (98)	2	0.002	3.1	
²⁵⁰ Cf		7	0.007	1.3X10 ²	
²⁵² Cf		2	0.009	6.5X10 ²	
³⁶ Cl	Chlorine (17)	300	10	3.2X10 ⁻²	
³⁸ Cl		10	10	1.3X10 ⁸	
²⁴² Cm	Curium (96)	200	0.2	3.3X10 ³	
²⁴³ Cm		9	0.009	4.2X10	
²⁴⁴ Cm		10	0.01	8.2X10	
²⁴⁵ Cm		6	0.006	1.0X10 ⁻¹	
²⁴⁶ Cm		6	0.006	3.6X10 ⁻¹	
⁵⁶ Co	Cobalt (27)	5	5	3.0X10 ⁴	
⁵⁷ Co		90	90	8.5X10 ³	
^{58m} Co		1000	1000	5.9X10 ⁶	
⁵⁸ Co		20	20	3.1X10 ⁴	
⁶⁰ Co	Chromium (24)	7	7	1.1X10 ³	
⁵¹ Cr		600	600	9.2X10 ⁴	
¹²⁹ Cs		Cesium (55)	40	40	7.6X10 ³
¹³¹ Cs			1000	1000	1.0X10 ³
^{134m} Cs	1000		10	7.4X10 ⁶	
¹³⁴ Cs	10		10	1.2X10 ³	
¹³⁵ Cs		1000	25	8.8X10 ⁻⁴	
¹³⁶ Cs		7	7	7.4X10 ⁴	
¹³⁷ Cs		30	10	9.8X10	
⁶⁴ Cu		Copper (29)	80	25	3.8X10 ⁶
⁶⁷ Cu	Dysprosium (66)	200	25	7.9X10 ⁶	
¹⁶⁵ Dy		100	20	8.2X10 ⁶	
¹⁶⁶ Dy	Erbium (68)	1000	200	2.3X10 ³	
¹⁶⁹ Er		1000	25	8.2X10 ⁴	
¹⁷¹ Er		50	20	2.4X10 ⁶	
^{152m} Eu	Europium (63)	30	30	2.2X10 ⁶	
¹⁵² Eu		20	10	1.9X10 ²	
¹⁵⁴ Eu		10	5	1.5X10 ³	
¹⁵⁵ Eu		400	60	1.4X10 ³	
¹⁸ F	Fluorine (9)	20	20	9.3X10 ⁷	
⁵² Fe	Iron (26)	5	5	7.3X10 ⁶	
⁵⁵ Fe		1000	1000	2.2X10 ³	
⁵⁹ Fe		10	10	4.9X10 ⁴	
⁶⁷ Ga	Gallium (31)	100	100	6.0X10 ²	
⁶⁸ Ga		20	20	4.0X10 ⁷	

TABLE A-1.—A₁ AND A₂ VALUES FOR RADIONUCLIDES

(See footnotes at end of table)

Symbol of radionuclide	Element and atomic number	A ₁ (Ci)	A ₂ (Ci)	Specific activity (Ci/g)
⁷² Ga		7	7	3.1X10 ⁵
¹⁵³ Gd	Gadolinium (64)	200	100	3.6X10 ⁵
¹⁵⁹ Gd		300	20	1.1X10 ⁵
⁶⁸ Ge	Germanium (32)	20	10	7.0X10 ⁵
⁷¹ Ge		1000	1000	1.6X10 ⁵
³ H	Hydrogen (1) see T-Tritium			
¹⁸¹ Hf	Hafnium (72)	30	25	1.6X10 ⁴
^{197m} Hg	Mercury (80)	200	200	6.6X10 ⁵
¹⁹⁷ Hg		200	200	2.5X10 ⁵
²⁰³ Hg		80	25	1.4X10 ⁴
¹⁶⁶ Hol	Holmium (67)	30	30	6.9X10 ⁵
¹²³ I	Iodine(53)	50	50	1.9X10 ⁵
¹²⁵ I		1000	70	1.7X10 ⁴
¹²⁶ I		40	10	7.8X10 ⁴
¹²⁹ I		1000	2	1.6X10 ⁻⁴
¹³¹ I		40	10	1.2X10 ⁻³
¹³² I		7	7	1.1X10 ⁷
¹³³ I		30	10	1.1X10 ⁵
¹³⁴ I		8	8	2.7X10 ⁷
¹³⁵ I		10	10	3.5X10 ⁵
¹¹¹ In	Indium (49)	30	25	4.2X10 ⁵
^{113m} In		60	60	1.6X10 ⁷
^{114m} In		30	20	2.3X10 ⁴
^{115m} In		100	20	6.1X10 ⁵
¹⁹⁰ Ir	Iridium (77)	10	10	6.2X10 ⁴
¹⁹² Ir		20	10	9.1X10 ⁵
¹⁹⁴ Ir		10	10	8.5X10 ⁵
⁴² K	Potassium (19)	10	10	6.0X10 ⁵
⁴³ K		20	10	3.3X10 ⁵
^{85m} K _r (uncompressed)*	Krypton (36)	100	100	8.4X10 ⁵
^{85m} K _r (compressed)*		3	3	8.4X10 ⁵
⁸⁵ K _r (uncompressed)*		1000	1000	4.0X10 ⁻²
⁸⁵ K _r (compressed)*		5	5	4.0X10 ⁻²
⁸⁷ K _r (uncompressed)*		20	20	2.8X10 ⁷
⁸⁷ K _r (compressed)*		0.6	0.6	2.8X10 ⁷
¹⁴⁰ La	Lanthanum (57)	30	30	5.6X10 ⁵
LSA	Low specific activity material—see § 71.4			
¹⁷⁷ Lu	Lutetium (71)	300	25	1.1X10 ⁵
MFP	Mixed fission products	10	0.4	
²⁸ Mg	Magnesium (12)	6	6	5.2X10 ⁵
⁵² Mn	Manganese (25)	5	5	4.4X10 ⁵
⁵⁴ Mn		20	20	8.3X10 ⁵
⁵⁶ Mn		5	5	2.2X10 ⁷
⁹⁹ Mo	Molybdenum (42)	100	20	4.7X10 ⁵
¹³ N	Nitrogen (7)	20	10	1.5X10 ⁷
²² Na	Sodium (11)	8	8	6.3X10 ⁵
²⁴ Na		5	5	8.7X10 ⁵
^{93m} Nb	Niobium (41)	1000	200	1.1X10 ⁵
⁹⁵ Nb		20	20	3.9X10 ⁴
⁹⁷ Nb		20	20	2.6X10 ⁷
¹⁴⁷ Nd	Neodymium (60)	100	20	8.0X10 ⁴
¹⁴⁹ Nd		30	20	1.1X10 ⁷
⁵⁹ Ni	Nickel (28)	1000	900	8.1X10 ⁻²
⁶³ Ni		1000	100	4.6X10 ⁵
⁶⁵ Ni		10	10	1.9X10 ⁷
²³⁷ Np	Neptunium (93)	5	0.005	6.9X10 ⁻⁴
²³⁹ Np		200	25	2.3X10 ⁵
¹⁸⁵ Os	Osmium (76)	20	20	7.3X10 ⁵
¹⁹¹ Os		600	200	4.6X10 ⁴
^{191m} Os		200	200	1.2X10 ⁵
¹⁹³ Os		100	20	5.3X10 ⁵
³² P	Phosphorus (15)	30	30	2.9X10 ⁵
²³⁰ Pa	Protactinium (91)	20	0.8	3.2X10 ⁴
²³¹ Pa		2	0.002	4.5X10 ⁻²
²³³ Pa		100	100	2.1X10 ⁴
²⁰¹ Pb	Lead (82)	20	20	1.7X10 ⁵
²¹⁰ Pb		100	0.2	8.8X10 ⁵
²¹² Pb		6	5	1.4X10 ⁵
¹⁰³ Pd	Palladium (46)	1000	700	7.5X10 ⁴
¹⁰⁹ Pd		100	20	2.1X10 ⁵

TABLE A-1.—A₁ AND A₂ VALUES FOR RADIONUCLIDES

(See footnotes at end of table)

Symbol of radionuclide	Element and atomic number	A ₁ (Ci)	A ₂ (Ci)	Specific activity (Ci/g)
147Pm	Promethium (61)	1000	25	9.4X10 ⁻²
149Pm		100	20	4.2X10 ⁻³
210Po	Polonium (84)	200	0.2	4.5X10 ⁻³
142Pr	Praseodymium (59)	10	10	1.2X10 ⁻⁴
143Pr		300	20	6.6X10 ⁻⁴
191Pt	Platinum (78)	100	100	2.3X10 ⁻³
193mPt		200	200	2.0X10 ⁻³
197mPt		300	20	1.2X10 ⁻³
197Pt		300	20	8.8X10 ⁻³
238Pu	Plutonium (94)	3	0.003	1.7X10 ⁻²
239Pu		2	0.002	6.2X10 ⁻²
240Pu		2	0.002	2.3X10 ⁻¹
241Pu		1000	0.1	1.1X10 ⁻²
242Pu		3	0.003	3.9X10 ⁻³
223Ra	Radium (88)	50	0.2	5.0X10 ⁻⁴
224Ra		6	0.5	1.6X10 ⁻³
226Ra		10	0.05	1.0
228Ra		10	0.05	2.3X10 ⁻²
222Rn	Radon (86)	10	2	1.5X10 ⁻³
81Rb	Rubidium (37)	30	25	8.2X10 ⁻⁶
86Rb		30	30	8.1X10 ⁻⁴
87Rb		Unlimited	Unlimited	6.6X10 ⁻⁸
Rb(natural)		Unlimited	Unlimited	1.8X10 ⁻³
186Re	Rhenium (75)	100	20	1.9X10 ⁻³
187Re		Unlimited	Unlimited	3.8X10 ⁻⁸
188Re		10	10	1.0X10 ⁻⁶
Re(natural)		Unlimited	Unlimited	2.4X10 ⁻⁸
103mRh	Rhodium (45)	1000	1000	3.2X10 ⁻³
105Rh		200	25	8.2X10 ⁻³
97Ru	Ruthenium (44)	80	80	5.5X10 ⁻³
103Ru		30	25	3.2X10 ⁻⁴
105Ru		20	20	6.6X10 ⁻⁶
106Ru		10	7	3.4X10 ⁻³
35S	Sulphur (16)	1000	60	4.3X10 ⁻⁴
122Sb	Antimony (51)	30	30	3.9X10 ⁻³
124Sb		5	5	1.8X10 ⁻⁴
125Sb		40	25	1.4X10 ⁻³
46Sc	Scandium (21)	8	8	3.4X10 ⁻⁴
47Sc		200	20	8.2X10 ⁻³
48Sc		5	5	1.5X10 ⁻⁵
75Se	Selenium (34)	40	40	1.4X10 ⁻⁴
31Si	Silicon (14)	100	20	3.9X10 ⁻⁷
147Sm	Samarium (62)	Unlimited	Unlimited	2.0X10 ⁻⁸
151Sm		1000	90	2.6X10 ⁻³
153Sm		300	20	4.4X10 ⁻³
113Sn	Tin (50)	60	60	1.0X10 ⁻⁴
119mSn		100	100	4.4X10 ⁻³
125Sn		10	10	1.1X10 ⁻³
85mSr	Strontium (38)	80	80	3.2X10 ⁻³
85Sr		30	30	2.4X10 ⁻⁴
87mSr		50	50	1.2X10 ⁻³
89Sr		100	10	2.9X10 ⁻⁴
90Sr		10	0.4	1.5X10 ⁻²
91Sr		10	10	3.6X10 ⁻⁶
92Sr		10	10	1.3X10 ⁻⁷
T ₁ (uncompressed)*	Tritium (1)	1000	1000	9.7X10 ⁻³
T ₁ (compressed)*		1000	1000	9.7X10 ⁻³
T ₁ (activated luminous paint)		1000	1000	9.7X10 ⁻³
T ₁ (absorbed on solid carrier)		1000	1000	9.7X10 ⁻³
T ₁ (tritiated water)		1000	1000	9.7X10 ⁻³
T ₁ (other forms)		20	20	9.7X10 ⁻³
182Ta	Tantalum (73)	20	20	6.2X10 ⁻³
160Tb	Terbium (65)	20	10	1.1X10 ⁻⁴
96mTc	Technetium (43)	1000	1000	3.8X10 ⁻³
96Tc		6	6	3.2X10 ⁻³
97mTc		1000	200	1.5X10 ⁻⁴
97Tc		1000	400	1.4X10 ⁻³
99mTc		100	100	5.2X10 ⁻⁶
99Tc		1000	25	1.7X10 ⁻²
125mTc	Tellurium (52)	1000	100	1.8X10 ⁻⁴

TABLE A-1.—A₁ AND A₂ VALUES FOR RADIONUCLIDES

(See footnotes at end of table)

Symbol of radionuclide	Element and atomic number	A ₁ (Ci)	A ₂ (Ci)	Specific activity (Ci/g)
127M _{Tc}		300	20	4.0X10 ⁴
127T _{Tc}		300	20	2.6X10 ⁶
129M _{Tc}		30	10	2.5X10 ⁴
129T _{Tc}		100	20	2.0X10 ⁷
131m _{Tc}		10	10	8.0X10 ³
132T _{Tc}		7	7	3.1X10 ³
227Th	Thorium (90)	200	0.2	3.2X10 ⁴
228Th		6	0.008	8.3X10 ²
230Th		3	0.003	1.9X10 ⁻²
231Th		1000	25	5.3X10 ³
232Th		Unlimited	Unlimited	1.1X10 ⁻⁷
234Th		10	10	2.3X10 ⁴
Th(natural)		Unlimited	Unlimited	2.2X10 ⁻⁷
Th(irradiated)**				
200Tl	Thallium (81)	20	20	5.8X10 ³
201Tl		200	200	2.2X10 ³
202Tl		40	40	5.4X10 ⁴
204Tl		300	10	4.3X10 ²
170Tm	Thulium (69)	300	10	6.0X10 ³
171Tm		1000	100	1.1X10 ³
230U	Uranium (92)	100	0.1	2.7X10 ⁴
232U		30	0.03	2.1X10 ³
233U		100	0.1	9.5X10 ⁻³
234U		100	0.1	6.2X10 ⁻³
235U		100	0.2	2.1X10 ⁻⁶
236U		200	0.2	6.3X10 ⁻³
238U		Unlimited	Unlimited	3.3X10 ⁻⁷
U(natural)		Unlimited	Unlimited	(SEE TABLE A-4)
U(enriched) < 20%		Unlimited	Unlimited	(SEE TABLE A-4)
20% or greater		100	0.1	(SEE TABLE A-4)
U(depleted)		Unlimited	Unlimited	(SEE TABLE A-4)
U(irradiated)***				
48V	Vanadium (23)	6	6	1.7X10 ³
181W	Tungsten (74)	200	100	5.0X10 ³
185W		1000	25	9.7X10 ⁻³
187W		40	20	7.0X10 ²
127Xe(uncompressed)*	Xenon (54)	70	70	2.8X10 ⁴
127Xe(compressed)*		5	5	2.8X10 ⁴
131mXe(compressed)*		10	10	1.0X10 ³
131mXe(uncompressed)*		100	100	1.0X10 ³
133Xe(uncompressed)*		1000	1000	1.9X10 ³
133Xe(compressed)*		5	5	1.9X10 ³
135Xe(uncompressed)*		70	70	2.5X10 ³
135Xe(compressed)*		2	2	2.5X10 ³
87Y	Yttrium (39)	20	20	4.5X10 ³
90Y		10	10	2.5X10 ³
91mY		30	30	4.1X10 ⁷
91Y		30	30	2.5X10 ⁴
92Y		10	10	9.5X10 ⁶
93Y		10	10	3.2X10 ⁶
169Yb	Ytterbium (70)	80	80	2.3X10 ³
175Yb		400	25	1.8X10 ³
65Zn	Zinc (30)	30	30	8.0X10 ³
69mZn		40	20	3.3X10 ⁶
69Zn		300	20	5.3X10 ⁷
93Zr	Zirconium (40)	1000	200	3.5X10 ⁻³
95Zr		20	20	2.1X10 ⁴
97Zr		20	20	2.0X10 ⁶

*For the purpose for Table A-1, compressed gas means a gas at a pressure which exceeds the ambient atmospheric pressure at the location where the containment system was closed.

**The values of A₁ and A₂ must be calculated in accordance with the procedure specified in Appendix A, paragraph II(3), taking into account the activity of the fission products and of the uranium-233 in addition to that of the thorium.

***The values of A₁ and A₂ must be calculated in accordance with the procedure specified in Appendix A, paragraph II(3), taking into account the activity of the fission products and plutonium isotopes in addition to that of the uranium.

TABLE A-2
RELATIONSHIP BETWEEN A_1 AND E_{max} FOR BETA
EMITTERS

E_{max} (MeV)	A_1 (Ci)
< 0.5	1000
0.5 - < 1.0	300
1.0 - < 1.5	100
1.5 - < 2.0	30
\geq 2.0	10

TABLE A-3
RELATIONSHIP BETWEEN A_3 AND THE ATOMIC NUMBER
OF THE RADIONUCLIDE

A_3			
Atomic Number	Half-life less than 1000 days	Half-life 1000 days to 10^6 years	Half-life greater than 10^6 years
1 to 81	3 Ci	.05 Ci	3 Ci
82 and above	.002 Ci	.002 Ci	3 Ci

TABLE A-4—ACTIVITY-MASS RELATIONSHIPS FOR URANIUM/THORIUM

Thorium and uranium enrichment ¹ wt % ^{235}U present	Specific activity	
	Ci/g	g/Ci
0.45	5.0×10^{-7}	2.0×10^6
0.72 (natural)	7.06×10^{-7}	1.42×10^6
1.0	7.6×10^{-7}	1.3×10^6
1.5	1.0×10^{-6}	1.0×10^6
5.0	2.7×10^{-6}	3.7×10^5
10.0	4.8×10^{-6}	2.1×10^5
20.0	1.0×10^{-5}	1.0×10^5
35.0	2.0×10^{-5}	5.0×10^4
50.0	2.5×10^{-5}	4.0×10^4
90.0	5.8×10^{-5}	1.7×10^4
93.0	7.0×10^{-5}	1.4×10^4
95.0	9.1×10^{-5}	1.1×10^4
Natural Thorium	2.2×10^{-7}	4.6×10^6

¹ The figures for uranium include representative values for the activity of the uranium-234 which is concentrated during the enrichment process. The activity for Thorium includes the equilibrium concentration of Thorium-228.

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-12-210 APPENDIX B—INFORMATION ON TRANSPORTATION SPECIAL FORM LICENSED MATERIAL. (1) "Special form" means any of the following physical forms of licensed material ((of any transport group)):

(a) The material is in solid form having no dimension less than 0.5 millimeter or at least one dimension greater

than five millimeters; does not melt, sublime, or ignite in air at a temperature of 1,000 degrees Fahrenheit; will not shatter or crumble if subjected to the percussion test described in ((WAC 402-12-210, Appendix B of this part)) this section; and is not dissolved or converted into dispersible form to the extent of more than 0.005 percent by weight by immersion for one week in water at 68 degrees Fahrenheit or in air at 86 degrees Fahrenheit; or

(b) The material is securely contained in a capsule having no dimension less than 0.5 millimeter or at least one dimension greater than five millimeters, which will retain its contents if subjected to the tests prescribed in ((WAC 402-12-210 Appendix B of this part)) this section; and which is constructed of materials which do not melt, sublime, or ignite in air at 1,475 degrees Fahrenheit, and do not dissolve, or convert into dispersible form, to the extent of more than 0.005 percent by weight by immersion for one week in water at 68 degrees Fahrenheit or in air at 86 degrees Fahrenheit.

(2) Tests for special form licensed material.

(a) Free drop - A free drop through a distance of ((30)) thirty feet onto a flat essentially unyielding horizontal surface, striking the surface in such a position as to suffer maximum damage.

(b) Percussion - Impact of the flat circular end of a ((+)) one inch diameter steel rod weighing ((3)) three pounds, dropped through a distance of ((40)) forty inches. The capsule or material shall be placed on a sheet of lead, of hardness number 3.5 to 4.5 on the Vickers scale, and not more than ((+)) one inch thick, supported by a smooth essentially unyielding surface.

(c) Heating - Heating in air to a temperature of 1,475 degrees Fahrenheit and remaining at that temperature for a period of ((+0)) ten minutes.

(d) Immersion - Immersion for ((24)) twenty-four hours in water at room temperature. The water shall be at pH 6-pH 8, with a maximum conductivity of ((+0)) ten microohms per centimeter.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-19-190 EXEMPTIONS. (1) Source material.

(a) Any person is exempt from this chapter and chapters 402-21 and 402-22 WAC to the extent that such person receives, possesses, uses, owns, or transfers source material in any chemical mixture, compound, solution or alloy in which the source material is by weight less than 1/20 of one percent (0.05 percent) of the mixture, compound, solution, or alloy.

(b) Any person is exempt from this chapter and chapters 402-21 and 402-22 WAC to the extent that such person receives, possesses, uses or transfers unrefined and unprocessed ore containing source material: PROVIDED, That, except as authorized in a specific license, such person shall not refine or process such ore.

(c) Any person is exempt from this chapter and chapters 402-21 and 402-22 WAC to the extent that such person receives, possesses, uses or transfers:

- (i) Any quantities of thorium contained in:
 - (A) Incandescent gas mantles;

- (B) Vacuum tubes;
 - (C) Welding rods;
 - (D) Electric lamps for illuminating purposes provided that each lamp does not contain more than fifty milligrams of thorium;
 - (E) Germicidal lamps, sunlamps and lamps for outdoor or industrial lighting provided that each lamp does not contain more than two grams of thorium;
 - (F) Rare earth metals and compounds, mixtures, and products containing not more than 0.25 percent by weight thorium, uranium, or any combination of these; or
 - (G) Personnel neutron dosimeters, provided each dosimeter does not contain more than 50 milligrams of thorium;
- (ii) Source material contained in the following products:
- (A) Glazed ceramic tableware: PROVIDED, That the glaze contains not more than twenty percent by weight source material (~~((NOTE—The exemption in WAC 402-19-190 (1)(c)(ii)(A) pertaining to glass enamel frit is suspended on October 31, 1983, until the United States Nuclear Regulatory Commission finally determines whether the exemption should continue on June 30, 1985, whichever comes first);~~
- ~~(B) Glassware, glass enamel and glass enamel frit containing not more than ten percent by weight source material, but not including commercially manufactured glass brick, pane glass, ceramic tile or other glass, glass enamel or ceramic used in construction; or); and~~
- ~~((C)) (B) Piezoelectric ceramic containing not more than two percent by weight source material;~~
- (iii) Photographic film, negatives and prints containing uranium or thorium;
- (iv) Any finished product or part fabricated of, or containing, tungsten-thorium or magnesium-thorium alloys: PROVIDED, That the thorium content of the alloy does not exceed four percent by weight and that the exemption contained in this subparagraph shall not be deemed to authorize the chemical, physical or metallurgical treatment or processing of any such product or part;
- (v) Depleted uranium contained in counterweights installed in aircraft, rockets, projectiles and missiles, or stored or handled in connection with installation or removal of such counterweights, provided that:
- (A) The counterweights are manufactured in accordance with a specific license issued by the United States Nuclear Regulatory Commission authorizing distribution by the licensee pursuant to 10 CFR Part 40;
- (B) Each counterweight has been impressed with the following legend clearly legible through any plating or other covering: "DEPLETED URANIUM"*;
- (C) Each counterweight is durably and legibly labeled and marked with the identification of the manufacturer and the statement: "UNAUTHORIZED ALTERATIONS PROHIBITED"*; and
- (D) The exemption contained in this subparagraph shall not be deemed to authorize the chemical, physical or metallurgical treatment or processing of any such counterweight other than repair or restoration of any plating or other covering;

*NOTE: The requirements specified in WAC 402-19-190 (1)(c)(v)(B) and (C) need not be met by counterweights manufactured prior to December 31, 1969: PROVIDED, That such counterweights are impressed with the legend, "CAUTION - RADIOACTIVE MATERIAL - URANIUM," as previously required by the regulations.

(vi) Depleted uranium used as shielding constituting part of any shipping container which is conspicuously and legibly impressed with the legend "CAUTION - RADIOACTIVE SHIELDING - URANIUM" and the uranium metal is encased in mild steel or in an equally fire resistant metal of a minimum wall thickness of 3.2 millimeters.

(vii) Thorium contained in finished optical lenses: PROVIDED, That each lens does not contain more than thirty percent by weight of thorium, and that the exemption contained in this subparagraph shall not be deemed to authorize either:

(A) The shaping, grinding or polishing of such lens or manufacturing processes other than the assembly of such lens into optical systems and devices without alteration of the lens; or

(B) The receipt, possession, use or transfer of thorium contained in contact lenses, or in spectacles, or in eyepieces in binoculars or other optical instruments;

(viii) Uranium contained in detector heads for use in fire detection units: PROVIDED, That each detector head contains not more than 0.005 microcuries of uranium; or

(ix) Thorium contained in any finished aircraft engine part containing nickel-thoria alloy, provided that:

(A) The thorium is dispersed in the nickel-thoria alloy in the form of finely divided thoria (thorium dioxide); and

(B) The thorium content in the nickel-thoria alloy does not exceed four percent by weight.

(d) The exemptions in WAC 402-19-190 (1)(c) do not authorize the manufacture of any of the products described.

(2) Radioactive material other than source material.

(a) Exempt concentrations.

(i) Except as provided in WAC 402-19-190 (2)(a)(ii) any person is exempt from this chapter and chapters 402-21 and 402-22 WAC to the extent that such person receives, possesses, uses, transfers, owns or acquires products or materials containing radioactive material in concentrations not in excess of those listed in WAC 402-19-580, Schedule C.

(ii) No person may introduce radioactive material into a product or material, knowing or having reason to believe, that it will be transferred to persons exempt under WAC 402-19-190 (2)(a)(i) or equivalent regulations of the United States Nuclear Regulatory Commission, ~~((or))~~ any agreement state or licensing state, except in accordance with a specific license issued pursuant to WAC 402-22-110(1) or the general license provided in WAC 402-19-250.

(b) Exempt quantities.

(i) Except as provided in WAC 402-19-190 (2)(b)(ii) and (iii) any person is exempt from these regulations to

the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in individual quantities each of which does not exceed the applicable quantity set forth in WAC 402-19-550, Schedule B.

(ii) This paragraph, WAC 402-19-190 (2)(b), does not authorize the production, packaging or repackaging of radioactive material for purposes of commercial distribution, or the incorporation of radioactive material into products intended for commercial distribution.

(iii) No person may, for purposes of commercial distribution, transfer radioactive material in the individual quantities set forth in WAC 402-19-550, Schedule B, knowing or having reason to believe that such quantities of radioactive material will be transferred to persons exempt under WAC 402-19-190 (2)(b) or equivalent regulations of the United States Nuclear Regulatory Commission or any agreement state or licensing state, except in accordance with a specific license issued by the United States Nuclear Regulatory Commission, pursuant to Section 32.18 of 10 CFR Part 32 or by the department pursuant to WAC 402-22-110(2) which license states that the radioactive material may be transferred by the licensee to persons exempt under WAC 402-19-190 (2)(b) or the equivalent regulations of the United States Nuclear Regulatory Commission or any agreement state or licensing state.

(c) Exempt items.

(i) Certain items containing radioactive material. Except for persons who apply radioactive material to, or persons who incorporate radioactive material into the following products, any person is exempt from these regulations to the extent that person receives, possesses, uses, transfers, owns or acquires the following products:*

*NOTE: Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source material or byproduct material whose subsequent possession, use, transfer and disposal by all other persons who are exempted from regulatory requirements may be obtained only from the United States Nuclear Regulatory Commission, Washington, D.C. 20555.

(A) Timepieces or hands or dials containing not more than the following specified quantities of radioactive material and not exceeding the following specified levels of radiation:

- 25 millicuries of tritium per timepiece;
- 5 millicuries of tritium per hand;
- 15 millicuries of tritium per dial (bezels when used shall be considered as part of the dial);
- 100 microcuries of promethium - 147 per watch or 200 microcuries of promethium - 147 per any other timepiece;
- 20 microcuries of promethium - 147 per watch hand or 40 microcuries of promethium - 147 per other timepiece hand;
- 60 microcuries of promethium - 147 per watch dial or 120 microcuries of promethium -

- 147 per other timepiece dial (bezels when used shall be considered as part of the dial);
- The levels of radiation from hands and dials containing promethium - 147 will not exceed, when measured through 50 milligrams per square centimeter of absorber:
 - For wrist watches, 0.1 millirad per hour at 1 centimeter from any surface;
 - For pocket watches, 0.1 millirad per hour at 1 centimeter from any surface;
 - For any other timepiece, 0.2 millirad per hour at 10 centimeters from any surface.
- One microcurie of radium-226 per timepiece in timepieces manufactured prior to the effective date of these regulations.

(B) Lock illuminators containing not more than 15 millicuries of tritium or not more than 2 millicuries of promethium - 147 installed in automobile locks. The levels of radiation from each lock illuminator containing promethium - 147 will not exceed 1 millirad per hour at 1 centimeter from any surface when measured through 50 milligrams per square centimeter of absorber.

(C) Precision balances containing not more than 1 millicurie of tritium per balance or not more than 0.5 millicurie of tritium per balance part.

(D) Automobile shift quadrants containing not more than 25 millicuries of tritium.

(E) Marine compasses containing not more than 750 millicuries of tritium gas and other marine navigational instruments containing not more than 250 millicuries of tritium gas.

(F) Thermostat dials and pointers containing not more than 25 millicuries of tritium per thermostat.

(G) Electron tubes: PROVIDED, That each tube does not contain more than one of the following specified quantities of radioactive material:

(aa) 150 millicuries of tritium per microwave receiver protector tube or 10 millicuries of tritium per any other electron tube;

(bb) 1 microcurie of cobalt-60;

(cc) 5 microcuries of nickel-63;

(dd) 30 microcuries of krypton-85;

(ee) 5 microcuries of cesium-137;

(ff) 30 microcuries of promethium-147;

(gg) 1 microcurie of radium-226;

AND PROVIDED FURTHER, That the levels of radiation from each electron tube containing radioactive material does not exceed 1 millirad per hour at 1 centimeter from any surface when measured through 7 milligrams per square centimeter of absorber.*

*NOTE: For purposes of this subdivision, "electron tubes" include spark gap tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes, indicator tubes, pick-up tubes, radiation detection tubes, and any other completely sealed tube that is designed to conduct or control electrical currents.

(H) Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, a source of radioactive material not exceeding

0.05 microcuries of americium-241 or the applicable quantity set forth in WAC 402-19-550, Schedule B.

(I) Spark gap irradiators containing not more than 1 microcurie of cobalt-60 per spark gap irradiator for use in electrically ignited fuel oil burners having a firing rate of at least three gallons (11.4 liters) per hour.

(ii) Self-luminous products containing radioactive material(s).

(A) Tritium, krypton-85 or promethium-147. Except for persons who manufacture, process or produce self-luminous products containing tritium, krypton-85 or promethium-147, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires tritium, krypton-85 or promethium-147 in self-luminous products manufactured, processed, produced, imported or transferred in accordance with a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.22 of 10 CFR Part 32, which license authorizes the transfer of the product to persons who are exempt from regulatory requirements. The exemption in WAC 402-19-190 (2)(c)(ii) does not apply to tritium, krypton-85 or promethium-147 used in products for frivolous purposes or in toys or adornments.

(B) Radium-226. Any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers or owns articles containing less than 0.1 microcurie of radium-226 which were manufactured prior to ~~((the effective date of these regulations))~~ October 1983.

(iii) Gas and aerosol detectors containing radioactive material.

(A) Except for persons who manufacture, process or produce gas and aerosol detectors containing radioactive material, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in gas and aerosol detectors designed to protect life or property from fires and airborne hazards: PROVIDED, That detectors containing radioactive material shall have been manufactured, imported, or transferred in accordance with a specific license issued by the United States Nuclear Regulatory Commission* or an agreement state, pursuant to Section 32.26 of 10 CFR Part 32, or licensing state pursuant to WAC 402-22-110(3), which authorizes the transfer of the detectors to persons who are exempt from regulatory requirements.

*NOTE: Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source material or byproduct material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the United States Nuclear Regulatory Commission, Washington, D.C. 20555.

(B) Gas and aerosol detectors previously manufactured and distributed to general licensees in accordance with a specific license issued by an agreement state shall be considered exempt under WAC 402-19-190

(2)(c)(iii)(A): PROVIDED, That the device is labeled in accordance with the specific license authorizing distribution of the general licensed device: AND PROVIDED FURTHER, That they meet the requirements of WAC 402-22-110(3).

(C) Gas and aerosol detectors containing naturally occurring and accelerator-produced radioactive material (NARM) previously manufactured and distributed in accordance with a specific license issued by a licensing state shall be considered exempt under WAC 402-19-190 (2)(c)(iii)(A): PROVIDED, That the device is labeled in accordance with the specific license authorizing distribution of the generally licensed device, and provided further that they meet the requirements of WAC 402-22-110(3).

(iv) Resins containing scandium-46 and designed for sand consolidation in oil wells. Any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires synthetic plastic resins containing scandium-46 which are designed for sand consolidation in oil wells. Such resins shall have been manufactured or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission or shall have been manufactured in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer of such resins pursuant to licensing requirements equivalent to those in Sections 32.16 and 32.17 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission. This exemption does not authorize the manufacture of any resins containing scandium-46.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-19-250 RECIPROCAL RECOGNITION OF LICENSES. (1) Subject to these regulations, any person who holds a specific license from the United States Nuclear Regulatory Commission or any agreement state or licensing state, and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within this state for a period not in excess of one hundred eighty days ~~((in any calendar year))~~ in that twelve month period which commences the date approval is granted, and the appropriate fee received, by the department provided that:

(a) The licensing document does not limit the activity authorized by such document to specified installations or locations;

(b) The out-of-state licensee notifies the department in writing and pays or has paid the appropriate fee (refer to WAC 440-44-057(3)), at least three days prior to ~~((engaging))~~ each entry to the state to engage in such activity. ((This)) The written notification must be sent to the Office of Radiation Protection, Department of Social and Health Services, Mailstop LE-13, Olympia, Washington 98504 and the fee should be sent to Washington State Department of Social and Health Services; Division of Health; ((Administrative Support

~~Section, Mailstop ET-22))~~ Office of Radiation Protection, LE-13; Olympia, Washington 98504. Such notification shall indicate the location, period, and type of proposed possession and use within the state, and shall be accompanied by ~~((a copy))~~ copies of the pertinent licensing document and operations/procedures manual. If, for a specific case, the three-day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon telephone application to the department (206-753-3351), obtain permission to proceed sooner. The department may waive the requirement for filing additional written notifications during the remainder of the ~~((calendar year))~~ twelve months following the receipt of the initial notification from a person engaging in activities under the general license provided in this subsection;

(c) The out-of-state licensee complies with all applicable regulations of the department and with all the terms and conditions of the licensing document, except any such terms and conditions which may be inconsistent with applicable regulations of the department;

(d) The out-of-state licensee supplies such other information as the department may request; and

(e) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in this subsection except by transfer to a person:

(i) Specifically licensed by the department or by the United States Nuclear Regulatory Commission ~~((or))~~, an agreement state or a licensing state to receive such material; or

(ii) Exempt from the requirements for a license for such material under WAC 402-19-190 (2)(a).

(2) Notwithstanding the provisions of subsection (1) of this section, any person who holds a specific license issued by the United States Nuclear Regulatory Commission ~~((or))~~, an agreement state or a licensing state authorizing the holder to manufacture, transfer, install, or service a device described in WAC 402-21-050(4) within the areas subject to the jurisdiction of the licensing body is hereby granted a general license to install, transfer, demonstrate or service a device in this state provided that:

(a) Such person shall file a report with the department within thirty days after the end of each calendar quarter in which any device is transferred to or installed in this state. Each such report shall identify each general licensee to whom such device is transferred by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device;

(b) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by the United States Nuclear Regulatory Commission ~~((or))~~, an agreement state or a licensing state;

(c) Such person shall assure that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and

(d) The holder of the specific license shall furnish to each general licensee to whom such device is transferred

or on whose premises such device is installed a copy of the general license contained in WAC 402-21-050(4).

(3) The department may withdraw, limit, or qualify its acceptance of any specific license or equivalent licensing document issued by another agency, or any product distributed pursuant to such licensing document, upon determining that such action is necessary in order to prevent undue hazard to public health and safety or property.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-19-300 TERMS AND CONDITIONS OF LICENSES. (1) Each license issued pursuant to this part shall be subject to all the provisions of the act, as now or hereafter in effect, and to all rules, regulations, and orders of the department.

(2) No license issued or granted under chapters 402-21 and 402-22 WAC and no right to possess or utilize radioactive material granted by any license issued pursuant to chapters 402-21 and 402-22 WAC shall be transferred, assigned, or in any manner disposed, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person unless the department shall, after securing full information find that the transfer is in accordance with the provisions of the act, and shall give its consent in writing.

(3) Each person licensed by the department pursuant to chapters 402-21 and 402-22 WAC shall confine ~~((his))~~ use and possession of the material licensed to the locations and purposes authorized ~~((in))~~ by the license.

(4) Approval of licensee's procedures by the department does not release the licensee from responsibility if adherence to these procedures results in undue exposure to individuals or loss of control of radioactive material.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-19-350 MODIFICATION AND REVOCATION OF LICENSES. (1) The terms and conditions of all licenses shall be subject to amendment, revision, or modification, or the license may be suspended or revoked by reason of amendments to the act, or by reason of rules, regulations, and orders issued by the department.

(2) Any license may be revoked, suspended, or modified, in whole or in part, for any material false statement in the application or any statement of fact required under provisions of the act, or because of conditions revealed by such application or statement of fact or any report, record, or inspection or other means which would warrant the department to refuse to grant a license on an original application, or for violation of, or failure to observe any of the terms and conditions of the act, or of the license, or of any rule, regulation, or order of the department.

(3) Except in cases of ~~((willfulness))~~ willful disregard for the regulations or applicable license conditions or those in which the public health, interest, or safety requires otherwise, no license shall be modified, suspended, or revoked unless, prior to the institution of proceedings

therefore, facts or conduct which may warrant such action shall have been called to the attention of the licensee in writing and the licensee shall have been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-19-400 TRANSFER OF MATERIAL.

(1) No licensee shall transfer radioactive material except as authorized pursuant to this section.

(2) Except as otherwise provided in the license and subject to the provisions of this section, any licensee may transfer radioactive material:

(a) To the department(~~(*)~~). A licensee may transfer material to the department only after receiving prior approval from the department;

(b) To the United States Department of Energy;

(c) To any person exempt from the regulations in this part to the extent permitted under such exemption;

(d) To any person authorized to receive such material under terms of a general license or its equivalent, or a specific license or equivalent licensing document, issued by the department, the United States Nuclear Regulatory Commission, any agreement state or any licensing state, or to any person otherwise authorized to receive such material by the federal government or any agency thereof, the department, any agreement state or any licensing state; or

(e) As otherwise authorized by the department in writing.

(3) Before transferring radioactive material to a specific licensee of the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state, or to a general licensee who is required to register with the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state prior to receipt of the radioactive material, the licensee transferring the material shall verify that the transferee's license authorizes the receipt of the type, form, and quantity of radioactive material to be transferred.

(4) The following methods for the verification required by WAC 402-19-400(3) are acceptable:

(a) The transferor may obtain for possession, and read, a current copy of the transferee's specific license or registration certificate;

(b) The transferor may obtain for possession a written certification (~~(by)~~) from the transferee that the transferee is authorized by license or registration certificate to receive the type, form, and quantity of radioactive material to be transferred, specifying the license or registration certificate number, issuing agency, and expiration date;

~~(*) A licensee may transfer material to the department only after receiving prior approval from the department.;~~

(c) For emergency shipments the transferor may accept oral certification by the transferee that the transferee is authorized by license or registration certificate to

receive the type, form, and quantity of radioactive material to be transferred, specifying the license or registration certificate number, issuing agency, and expiration date: **PROVIDED**, That the oral certification is confirmed in writing within ten days;

(d) The transferor may obtain other sources of information compiled by a reporting service from official records of the department, the United States Nuclear Regulatory Commission, the licensing agency of an agreement state or a licensing state as to the identity of licensees and the scope and expiration dates of licenses and registration; or

(e) When none of the methods of verification described in subsection (4) of this section are readily available or when a transferor desires to verify that information received by one of such methods is correct or up-to-date, the transferor may obtain and record confirmation from the department, the United States Nuclear Regulatory Commission, or the licensing agency of an agreement state or a licensing state that the transferee is licensed to receive the radioactive material.

(5) Preparation for shipment and transport of radioactive material shall be in accordance with the provisions of WAC 402-19-500.

(6) The requirements of WAC 402-19-400(4) notwithstanding, no verification is required when returning used, unused or decayed sources of radiation to the original manufacturer, (e.g., industrial radiography sources, teletherapy sources, portable moisture/density gauge sources, fixed gauge sources, and Mo-99/Tc-99m generators).

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-19-580 SCHEDULE C, EXEMPT CONCENTRATIONS. (See WAC 402-19-190 (2)(a).)

Element (atomic number)	Isotope	Column I	Column II
		Gas concentration $\mu\text{Ci}/\text{ml}^1$	Liquid and solid concentration $\mu\text{Ci}/\text{ml}^2$
Antimony (51) Sb-122	Sb-122	3×10^{-4}	
	Sb-124		2×10^{-4}
	Sb-125		1×10^{-3}
Argon (18) Ar-37	Ar-37	1×10^{-3}	
	Ar-41	4×10^{-7}	
Arsenic (33) As-73	As-73	5×10^{-3}	
	As-74		5×10^{-4}
	As-76		2×10^{-4}
	As-77		8×10^{-4}
Barium (56) Ba-131	Ba-131	2×10^{-3}	
	Ba-140		3×10^{-4}
Beryllium (4) Be-7	Be-7	2×10^{-2}	
Bismuth (83) Bi-206	Bi-206	4×10^{-4}	
Bromine (35) Br-82	Br-82	4×10^{-7}	
Cadmium (48) Cd-109	Cd-109	3×10^{-3}	
	Cd-115m		3×10^{-4}
	Cd-115		3×10^{-4}
Calcium (20) Ca-45	Ca-45	9×10^{-5}	
	Ca-47		5×10^{-4}
Carbon (6) C-14	C-14	1×10^{-6}	
Cerium (58) Ce-141	Ce-141	8×10^{-3}	
		9×10^{-4}	

Element (atomic number)	Isotope	((Column II and Liquid))	
		Column I Gas concentration $\mu\text{Ci/ml}^1$	Column I and solid concentration $\mu\text{Ci/ml}^2$
Cesium (55) Cs-131	Cs-143		4×10^{-4}
	Cs-144		1×10^{-4}
	Cs-134m	2×10^{-2}	
	Cs-134		6×10^{-2}
			9×10^{-3}
Chlorine (17) Cl-38		9×10^{-7}	4×10^{-3}
Chromium (24) Cr-51			2×10^{-2}
Cobalt (27) Co-57			5×10^{-3}
	Co-58		1×10^{-3}
	Co-60		5×10^{-4}
Copper (29) Cu-64			3×10^{-3}
Dysprosium (66) Dy-165			4×10^{-3}
	Dy-166		4×10^{-4}
Erbium (68) Er-169			9×10^{-4}
	Er-171		1×10^{-3}
Europium (63) Eu-152			6×10^{-4}
	(9-2 h) Eu-155		2×10^{-3}
Fluorine (9) F-18		2×10^{-6}	8×10^{-3}
Gadolinium (64) Gd-153			2×10^{-3}
	Gd-159		8×10^{-4}
Gallium (31) Ga-72			4×10^{-4}
Germanium (32) Ge-71			2×10^{-2}
Gold (79) Au-196			2×10^{-3}
	Au-198		5×10^{-4}
	Au-199		2×10^{-3}
Hafnium (72) Hf-181			7×10^{-4}
Hydrogen (1) H-3		5×10^{-6}	3×10^{-2}
Indium (49) In-113m			1×10^{-2}
	In-114m		2×10^{-4}
Iodine (53) I-125		3×10^{-9}	2×10^{-3}
	I-126		3×10^{-9}
	I-131		3×10^{-9}
	I-132		8×10^{-8}
	I-133		1×10^{-8}
	I-134		2×10^{-7}
Iridium (77) Ir-190			2×10^{-3}
	Ir-192		4×10^{-4}
	Ir-194		3×10^{-4}
Iron (26) Fe-55			8×10^{-3}
	Fe-59		6×10^{-4}
Krypton (36) Kr-85m			1×10^{-6}
	Kr-85		3×10^{-6}
Lanthanum (57) La-140			2×10^{-4}
Lead (82) Pb-203			4×10^{-3}
Lutetium (71) Lu-177			1×10^{-3}
Manganese (25) Mn-52			3×10^{-4}
	Mn-54		1×10^{-3}
	Mn-56		1×10^{-3}
Mercury (80) Hg-197m			2×10^{-3}
	Hg-197		3×10^{-3}
	Hg-203		2×10^{-4}
Molybdenum (42) Mo-99			2×10^{-3}
Neodymium (60) Nd-147			6×10^{-4}
	Nd-149		3×10^{-3}
Nickel (28) Ni-65			1×10^{-3}
Niobium (Columbium) (41) Nb-95			1×10^{-3}
	Nb-97		9×10^{-3}
Osmium (76) Os-185			7×10^{-4}
	Os-191m		3×10^{-2}
	Os-191		2×10^{-3}
	Os-193		6×10^{-4}
Palladium (46) Pd-103			3×10^{-3}
	Pd-109		9×10^{-4}

Element (atomic number)	Isotope	((Column II and Liquid))	
		Column I Gas concentration $\mu\text{Ci/ml}^1$	Column I and solid concentration $\mu\text{Ci/ml}^2$
Phosphorus (15) P-32		2×10^{-4}	
Platinum (78) Pt-191		1×10^{-3}	
	Pt-193m		1×10^{-2}
	Pt-197m		1×10^{-2}
	Pt-197		1×10^{-3}
Potassium (19) K-42		3×10^{-3}	
Praseodymium (59) Pr-142		3×10^{-4}	
	Pr-143		5×10^{-4}
Promethium (61) Pm-147		2×10^{-3}	
	Pm-149		4×10^{-4}
Radium (88) Ra-226		1×10^{-7}	
	Ra-228		3×10^{-7}
Rhenium (75) Re-183		6×10^{-3}	
	Re-186		9×10^{-4}
	Re-188		6×10^{-4}
Rhodium (45) Rh-103m		1×10^{-1}	
	Rh-105		1×10^{-3}
Rubidium	Rb-86		7×10^{-4}
Ruthenium (44) Ru-97		4×10^{-3}	
	Ru-103		8×10^{-4}
	Ru-105		1×10^{-3}
	Ru-106		1×10^{-4}
Samarium (62) Sm-153		8×10^{-4}	
Scandium (21) Sc-46		4×10^{-4}	
	Sc-47		9×10^{-4}
	Sc-48		3×10^{-4}
Selenium (34) Se-75		3×10^{-3}	
Silicon (14) Si-31		9×10^{-3}	
Silver (47) Ag-105		1×10^{-3}	
	Ag-110m		3×10^{-4}
	Ag-111		4×10^{-4}
Sodium (11) Na-24		2×10^{-3}	
Strontium (38) Sr-85		1×10^{-3}	
	Sr-89		1×10^{-4}
	Sr-91		7×10^{-4}
	Sr-92		7×10^{-4}
Sulfur (16) S-35		9×10^{-8}	6×10^{-4}
Tantalum (73) Ta-182		4×10^{-4}	
Technetium (43) Tc-96m		1×10^{-1}	
	Tc-96		1×10^{-3}
Tellurium (52) Te-125m		2×10^{-3}	
	Te-127m		6×10^{-4}
	Te-127		3×10^{-2}
	Te-129m		3×10^{-4}
	Te-131m		6×10^{-4}
	Te-132		3×10^{-4}
Terbium (65) Tb-160		4×10^{-4}	
Thallium (81) Tl-200		4×10^{-3}	
	Tl-201		3×10^{-3}
	Tl-202		1×10^{-3}
	Tl-204		1×10^{-3}
Thulium (69) Tm-170		5×10^{-4}	
	Tm-171		5×10^{-3}
Tin (50) Sn-113		9×10^{-4}	
	Sn-125		2×10^{-4}
Tungsten (Wolfgram) (74) W-181		4×10^{-3}	
	W-187		7×10^{-4}
Vanadium (23) V-48		3×10^{-4}	
Xenon (54) Xe-131m		4×10^{-6}	
	Xe-133		3×10^{-6}
	Xe-135		1×10^{-6}
Ytterbium (70) Yb-175		1×10^{-3}	
Yttrium (39) Y-90		2×10^{-4}	
	Y-91m		3×10^{-2}
	Y-91		3×10^{-4}
	Y-92		6×10^{-4}
	Y-93		3×10^{-4}

Element (atomic number)	Isotope	Column I	(Column II)
		Gas concentration µCi/ml ¹	Liquid and solid concentration µCi/ml ²
Zinc (30) Zn-65		1x10 ⁻³	
	Zn-69m		7x10 ⁻⁴
	Zn-69		2x10 ⁻²
Zirconium (40) Zr-95		6x10 ⁻⁴	
	Zr-97		2x10 ⁻⁴
Beta and/or gamma emitting radioactive material not listed above with half-life less than 3 years			
		1x10 ⁻¹⁰	1x10 ⁻⁶

Element (atomic number)	Isotope	Column I	Column II
		Gas concentration µCi/ml ¹	Liquid and solid concentration µCi/ml ²
Antimony (51)	Sb-122		3x10 ⁻⁴
	Sb-124		2x10 ⁻⁴
	Sb-125		1x10 ⁻³
Argon (18)	Ar-37	1x10 ⁻³	
	Ar-41	4x10 ⁻⁷	
Arsenic (33)	As-73		5x10 ⁻³
	As-74		5x10 ⁻⁴
	As-76		2x10 ⁻⁴
	As-77		8x10 ⁻⁴
Barium (56)	Ba-131		2x10 ⁻³
	Ba-140		3x10 ⁻⁴
Beryllium (4)	Be-7		2x10 ⁻²
Bismuth (83)	Bi-206		4x10 ⁻⁴
Bromine (35)	Br-82	4x10 ⁻⁷	3x10 ⁻³
Cadmium (48)	Cd-109		2x10 ⁻³
	Cd-115m		3x10 ⁻⁴
	Cd-115		3x10 ⁻⁴
Calcium (20)	Ca-45		9x10 ⁻³
	Ca-47		5x10 ⁻⁴
Carbon (6)	C-14	1x10 ⁻⁶	8x10 ⁻³
Cerium (58)	Ce-141		9x10 ⁻⁴
	Ce-143		4x10 ⁻⁴
	Ce-144		1x10 ⁻⁴
	Ce-144		1x10 ⁻⁴
Cesium (55)	Cs-131		2x10 ⁻²
	Cs-134m		6x10 ⁻²
	Cs-134		9x10 ⁻³
Chlorine (17)	Cl-38	9x10 ⁻⁷	4x10 ⁻³
Chromium (24)	Cr-51		2x10 ⁻²
Cobalt (27)	Co-57		5x10 ⁻³
	Co-58		1x10 ⁻³
	Co-60		5x10 ⁻⁴
Copper (29)	Cu-64		3x10 ⁻³
Dysprosium (66)	Dy-165		4x10 ⁻³
Erbium (68)	Dy-166		4x10 ⁻⁴
	Er-169		9x10 ⁻⁴
Europium (63)	Er-171		1x10 ⁻³
	Eu-152 (9.2 h)		6x10 ⁻⁴
Fluorine (9)	Eu-155		2x10 ⁻³
	F-18	2x10 ⁻⁶	8x10 ⁻³
Gadolinium (64)	Gd-153		2x10 ⁻³
	Gd-159		8x10 ⁻⁴
Gallium (31)	Ga-72		4x10 ⁻⁴
Germanium (32)	Ge-71		2x10 ⁻²
Gold (79)	Au-196		2x10 ⁻³
	Au-198		5x10 ⁻⁴
	Au-199		2x10 ⁻³
Hafnium (72)	Hf-181		7x10 ⁻⁴
Hydrogen (1)	H-3	5x10 ⁻⁶	3x10 ⁻²

Element (atomic number)	Isotope	Column I	Column II
		Gas concentration µCi/ml ¹	Liquid and solid concentration µCi/ml ²
Indium (49)	In-113m		1x10 ⁻²
	In-114m		2x10 ⁻⁴
Iodine (53)	I-125	3x10 ⁻⁹	2x10 ⁻³
	I-126	3x10 ⁻⁹	2x10 ⁻³
	I-131	3x10 ⁻⁹	2x10 ⁻³
	I-132	8x10 ⁻⁶	6x10 ⁻⁴
	I-133	1x10 ⁻⁶	7x10 ⁻³
	I-134	2x10 ⁻⁷	1x10 ⁻³
Iridium (77)	Ir-190		2x10 ⁻³
	Ir-192		4x10 ⁻⁴
	Ir-194		3x10 ⁻⁴
Iron (26)	Fe-55		8x10 ⁻³
Krypton (36)	Fe-59		6x10 ⁻⁴
	Kr-85m	1x10 ⁻⁶	
Lanthanum (57)	Kr-85	3x10 ⁻⁶	
	La-140		2x10 ⁻⁴
Lead (82)	Pb-203		4x10 ⁻³
Lutetium (71)	Lu-177		1x10 ⁻³
Manganese (25)	Mn-52		3x10 ⁻⁴
	Mn-54		1x10 ⁻³
	Mn-56		1x10 ⁻³
Mercury (80)	Hg-197m		2x10 ⁻³
	Hg-197		3x10 ⁻³
	Hg-203		2x10 ⁻⁴
Molybdenum (42)	Mo-99		2x10 ⁻³
Neodymium (60)	Nd-147		6x10 ⁻⁴
	Nd-149		3x10 ⁻³
Nickel (28)	Ni-65		1x10 ⁻³
Niobium (Columbium) (41)	Ni-65		1x10 ⁻³
	Nb-95		1x10 ⁻³
Osmium (76)	Nb-97		9x10 ⁻³
	Os-185		7x10 ⁻⁴
	Os-191m		3x10 ⁻²
	Os-191		2x10 ⁻³
	Os-193		6x10 ⁻⁴
Palladium (46)	Pd-103		3x10 ⁻³
	Pd-109		9x10 ⁻⁴
Phosphorus (15)	P-32		2x10 ⁻²
Platinum (78)	Pt-191		1x10 ⁻³
	Pt-193m		1x10 ⁻²
	Pt-197m		1x10 ⁻²
	Pt-197		1x10 ⁻³
Potassium (19)	K-42		3x10 ⁻³
Praseodymium (59)	Pr-142		3x10 ⁻⁴
	Pr-143		5x10 ⁻⁴
Promethium (61)	Pm-147		2x10 ⁻²
Radium (88)	Pm-149		4x10 ⁻⁴
	Ra-226		1x10 ⁻⁷
Rhenium (75)	Ra-228		3x10 ⁻⁷
	Re-183		6x10 ⁻³
	Re-186		9x10 ⁻⁴
Rhodium (45)	Re-188		6x10 ⁻⁴
	Rh-103m		1x10 ⁻¹
Rubidium	Rh-105		1x10 ⁻³
	Rb-86		7x10 ⁻⁴
Ruthenium (44)	Ru-97		4x10 ⁻³
	Ru-103		8x10 ⁻³
	Ru-105		1x10 ⁻³
	Ru-106		1x10 ⁻³
Samarium (62)	Sm-153		8x10 ⁻⁴
Scandium (21)	Sc-46		4x10 ⁻⁴
	Sc-47		9x10 ⁻⁴
	Sc-48		3x10 ⁻⁴
Selenium (34)	Se-75		3x10 ⁻³
Silicon (14)	Si-31		9x10 ⁻³
Silver (47)	Ag-105		1x10 ⁻³
	Ag-110m		3x10 ⁻⁴
	Ag-111		4x10 ⁻⁴

Element (atomic number)	Isotope	Column I	Column II
		Gas concentration μCi/ml ¹	Liquid and solid concentration μCi/ml ²
Sodium (11)	Na-24		2x10 ⁻³
Strontium (38)	Sr-85		1x10 ⁻³
	Sr-89		1x10 ⁻⁴
	Sr-91		7x10 ⁻⁴
	Sr-92		7x10 ⁻⁴
Sulfur (16)	S-35	9x10 ⁻⁸	6x10 ⁻⁴
Tantalum (73)	Ta-182		4x10 ⁻⁴
Technetium (43)	Tc-96m		1x10 ⁻¹
	Tc-96		1x10 ⁻³
Tellurium (52)	Tc-125m		2x10 ⁻³
	Tc-127m		6x10 ⁻⁴
	Tc-127		3x10 ⁻³
	Tc-129m		3x10 ⁻⁴
	Tc-131m		6x10 ⁻⁴
	Tc-132		3x10 ⁻⁴
Terbium (65)	Tb-160		4x10 ⁻⁴
Thallium (81)	Tl-200		4x10 ⁻³
	Tl-201		3x10 ⁻³
	Tl-202		1x10 ⁻³
	Tl-204		1x10 ⁻³
Thulium (69)	Tm-170		5x10 ⁻⁴
	Tm-171		5x10 ⁻³
Tin (50)	Sn-113		9x10 ⁻⁴
	Sn-125		2x10 ⁻⁴
Tungsten (Wolfram) (74)	W-181		4x10 ⁻³
	W-187		7x10 ⁻⁴
Vanadium (23)	V-48		3x10 ⁻⁴
Xenon (54)	Xe-131m	4x10 ⁻⁶	
	Xe-133	3x10 ⁻⁶	
	Xe-135	1x10 ⁻⁶	
Ytterbium (70)	Yb-175		1x10 ⁻³
Yttrium (39)	Y-90		2x10 ⁻⁴
	Y-91m		3x10 ⁻²
	Y-91		3x10 ⁻⁴
	Y-92		6x10 ⁻⁴
	Y-93		3x10 ⁻⁴
	Zinc (30)	Zn-65	
Zirconium (40)	Zn-69m		7x10 ⁻⁴
	Zn-69		2x10 ⁻²
	Zr-95		6x10 ⁻⁴
Beta and/or gamma emitting radioactive material not listed above with half-life less than 3 years		1x10 ⁻¹⁰	1x10 ⁻⁶

NOTES:

¹Values are given in Column I only for those materials normally used as gases
²μCi/gm for solids

NOTE 1: Many radioisotopes disintegrate into isotopes which are also radioactive. In expressing the concentrations in Schedule C the activity stated is that of the parent isotope and takes into account the daughters.

NOTE 2: For purposes of WAC 402-19-190(2) where there is involved a combination of isotopes, the limit for the combination should be derived as follows: Determine for each isotope in the product the ratio between the concentration present in the product and the exempt concentration established in Schedule C for the specific isotope when not in combination. The sum of such ratios may not exceed "1" (i.e., unity).

EXAMPLE:

$$\frac{\text{Concentration of Isotope A in Product}}{\text{Exempt concentration of Isotope A}} + \frac{\text{Concentration of Isotope B in Product}}{\text{Exempt concentration of Isotope B}} \leq 1$$

NOTE 3: For the purpose of determining concentration in a product or device, the total quantity of radioactive material present is divided by only that weight or volume of the discrete part or component throughout which the radioactive material is relatively uniformly distributed. If the weight or volume of this part or component cannot be determined then the product or device should be evaluated on the basis of the total quantity of radioactive material present.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-19-590 SCHEDULE D.

ACCEPTABLE SURFACE CONTAMINATION LEVELS

((NUCLIDES ^A	AVERAGE ^{B C 1}		REMOVABLE ^{B C F} Wipe limits
		MAXIMUM ^{B D 1}	
U-nat, U-235, U-238, and associated decay products	5,000 dpm α/100 cm ²	15,000 dpm α/100 cm ²	1,000 dpm α/100 cm ²
Transuranics, Ra-226, Ra-228, Th-230, Th-228, Pa-231, Ac-227, I-125, I-129	100 dpm/100 cm ²	300 dpm/100 cm ²	20 dpm/100 cm ²
Th-nat, Th-232, Sr-90, Ra-223, Ra-224, U-232, I-126, I-131, I-133	1000 dpm/100 cm ²	3000 dpm/100 cm ²	200 dpm/100 cm ²

<u>((NUCLIDES^A</u>	<u>AVERAGE^{B C F}</u>	<u>MAXIMUM^{B D F}</u>	<u>REMOVABLE^{b c f}</u> <u>Wipe limits</u>
Beta-gamma emitters (nuclides with decay modes other than alpha emission or spontaneous fission) except SR-90 and others noted above))	5000 dpm $\beta\gamma/100\text{ cm}^2$	15,000 dpm $\beta\gamma/100\text{ cm}^2$	1000 dpm $\beta\gamma/100\text{ cm}^2$
<u>NUCLIDES A</u>	<u>AVERAGE B C F</u>	<u>MAXIMUM B D F</u>	<u>REMOVABLE B E F</u> <u>WIPE LIMITS</u>
<u>U-nat, U-235, U-238, and associated decay products</u>	5,000 dpm $\alpha/100\text{ cm}^2$	15,000 dpm $\alpha/100\text{ cm}^2$	1,000 dpm $\alpha/100\text{ cm}^2$
<u>Transuranics, Ra-226, Ra-228, Th-230, Th-228, Pa-231, Ac-227, I-125, I-129</u>	100 dpm/100 cm ²	300 dpm/100 cm ²	20 dpm/100 cm ²
<u>Th-nat, Th-232, Sr-90, Ra-223, Ra-224, U-232, I-126, I-131, I-133</u>	1000 dpm/100 cm ²	3000 dpm/100 cm ²	200 dpm/100 cm ²
Beta-gamma emitters (nuclides with decay modes other than alpha emission or spontaneous fission) except SR-90 and others noted above	5000 dpm $\beta\gamma/100\text{ cm}^2$	15,000 dpm $\beta\gamma/100\text{ cm}^2$	1000 dpm $\beta\gamma/100\text{ cm}^2$

- ^(A) Where surface contamination by both alpha- and beta-gamma-emitting nuclides exists, the limits established for alpha- and beta-gamma-emitting nuclides should apply independently.
- ^(B) As used in this table, dpm (disintegrations per minute) means the rate of emission by radioactive material as determined by correcting the counts per minute observed by an appropriate detector for background, efficiency, and geometric factors associated with the instrumentation.
- ^(C) Measurements of average contaminant should not be averaged over more than 1 square meter. For objects of less surface area, the average should be derived for each such object.
- ^(D) The maximum contamination level applies to an area of not more than 100 cm².
- ^(E) The amount of removable radioactive material per 100 cm² of surface area should be determined by wiping that area with dry filter or soft absorbent paper, applying moderate pressure, and assessing the amount of radioactive material on the wipe with an appropriate instrument of known efficiency. When removable contamination on objects of less surface area is determined, the pertinent levels should be reduced proportionally and the entire surface should be wiped.
- ^(F) The average and maximum radiation levels associated with surface contamination resulting from beta-gamma emitters should not exceed 0.2 mrad/hr at ((i))1 cm and 1.0 mrad/hr at 1 cm, respectively, measured through not more than 7 milligrams per square centimeter of total absorber.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-21-050 GENERAL LICENSES*—RADIOACTIVE MATERIAL OTHER THAN SOURCE MATERIAL.

*NOTE: Different general licenses are issued in this section, each of which has its own specific conditions and requirements.

(1) Certain devices and equipment. A general license is hereby issued to transfer, receive, acquire, own, possess, and use radioactive material incorporated in the following devices or equipment which have been manufactured, tested and labeled by the manufacturer in accordance with a specific license issued to the manufacturer by the United States Nuclear Regulatory Commission for use pursuant to Section 31.3 of 10 CFR Part 31. This general license is subject to the provisions of WAC 402-12-080 through 402-12-140, chapters 402-19, 402-24** and 402-48 WAC ((of these regulations)).

(a) Static elimination device. Devices designed for use as static eliminators which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device.

(b) Ion generating tube. Devices designed for ionization of air which contain, as a sealed source or sources, radioactive material consisting of a total of not more

than 500 microcuries of Polonium-210 per device or a total of not more than 50 millicuries of Hydrogen-3 (tritium) per device.

**Attention is directed particularly to the provisions of chapter 402-24 WAC of these regulations which relate to the labeling of containers.

- (2) Reserved.
- (3) Reserved.
- (4) Certain measuring, gauging or controlling devices.

(a) A general license is hereby issued to commercial and industrial firms and research, educational and medical institutions, individuals in the conduct of their business, and state or local government agencies to own, acquire, receive, possess, use or transfer, in accordance with the provisions of ((paragraphs (4))) (b), (c), and (d) of this ((section)) subsection, radioactive material excluding special nuclear material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

(b) The general license in ((paragraph (4))) (a) of this ((section)) subsection applies only to radioactive material contained in devices which have been manufactured and labeled in accordance with the specifications contained in a specific license issued by the department

pursuant to WAC 402-22-110(4) or in accordance with the Nuclear Regulatory Commission, an agreement state or a licensing state, which authorizes distribution of devices to persons generally licensed by the United States Nuclear Regulatory Commission, an agreement state or licensing state**.

*NOTE: Regulations under the Federal Food, Drug, and Cosmetic Act authorizing the use of radioactive control devices in food production require certain additional labeling thereon which is found in Section 179.21 of 21 CFR Part 179.

(c) Any person who owns, acquires, receives, possesses, uses or transfers radioactive material in a device pursuant to the general license in ~~((paragraph))~~ (a) of this subsection:

(i) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon and shall comply with all instructions and precautions provided by such labels;

(ii) Shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in the label, however:

(A) Devices containing only krypton need not be tested for leakage of radioactive material; and

(B) Devices containing only tritium or not more than 100 microcuries of other beta and/or gamma emitting material ~~((and))~~ need not be tested for any purpose. Devices held in storage in the original shipping container prior to initial installation need not be tested ~~((for any purpose))~~ until immediately prior to use;

(iii) Shall assure that the tests required by ~~((item (4)))~~(c)(ii) of this ~~((section))~~ subsection and other testing, installation, servicing, and removal from installation involving the radioactive materials, its shielding or containment, are performed:

(A) In accordance with the instructions provided by the labels; or

(B) By a person holding a specific license from the department or from the United States Nuclear Regulatory Commission or from any agreement state or from a licensing state to perform such activities;

(iv) Shall maintain records showing compliance with the requirements of ~~((items (4)))~~(c)(ii) and (iii) of this ~~((section))~~ subsection. The records shall show the results of tests. The records also shall show the dates of performance and the names of persons performing, testing, installation, servicing, and removal from installation concerning the radioactive material, its shielding or containment. Records of tests for leakage of radioactive material required by ~~((item (4)))~~(c)(ii) of this ~~((section))~~ subsection shall be maintained for one year after the next required leak test is performed or the sealed source is transferred or disposed. Records of tests of the on/off mechanism and indicator required by ~~((item (4)))~~(c)(ii) of this ~~((section))~~ subsection shall be maintained for one year after the next required test of the on/off mechanism and indicator is performed or the sealed source is transferred or disposed. Records of other

testing, installation, servicing, and removal from installation required by ~~((item (4)))~~(c)(iii) of this ~~((section))~~ subsection shall be maintained for a period of two years from the date of the recorded event, or until the device is transferred or disposed;

(v) Upon the occurrence of a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on/off mechanism or indicator, or upon the detection of 0.005 microcuries or more removable radioactive material, shall immediately suspend operation of the device until it has been repaired by the manufacturer or other person holding a specific license from the department, the United States Nuclear Regulatory Commission, or from an agreement state or a licensing state to repair such devices, or disposed by transfer to a person authorized by a specific license to receive the radioactive material contained in the device and, within thirty days, furnish to the department a written report containing a brief description of the event and the remedial action taken;

(vi) Shall not abandon the device containing radioactive material;

(vii) Except as provided in ~~((item (4)))~~(c)(viii) of this ~~((section))~~ subsection, shall transfer or dispose the device containing radioactive material only by transfer to a person holding a specific license of the department, the United States Nuclear Regulatory Commission, or an agreement state, or a licensing state whose specific license authorizes the person to receive the device and within thirty days after transfer of a device to a specific licensee shall furnish to the department a report containing identification of the device by manufacturer's name ~~((and))~~, model number and the name and address of the person receiving the device. No report is required if the device is transferred to the specific licensee in order to obtain a replacement device;

(viii) Shall transfer the device to another general licensee only:

(A) Where the device remains in use at a particular location. In such case, the transferor shall give the transferee a copy of this subsection and any safety documents identified in the label of the device and within thirty days of the transfer, report to the department the manufacturer's name ~~((and))~~, model number of device transferred, the name and address of the transferee, and the name and/or position of an individual who may constitute a point of contact between the department and the transferee; or

(B) Where the device is held in storage in the original shipping container at its intended location of use prior to initial use by a general licensee:

(ix) Shall comply with the provisions of WAC 402-24-180 and 402-24-190 for reporting radiation incidents, theft or loss of licensed material, but shall be exempt from the other requirements of chapters 402-24 and 402-48 WAC.

(d) The general license in ~~((paragraph (4)))~~(a) of this ~~((section))~~ subsection does not authorize the manufacture, import or export of devices containing radioactive material.

(e) The general license provided in this subsection ~~((of (4) of this section))~~ is subject to the provisions of

WAC 402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, and 402-19-500.

(5) Luminous safety devices for aircraft.

(a) A general license is hereby issued to own, receive, acquire, possess and use tritium or Promethium-147 contained in luminous safety devices for use in aircraft, provided:

(i) Each device contains not more than 10 curies of tritium or 300 millicuries of Promethium-147; and

(ii) Each device has been manufactured, assembled or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission, or each device has been manufactured or assembled in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer or assembler of such device pursuant to licensing requirements equivalent to those in Section 32.53 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.

(b) Persons who own, receive, acquire, possess or use luminous safety devices pursuant to the general license in this subsection ((5) of this section) are exempt from the requirements of chapters 402-24 and 402-48 WAC except that they shall comply with the provisions of WAC 402-24-180 and 402-24-190.

(c) This general license does not authorize the manufacture, assembly, or repair of luminous safety devices containing tritium or Promethium-147.

(d) This general license does not authorize the ownership, receipt, acquisition, possession or use of Promethium-147 contained in instrument dials.

(e) This general license is subject to the provisions of WAC 402-12-080 through 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, and 402-19-500.

(6) Ownership of radioactive material. A general license is hereby issued to own radioactive material without regard to quantity. Notwithstanding any other provisions of this chapter, this general license does not authorize the manufacture, production, transfer, receipt, possession or use of radioactive material.

(7) Calibration and reference sources.

(a) A general license is hereby issued to those persons listed below to own, receive, acquire, possess, use and transfer, in accordance with the provisions of ((paragraphs (7)))(d) and (e) of this ((section)) subsection, Americium-241 in the form of calibration or reference sources:

(i) Any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material; or

(ii) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission which authorizes that person to receive, possess, use and transfer special nuclear material.

(b) A general license is hereby issued to own, receive, possess, use and transfer plutonium in the form of calibration or reference sources in accordance with the provisions of ((paragraphs (7)))(d) and (e) of this ((section)) subsection to any person who holds a specific license issued by the department which authorizes that

person to receive, possess, use and transfer radioactive material.

(c) A general license is hereby issued to own, receive, possess, use and transfer Radium-226 in the form of calibration or reference sources in accordance with the provisions of ((paragraphs (7)))(d) and (e) of this ((section)) subsection to any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material.

(d) The general licenses in ((paragraphs (7)))(a), (b) and (c) of this ((section)) subsection apply only to calibration or reference sources which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer or importer of the sources by the United States Nuclear Regulatory Commission pursuant to Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 or which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer by the department or any agreement state or licensing state pursuant to licensing requirements equivalent to those contained in Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 of the regulations of the United States Nuclear Regulatory Commission.

(e) The general licenses provided in ((paragraphs (7)))(a), (b) and (c) of this subsection are subject to the provisions of WAC 402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, 402-19-500, chapters 402-24 and 402-48 WAC.

In addition, persons who own, receive, acquire, possess, use or transfer one or more calibration or reference sources pursuant to these general licenses:

(i) Shall not possess at any one time, at any one location of storage or use, more than 5 microcuries of Americium-241 and 5 microcuries of plutonium and 5 microcuries of Radium-226 in such sources;

(ii) Shall not receive, possess, use or transfer such source unless the source, or the storage container, bears a label which includes one of the following statements or a substantially similar statement which contains the information called for in the following statement:

(A) The receipt, possession, use and transfer of this source, Model, Serial No., are subject to a general license and the regulations of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS (AMERICIUM-241). (PLUTONIUM)*. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE

.....
Name of manufacturer or importer

*NOTE: Showing only the name of the appropriate material.

(B) The receipt, possession, use and transfer of this source, Model, Serial No., are subject to a general license and the regulations of any licensing state. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS RADIUM-226. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE.

.....
Name of manufacturer or importer

(iii) Shall not transfer, abandon, or dispose of such source except by transfer to a person authorized by a license from the department, the United States Nuclear Regulatory Commission, or an agreement state or licensing state to receive the source;

(iv) Shall store such source, except when the source is being used, in a closed container adequately designed and constructed to contain Americium-241, Plutonium, or Radium-226/Radon-222 which might otherwise escape during storage; and

(v) Shall not use such source for any purpose other than the calibration of radiation detectors or the standardization of other sources.

(f) These general licenses do not authorize the manufacture of calibration or reference sources containing Americium-241, Plutonium, or Radium-226.

(8) General license for use of radioactive material for certain in vitro clinical or laboratory testing.*

(a) A general license is hereby issued to any physician, veterinarian, clinical laboratory or hospital to receive, acquire, possess, transfer or use, for any of the following stated tests, in accordance with the provisions of ~~((paragraphs (8))~~(b), (c), (d), (e), and (f) of this ~~((section))~~ subsection the following radioactive materials in prepackaged units:

(i) Iodine-125, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(ii) Iodine-131, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(iii) Carbon-14, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(iv) Hydrogen-3 (tritium), in units not exceeding 50 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(v) Iron-59, in units not exceeding 20 microcuries each for use in in vitro clinical or laboratory tests not

involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(vi) Cobalt-57, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(vii) Selenium-75, in units not to exceed 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(viii) Mock Iodine-125 reference or calibration sources, in units not exceeding 0.05 microcurie of Iodine-129 and 0.005 microcurie of Americium-241 each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

*NOTE: The new drug provisions of the Federal Food, Drug and Cosmetic Act also govern the availability and use of any specific diagnostic drugs in interstate commerce.

(b) No person shall receive, acquire, possess, use or transfer radioactive material pursuant to the general license established by ~~((paragraph (8))~~(a) of this ~~((section))~~ subsection until that person has received a validated copy of department Form RHF-15 "Certificate-in vitro testing with radioactive material under general license." Annual validation requires resubmittal of revised department Form RHF-15 and submittal of the annual fee to the department. The physician, veterinarian, clinical laboratory or hospital shall furnish on department Form RHF-15 the following information and such other information as may be required by that form:

(i) Name and address of the physician, veterinarian, clinical laboratory or hospital;

(ii) The location of use; and

(iii) A statement that the physician, veterinarian, clinical laboratory or hospital has appropriate radiation measuring instruments to carry out in vitro clinical or laboratory tests with radioactive material as authorized under the general license in ~~((paragraph (8))~~(a) of this ~~((section))~~ subsection and that such tests will be performed only by personnel competent in the use of such instruments and in the handling of the radioactive material.

(c) A person who receives, acquires, possesses or uses radioactive material pursuant to the general license established by ~~((paragraph (8))~~(a) of this ~~((section))~~ subsection shall comply with the following:

(i) The general licensee shall not possess at any one time, pursuant to the general license in ~~((paragraph (8))~~(a) of this ~~((section))~~ subsection at any one location of storage or use, a total amount of Iodine-125, Iodine-131, Selenium-75, Iron-59, and/or Cobalt-57 in excess of 200 microcuries.

(ii) The general licensee shall store the radioactive material, until used, in the original shipping container or in a container providing equivalent radiation protection.

(iii) The general licensee shall use the radioactive material only for the uses authorized by ~~((paragraph (8))~~(a) of this ~~((section))~~ subsection.

(iv) The general licensee shall not transfer the radioactive material to a person who is not authorized to receive it pursuant to a license issued by the department, the United States Nuclear Regulatory Commission, any agreement state or licensing state, nor transfer the radioactive material in any manner other than in the unopened, labeled shipping container as received from the supplier.

(v) The general licensee shall dispose of the Mock Iodine-125 reference or calibration sources described in ((item (8)))(a)(viii) of this ((section)) subsection as required by WAC 402-24-130 ((of these regulations)).

(d) The general licensee shall not receive, acquire, possess, or use radioactive material pursuant to ((paragraph (8)))(a) of this ((section)) subsection:

(i) Except as prepackaged units which are labeled in accordance with the provision of an applicable specific license issued pursuant to WAC 402-22-110(8) or in accordance with the provisions of a specific license issued by the United States Nuclear Regulatory Commission, or any agreement state or licensing state which authorizes the manufacture and distribution of Iodine-125, Iodine-131, Carbon-14, Hydrogen-3 (tritium), Iron-59, Selenium-75, Cobalt-57, or Mock Iodine-125 to persons generally licensed under this subsection ((of this section)) or its equivalent; and

(ii) Unless one of the following statements, as appropriate, or a substantially similar statement which contains the information called for in one of the following statements, appears on a label affixed to each prepackaged unit or appears in a leaflet or brochure which accompanies the package:

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority.

.....
Name of manufacturer

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a licensing state.

.....
Name of manufacturer

(e) The physician, veterinarian, clinical laboratory or hospital possessing or using radioactive material under the general license of ((paragraph (8)))(a) of this ((section)) subsection shall report in writing to the department, any changes in the information previously furnished in the "Certificate - in vitro testing with radioactive material under general license," department Form RHF-15. The report shall be furnished within thirty days after the effective date of such change.

(f) This general license is subject to the provisions of WAC 402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-160 and 402-12-170 ((of the regulations)). In addition, any person using radioactive material pursuant to the general license of ((paragraph (8)))(a) of this ((section)) subsection is exempt from the requirements of chapters 402-24 and 402-48 WAC ((of these regulations)) with respect to radioactive material covered by that general license, except that such persons using the Mock Iodine-125 described in ((item (8)))(a)(viii) of this ((section)) subsection shall comply with the provisions of WAC 402-24-130, 402-24-180, and 402-24-190 and of these regulations.

(9) Ice detection devices.

(a) A general license is hereby issued to own, receive, acquire, possess, use and transfer Strontium-90 contained in ice detection devices, provided each device contains not more than 50 microcuries of Strontium-90 and each device has been manufactured or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission or each device has been manufactured in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer of such device pursuant to licensing requirements equivalent to those in Section 32.61 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.

(b) Persons who own, receive, acquire, possess, use or transfer Strontium-90 contained in ice detection devices pursuant to the general license in ((paragraph (9)))(a) of this ((section)) subsection:

(i) Shall, upon occurrence of visually observable damage, such as a bend or crack or discoloration from overheating to the device, discontinue use of the device until it has been inspected, tested for leakage and repaired by a person holding a specific license from the United States Nuclear Regulatory Commission or an agreement state to manufacture or service such devices; or shall dispose of the device pursuant to the provisions of these regulations;

(ii) Shall assure that all labels affixed to the device at the time of receipt, and which bear a statement which prohibits removal of the labels, are maintained thereon; and

(iii) Are exempt from the requirements of chapters 402-24 and 402-48 WAC ((of these regulations)) except that such persons shall comply with the provisions of WAC 402-24-130, 402-24-180, and 402-24-190.

(c) This general license does not authorize the manufacture, assembly, disassembly or repair of Strontium-90 sources in ice detection devices.

(d) This general license is subject to the provision of WAC 402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, and 402-19-500 (~~of these regulations~~):

AMENDATORY SECTION (Amending Order 1683, filed 7/28/81)

WAC 402-22-040 GENERAL REQUIREMENTS FOR THE ISSUANCE OF SPECIFIC LICENSES. A license application will be approved if the department determines that:

(1) The applicant is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with these regulations in such a manner as to minimize danger to public health and safety or property;

(2) The applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property;

(3) The issuance of the license will not be inimical to the health and safety of the public; and

(4) The applicant satisfies any applicable special requirements in WAC 402-22-070, 402-22-090, (~~and~~) 402-22-110, and 402-80-060.

(5) In the case of an application for a license to receive and possess radioactive material for commercial waste disposal by land burial, source material milling, or for the conduct of any other activity which the agency determines will significantly affect the quality of the environment, the department, before commencement of construction of the plant or facility in which the activity will be conducted, has concluded, after independently weighing the environmental, economic, technical and other benefits against environmental costs and considering available alternatives, that the action called for is the issuance of the proposed license, with any appropriate conditions to protect environmental values. Commencement of construction prior to such conclusion shall be grounds for denial of a license to receive and possess radioactive material in such plant or facility. As used in this paragraph the term "commencement of construction" means any clearing of land, excavation, or other substantial action that would adversely affect the environment of a site. The term does not mean site exploration, necessary borings to determine foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the site or the protection of environmental values.

(6) Financial surety arrangements.

(a) Pursuant to chapter 70.121 RCW, and except as otherwise provided, financial surety arrangements for site reclamation and long-term surveillance and control which may consist of surety bonds, cash deposits, certificates of deposit, deposits of government securities, irrevocable letters or lines of credit, or any combination of the above for source material milling operations shall be established to ensure the protection of the public health and safety in the event of abandonment, default, or other

inability of the licensee to meet the requirements of the act and these regulations.

(i) The amount of funds to be ensured by such surety arrangements shall be based on (~~agency-approved~~) department-approved cost estimates.

(ii) Self-insurance, or any arrangement which essentially constitutes self-insurance (e.g., a contract with a state or federal agency), will not satisfy the surety requirement since this provides no additional assurance other than that which already exists through license requirements.

(b) The arrangements required in (~~WAC 402-22-040(6)~~) (a) of this subsection shall be established prior to commencement of operations to assure that sufficient funds will be available to carry out (~~the~~) decontamination and decommissioning of the facility.

(c) Amendments to licenses in effect on the effective date of this regulation may be issued providing that the required surety arrangements are established within ninety days after the effective date of (~~WAC 402-22-040(6)~~) this subsection.

(d) For source material milling operations, the amount of funds to be ensured by such surety arrangements shall be based on (~~agency-approved~~) department-approved cost estimates in an approved plan for (i) decontamination and decommissioning of mill buildings and the milling site to levels which would allow unrestricted use of these areas upon decommissioning, and (ii) the reclamation of tailings and/or waste disposal areas in accordance with the technical criteria delineated in WAC 402-52-100. The license shall submit this plan in conjunction with an environmental report that addresses the expected environmental impacts of the milling operation, decommissioning and tailings reclamation, and evaluates alternatives for mitigating these impacts. In addition, the surety shall cover the payment of the charge for long-term surveillance and control required by the (~~agency~~) department. In establishing specific surety arrangements, the licensee's cost estimates shall take into account total costs that would be incurred if an independent contractor were hired to perform the decommissioning and reclamation work. In order to avoid unnecessary duplication and expense, the (~~agency~~) department may accept financial sureties that have been consolidated with financial or surety arrangements established to meet requirements of other federal or state agencies and/or local governing bodies for such decommissioning, decontamination, reclamation, and long-term site surveillance, provided such arrangements are considered adequate to satisfy these requirements and that portion of the surety which covers the decommissioning and reclamation of the mill, mill tailings site and associated areas, and the long-term funding charge are clearly identified. The licensee's surety mechanism will be reviewed annually by the (~~agency~~) department to assure that sufficient funds will be available for completion of the reclamation plan if the work had to be performed by an independent contractor. The amount of surety liability should be adjusted to recognize any increases or decreases resulting from inflation, changes in engineering plans, activities performed, and any other

conditions affecting costs. Regardless of whether reclamation is phased through the life of the operation or takes place at the end of operations, an appropriate portion of surety liability shall be retained until final compliance with the reclamation plan is determined. This will yield a surety that is at least sufficient at all times to cover the costs of decommissioning and reclamation of the areas that are expected to be disturbed before the next license renewal. The term of the surety mechanism must be open ended, unless it can be demonstrated that another arrangement would provide an equivalent level of assurance. This assurance could be provided with a surety instrument which is written for a specified period of time (e.g., five years) yet which must be automatically renewed unless the surety notifies the beneficiary (the state regulatory agency) and the principal (the licensee) some reasonable time (e.g., ninety days) prior to the renewal date of their intention not to renew. In such a situation the surety requirement still exists and the licensee would be required to submit an acceptable replacement surety within a brief period of time to allow at least sixty days for the ((regulatory agency)) department to collect.

(7) Long-term care requirements. Pursuant to chapter 70.121 RCW, and as otherwise provided in WAC 402-22-070 (6)(d), a long-term care trust fund shall be established by source material milling licensees prior to the issuance of the license.

(8) Continued surveillance requirements for source material mills.

(a) The final disposition of tailings or wastes at source material milling sites should be such that the need for active maintenance is not necessary to preserve isolation. As a minimum, annual site inspections shall be conducted by the government agency retaining ultimate custody of the site where tailings, or wastes are stored to confirm the integrity of the stabilized tailings, or waste systems and to determine the need, if any, for maintenance and/or monitoring and/or environmental sampling. Results of the inspection shall be reported to the ((U.S. NRC)) United States Nuclear Regulatory Commission within sixty days following each inspection. The ((U.S. NRC)) United States Nuclear Regulatory Commission may require more frequent site inspections, if, on the basis of a site-specific evaluation, such a need appears necessary due to the features of a particular tailings or waste disposal system.

(b) A minimum charge of ((~~\$250,000~~)) two hundred fifty thousand dollars (1978 United States dollars) accrued as specified in WAC 402-22-070 (6)(d) to cover the costs of long-term surveillance shall be paid by each mill operator to the agency prior to the termination of a uranium or thorium mill license. If site surveillance or control requirements at a particular site are determined, on the basis of a site-specific evaluation, to be significantly greater than those specified in ((~~WAC 402-22-040 (8)~~)) (a) of this subsection (e.g., if fencing is determined to be necessary) variance in funding requirements may be specified by the department. The total charge to cover the costs of long-term surveillance shall be such that, with an assumed one percent annual real interest rate, the collected funds will yield interest in an amount sufficient to cover the annual costs of site surveillance.

The charge will be adjusted annually prior to actual payments to recognize inflation. The inflation rate to be used is that indicated by the change in the consumer price index published by the United States Department of Labor, Bureau of Labor Statistics. Contributions by a licensee to the long-term care trust fund pursuant to chapter 70.121 RCW shall be transferred to cover the costs assessed under this criterion.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-22-045 ISSUANCE OF SPECIFIC LICENSES. (1) Upon a determination that an application meets the requirements of the act and the regulations of the department the department will issue a specific license authorizing the proposed activity in such form and containing such conditions and limitations as it deems appropriate or necessary.

(2) The department may incorporate in any license at the time of issuance, or thereafter by appropriate rule, regulation, or order, such additional requirements and conditions with respect to the licensee's receipt, possession, use, storage, and transfer of radioactive material subject to this part as it deems appropriate or necessary in order to:

(a) Minimize danger to public health and safety or property;

(b) Require such reports and the keeping of such records, and to provide for such inspections of activities under the license as may be appropriate or necessary; and

(c) Prevent loss or theft of material subject to this part.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-22-065 AGENCY ACTION ON APPLICATIONS TO RENEW OR AMEND. In considering an application by a licensee to renew or amend the license, the department will apply the criteria set forth in ((~~WAC 402-22-040, 402-22-070, 402-22-090, or 402-22-110~~)) this chapter, as applicable.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-22-070 SPECIAL REQUIREMENTS FOR ISSUANCE OF CERTAIN SPECIFIC LICENSES FOR RADIOACTIVE MATERIAL. (1) Human use of radioactive material in institutions. In addition to the requirements set forth in WAC 402-22-040 a specific license for human use of radioactive material in institutions will be issued if:

(a) The applicant has appointed a radiation safety committee to coordinate the use of radioactive material throughout that institution and to maintain surveillance over the institution's radiation safety program. Membership of the committee should include a specialist (where applicable a physician) from each department where radioactive material is used, a representative of the institution's management, a representative of the nursing

staff, and a person trained in radiation safety. The radiation safety committee shall meet at intervals not to exceed six months. Minutes shall be taken and maintained for two years for inspection by the department;

(b) The applicant possesses adequate facilities for the clinical care of patients. The applicant is advised that construction of new radioisotope facilities and modification of existing facilities must also comply with the requirements of WAC 248-18-665 of the construction review section of the department;

(c) The physician(s) designated on the application as the individual user(s) has (or have) substantial experience in the handling and administration of radioactive material and, where applicable, the clinical management of radioactive patients; and

(d) If the application is for a license to use unspecified quantities or multiple types of radioactive material, the applicant's staff has substantial experience in the use of a variety of radioactive materials for a variety of human uses.

(2) Licensing of individual physicians for human use of radioactive material. In addition to the requirements set forth in WAC 402-22-040 a specific license for the human use of radioactive material will be issued to an individual physician if:

(a) The applicant has access to a hospital possessing adequate facilities to hospitalize and monitor the applicant's radioactive patients whenever it is advisable;

(b) The applicant has extensive experience in the handling and administration of radioactive material and, where applicable, the clinical management of radioactive patients;

(c) The application is for use in the applicant's practice in an office outside a medical institution; and

(d) The department will approve an application by an individual physician or group of physicians for a specific license to receive, possess or use radioactive material on the premises of a medical institution only if:

(i) The use of radioactive material is limited to the:

(A) Administration of radiopharmaceuticals for diagnostic or therapeutic purposes;

(B) Performance of diagnostic studies on patients to whom a radiopharmaceutical has been administered;

(C) Performance of in vitro diagnostic studies; or

(D) Calibration and quality control checks of radioactive assay instrumentation, radiation safety instrumentation and diagnostic instrumentation;

(ii) The physician brings the radioactive material with him and removes the radioactive material when he departs. (The institution cannot receive, possess or store radioactive material other than the amount of material remaining in the patient); and

(iii) The medical institution does not hold a radioactive material license issued pursuant to the provisions of subsection (1) of this section.

(3) Specific licenses for certain groups of medical uses of radioactive material.

(a) Subject to the provisions of ~~((paragraphs (3)))~~ (b), (c) and (d) of this ~~((section))~~ subsection an application for a specific license pursuant to subsection ~~((s))~~ (1), (2) or (4) of this section, or for any medical use or uses of radioactive material specified in one or more of

Groups I to VI, inclusive, of WAC 402-22-200, Schedule A, will be approved for all of the uses within the group or groups which include the use or uses specified in the application if:

(i) The applicant satisfies the requirements of subsection ~~((s))~~ (1), (2) or (4) of this section;

(ii) The applicant, or the physician designated in the application as the individual user, has adequate clinical experience in the types of uses included in the group or groups;

(iii) The applicant, or the physicians and all other personnel who will be involved in the preparation and use of the radioactive material, have adequate training and experience in the handling of radioactive material appropriate to their participation in the uses included in the group or groups;

(iv) The applicant's radiation detection and measuring instrumentation is adequate for conducting the procedures involved in the uses included in the group or groups, specifically:

(A) For Groups I through V, applicant must possess and use a calibrated and operable low-range survey instrument with a thin window (less than 7 mg/cm²) capable of detecting radiation levels of 0.05 milliroentgen per hour up to at least 20 milliroentgens per hour;

(B) For Groups III, V, and VI, applicant must possess a calibrated and operable high-range survey instrument capable of detecting radiation levels up to ~~((+))~~ at least one Roentgen per hour;

(v) The applicant's radiation safety operating procedures are adequate for handling and disposal of the radioactive material involved in the uses included in the group or groups.

(b) Any licensee or registrant who is authorized to use radioactive material pursuant to one or more groups in ~~((paragraph (3)))~~ (a) of this ~~((section))~~ subsection and WAC 402-22-200, Schedule A, is subject to the following conditions:

(i) For Groups I, II, IV, and V, no licensee or registrant shall receive, possess or use radioactive material except as a radiopharmaceutical manufactured in the form to be administered to the patient, labeled, packaged and distributed in accordance with a specific license issued by the department pursuant to WAC 402-22-110(10), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.72 of 10 CFR Part 32, or a specific license issued by an agreement state or a licensing state pursuant to equivalent regulations.

(ii) For Group III, no licensee or registrant shall receive, possess or use generators or reagent kits containing radioactive material or shall use reagent kits that do not contain radioactive material to prepare radiopharmaceuticals containing radioactive material, except:

(A) Reagent kits not containing radioactive material that are approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state for use by persons licensed pursuant to this subsection ~~((of this section))~~ and WAC 402-22-200, Schedule A, or equivalent regulations; or

(B) Generators or reagent kits containing radioactive material that are manufactured, labeled, packaged and

distributed in accordance with a specific license issued by the department pursuant to WAC 402-22-110(11), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.73 of 10 CFR Part 32, or a specific license issued by an agreement state or a licensing state pursuant to equivalent regulations.

(iii) For Group VI, no licensee or registrant shall receive, possess or use radioactive material except as contained in a source or device that has been manufactured, labeled, packaged and distributed in accordance with a specific license issued by the department pursuant to WAC 402-22-110(12), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.74 of 10 CFR Part 32, or a specific license issued to the manufacturer by an agreement state or a licensing state pursuant to equivalent regulations.

(iv) For Group III, any licensee or registrant who uses generators or reagent kits shall elute the generator or process radioactive material with the reagent kit in accordance with instructions which are approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and are furnished by the manufacturer on the label attached to or in the leaflet or brochure which accompanies the generator or reagent kit.

(v) For Groups I, II and III any licensee using by-product material for clinical procedures other than those specified in the product labeling (package insert) shall comply with the product labeling regarding:

- (A) Chemical and physical form;
- (B) Route of administration; and
- (C) Dosage range.

(c) Any licensee who is licensed pursuant to ~~((paragraph (3)))~~ (a) of this ~~((section))~~ subsection for one or more of the medical use groups in WAC 402-22-200, Schedule A, also is authorized, subject to the provisions of ~~((paragraph (3)))~~ (c) and (d) of this ~~((section))~~ subsection to receive, possess and use for calibration and reference standards:

(i) Any radioactive material authorized for use in IND/NDA products under Group I, Group II, or Group III of WAC 402-22-200, Schedule A, with a half-life not longer than one hundred days, in amounts not to exceed 15 millicuries total;

(ii) Any radioactive material authorized for use in IND/NDA products under Group I, Group II, or Group III of WAC 402-22-200, Schedule A, with half-life greater than one hundred days in amounts not to exceed 200 microcuries total;

(iii) Technetium-99m in amounts not to exceed 30 millicuries; ~~((and))~~

(iv) Any radioactive material excluding Radium-226, in amounts not to exceed ~~((3))~~ three millicuries per source (except Cobalt-57, which may be possessed in amounts not to exceed 5.5 millicuries), contained in calibration or reference sources that have been manufactured, labeled, packaged, and distributed in accordance with a specific license issued by the department pursuant to WAC 402-22-110~~((+2))~~(11), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.74 of 10 CFR Part 32, or a

specific license issued to the manufacturer by an agreement state or a licensing state pursuant to equivalent regulations.

(d) Leak tests.

(i) Any licensee or registrant who possesses sealed sources as calibration or reference sources pursuant to ~~((paragraph (3)))~~ (c) of this ~~((section))~~ subsection shall cause each sealed source containing radioactive material, other than Hydrogen-3, with a half-life greater than thirty days in any form other than gas to be tested for leakage and/or contamination at intervals not to exceed six months. In the absence of a certificate from a transferor indicating that a test has been made within six months prior to the transfer, the sealed sources ~~((should))~~ shall not be used until tested: PROVIDED, HOWEVER, That no leak tests are required when:

(A) The source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material;

(B) The sealed source is stored and is not being used: PROVIDED, That a physical inventory of the source and wipe surveys of the storage area or storage container are conducted.

(ii) The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from the sealed source or from the surfaces of the device in which the sealed source is mounted or stored on which contamination might be expected to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the department.

(iii) If the leak test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee or registrant shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with chapters 402-22 and 402-24 WAC ~~((of these regulations))~~. A report shall be filed within five days of the test with the department describing the equipment involved, the test results, and the corrective action taken.

(e) Any licensee or registrant who possesses and uses calibration and reference sources pursuant to ~~((item (3)))~~(c)(iv) of this ~~((section))~~ subsection shall:

(i) Follow the radiation safety and handling instructions approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and furnished by the manufacturer on the label attached to the source, or permanent container thereof, or in the leaflet or brochure that accompanies the source, and maintain such instruction in a legible and conveniently available form; and

(ii) Conduct a quarterly physical inventory to account for all sources received and possessed. Records of the inventories shall be maintained for inspection by the department and shall include at a minimum the quantities and kinds of radioactive material, location of sources, name of person performing the inventory, and the date of the inventory.

(4) Human use of sealed sources. In addition to the requirements set forth in WAC 402-22-040, a specific license for human use of sealed sources will be issued

only if the applicant or, if the application is made by an institution, the individual user:

(a) Has specialized training in the diagnostic or therapeutic use of the sealed source considered, or has experience equivalent to such training; and

(b) Is a physician.

(5) Use of sealed sources in industrial radiography. In addition to the requirements set forth in WAC 402-22-040, a specific license for use of sealed sources in industrial radiography will be issued if:

(a) The applicant will have an adequate program for training radiographers and radiographer's assistants and submits to the department a schedule or description of such program which specifies the:

(i) Initial training;

(ii) Periodic training;

(iii) On-the-job training;

(iv) Means to be used by the licensee to determine the radiographer's knowledge and understanding of and ability to comply with department regulations and licensing requirements, and the operating and emergency procedures of the applicant; and

(v) Means to be used by the licensee to determine the radiographer's assistant's knowledge and understanding of and ability to comply with the operating and emergency procedures of the applicant;

(b) The applicant submits to the department and complies with satisfactory written operating and emergency procedures (described in WAC 402-36-110 (~~of these regulations~~));

(c) The applicant will have a quarterly internal inspection system, (~~or other management control~~;) to assure that license provisions, regulations, and the applicant's operating and emergency procedures are followed by radiographers and radiographer's assistants. Records of this management control program shall be maintained for two years;

(d) The applicant submits to the department a description of the applicant's overall organizational structure pertaining to the industrial radiography program, including specified delegations of authority and responsibility for operation of the program;

(e) The applicant who desires to conduct leak tests has established adequate procedures to be followed in leak testing sealed sources for possible leakage and contamination and submits to the department a description of such procedures including:

(i) Instrumentation to be used;

(ii) Method of performing tests, e.g., points on equipment to be smeared and method of taking smear; and

(iii) Pertinent experience of the person who will perform the tests;

(f) The licensee shall conduct a program for inspection and maintenance of radiographic exposure devices and storage containers to assure proper functioning of components important to safety.

(6) Environmentally significant licensing actions. In addition to the requirements set forth in WAC 402-22-040, a specific license for any activity within the licensing authority of the department which the department determines will significantly affect the radiological quality of the human environment, including those specified

in WAC 197-10-175 (7)(a) (i.e., licenses to operate low level waste burial facilities or licenses to operate or expand beyond the design capacity, mineral processing facilities or their tailings areas, whose products, or by-products, have concentrations of naturally occurring radioactive material in excess of exempt concentrations as specified in WAC 402-19-580, Schedule C), will be issued if the following conditions are met:

(a) Environmental impact statement.

(i) The application for a license or license amendment (other than administrative amendments) is accompanied or preceded by a final environmental impact statement or final declaration of nonsignificance completed in accordance with the State Environmental Policy Act (SEPA) procedures and guidelines specified in chapters (~~(197-10)~~) 197-11 and 248-06 WAC. For any uranium or thorium mill in operation on or before the effective date of this regulation for which an environmental impact statement has not been prepared previously, an application for license renewal must be accompanied or preceded by a final environmental impact statement or final declaration of nonsignificance completed in accordance with SEPA guidelines.

NOTE: No construction shall be commenced until the license has been issued or unless an emergency exemption from SEPA requirements is granted in accordance with WAC 197-10-180. For the purposes of this subsection (~~((6) of this section~~)), the term "commencement of construction" means any clearing of land, excavation or other substantial action related to a proposed activity for specific licensing that would adversely affect the natural environment of a site; this term does not include changes desirable for the temporary use of the land for public recreational use, limited borings to determine site characteristics as necessary for environmental assessment, or other preconstruction monitoring to establish background information related to suitability of a site or to the protection of environmental values. In the case where an exemption is granted, the applicant shall assume all financial risk for construction activity; waive any claim of entitlement to the issuance of a license based solely upon the grant of the exemption or the commencement of construction pursuant thereto; and furnish, if the circumstances warrant and the department so requires, a financial surety arrangement to insure the protection of the public health, safety and the environment in the event of abandonment, default, or inability of the license applicant to meet the requirements of the act or these regulations.

(ii) In addition to the information required in chapter (~~(197-10)~~) 197-11 WAC, the following additional areas shall be addressed in the final environmental impact statement:

(A) Alternative sites to those chosen by the applicant shall include all alternative sites, whether or not those sites are under the control or ownership of the applicant.

(B) Long term impacts shall include, but not be limited to, decommissioning, decontamination, reclamation impacts and material management associated with the proposed activities.

(C) Environmental reviews, dose assessments, ecology, construction effects on biota, impact on the environment from the use of chemicals, and socioeconomic effects shall be addressed.

(D) Alternative disposal sites and techniques for disposal shall be evaluated to determine if a site or technique is clearly superior.

(b) For uranium or thorium milling operations, a bond made payable to the department of social and health services or other acceptable government agency, and in an amount specified by the department, shall be posted to ensure the protection of the public health and safety in the event of abandonment, default or other inability of the licensee to meet the requirements for reclamation and disposal of tailings and for decommissioning the site. The bond, or a copy thereof when the bond is made payable to another government agency, shall be received by the department prior to issuance of the license, or prior to license renewal for mills in operation on or before the effective date of this regulation. Other acceptable surety arrangements in addition to surety bonding include cash deposits, certificates of deposit, deposits of government securities, letters or lines of credit or combinations of the foregoing. The amount and mechanism of the surety arrangement may be reviewed by the department preceding each license renewal and adjustments may be required of the licensee prior to such renewal.

(c) The owner of the proposed uranium or thorium mill and tailings site(s) agrees to transfer or revert to the appropriate state or federal agency upon termination of the license, all lands, buildings and grounds, and any interest therein, necessary to fulfill the purposes of this subsection, except where the lands are held in trust for, or are owned by any Indian tribe. For any uranium or thorium mill in operation on or before the effective date of this regulation, such an agreement will be required prior to license renewal.

(d) For all uranium and thorium milling operations, the owner or operator shall arrange to pay to the department or its designee on a quarterly basis a charge on each ~~((pound))~~ kilogram of uranium or thorium compound which is milled out of the raw ore on or after January 1, 1980. ~~((For uranium or thorium mills in operation on or before the effective date of this regulation, the mill owner or operator shall determine the appropriate manner in which to make said payments prior to April 1, 1980.))~~

(i) The specific charge shall be ~~((five))~~ twenty cents per ~~((pound))~~ kilogram on each ~~((pound))~~ kilogram of uranium or thorium compound milled out of the raw ore.

(ii) The specific charge may be increased or decreased as is considered necessary to provide a special security fund for the further maintenance, surveillance or care which may be required after a licensee has ceased to operate.

(iii) The total charge shall not exceed one million dollars.

(iv) A minimum fund of two hundred fifty thousand dollars shall be provided by the licensee payable to the state. If a shortfall exists between the amount of money in the special security fund and the two hundred fifty thousand dollars minimum amount, a surety bond, or other acceptable surety instrument as defined above shall be arranged.

(e) The application for a license includes a description of an appropriate program for effluent monitoring, environmental monitoring and data reporting. Such description shall encompass locations, frequency, and types of sampling, analytical plans and procedures, minimum detection levels, sampling equipment and quality assurance programs.

(f) All licensees or registrants required to meet the additional requirements set forth in ~~((WAC 402-22-070(6)))~~ this subsection shall establish environmental monitoring programs adequate to determine the impact of their activity on the natural environment around the site of their environmentally significant activity. The established environmental and effluent monitoring program shall address all environmentally significant radionuclide releases and external radiation sources caused or threatened to be caused by the licensee's activities.

(i) Effluent and environmental monitoring results shall include the following minimum information as pertinent:

(A) Information as to flow rates, total volume of effluent, peak concentration, concentration of each radionuclide in the effluent averaged over a period of one year at the point where the effluent leaves a stack, tube, pipe, or similar conduit;

(B) A description of the properties of the effluents, including:

(I) Chemical composition;

(II) Physical characteristics, including suspended solids content in liquid effluents, and nature of gas aerosol for air effluents;

(III) The hydrogen ion concentrations (pH) of liquid effluents; and

(IV) The size range of particulates in effluent released into air;

(C) A description of the anticipated human occupancy in the unrestricted area where the highest concentration of radioactive material from the effluent is expected, and, in the case of a river stream a description of water uses downstream from the point of release of the effluent.

(D) Information as to the highest concentration of each radionuclide in an unrestricted area, including anticipated concentrations averaged over a period of one year:

(I) In air at any point of human occupancy; or

(II) In water at points of use downstream from the point of release of the effluent;

(E) The background concentration of radionuclides in the receiving river or stream prior to the release of liquid effluent;

(F) A description of the waste treatment facilities and procedures used to reduce the concentration of radionuclides in effluents prior to their release;

(G) A written description of sampling techniques and sample analysis methods;

(H) A written description of how all calculated results were obtained from sample analysis data. This explanation shall include example calculations and estimates of the precision and sensitivity of monitoring results;

(I) A written description of the licensee's quality control program including specification of control samples and standard samples used.

(ii) The licensee shall submit in writing to the department within sixty days after January 1 and July 1 of each year, reports specifying the quantities of each of the principle radionuclides released to unrestricted areas in liquid and in gaseous effluent during the previous six months of operations. This data shall be reported in a manner that will permit the department to confirm the potential annual radiation doses to the public. All data from the radiological and nonradiological environmental monitoring program will also be submitted for the same time period and frequency as specified above. The data shall be reported in a manner which will allow the department to confirm the potential annual radiation doses to the public.

(g) For land disposal of radioactive material, the provisions of chapter 402-61 WAC must also be met.

AMENDATORY SECTION (Amending Order 1683, filed 7/28/81)

WAC 402-22-150 SPECIAL REQUIREMENTS FOR ISSUANCE OF SPECIFIC LICENSES FOR SOURCE MATERIAL MILLING. In addition to the requirements set forth in WAC 402-22-040, a specific license for source material milling will be issued if the applicant submits to the department a satisfactory application as described herein and meets the other conditions specified below:

(1) An application for a license to receive title to, receive, possess, and use source material for milling or byproduct material as defined in WAC 402-12-050(6) shall address the following:

- (a) Description of the proposed project or action.
- (b) Area/site characteristics including geology, demography, topography, hydrology and meteorology.
- (c) Radiological and nonradiological impacts of the proposed project or action, including waterway and groundwater impacts.
- (d) Environmental effects of accidents.
- (e) Tailings disposal and decommissioning.
- (f) Site and project alternatives.
- (g) Description of how the provisions of chapter 402-52 WAC shall be met.

(2) Pursuant to WAC 402-22-040(~~((5))~~)(6) the applicant shall not commence construction of the project until the department has weighed the environmental, economic, technical, and other benefits against the environmental costs and has concluded that the issuance of the license is appropriate.

(3) Prior to issuance of a license, a public hearing shall be held. The scope shall extend to the question of license issuance and the adequacy of the reclamation, disposal, decommissioning, and decontamination plans.

(4) At least one full year prior to any major site construction, a preoperational monitoring program shall be conducted to provide complete baseline data on a milling

site and its environs. Throughout the construction and operating phases of the mill, an operational monitoring program shall be conducted to measure or evaluate compliance with applicable standards and regulations; to evaluate performance of control systems and procedures; to evaluate environmental impacts of operation; and to detect potential long-term effects.

(5) Prior to issuance of the license, the mill operator shall establish financial surety arrangements consistent with the requirements of WAC 402-22-040(6).

(6) The applicant shall provide procedures describing the means employed to meet the following requirements during the operational phase of any project.

(a) Milling operations shall be conducted so that all effluent releases are reduced to as low as is reasonably achievable below the limits of chapter 402-24 WAC.

(b) The mill operator shall conduct at least daily inspection of any tailings or waste retention systems. Records of such inspections shall be maintained for review by the ~~((agency))~~ department.

(c) The mill operator shall immediately notify the ~~((agency))~~ department of the following:

(i) Any failure in a tailings or waste retention system which results in a release of tailings or waste into unrestricted areas~~((;))~~; and

(ii) Any unusual conditions (conditions not contemplated in the design of the retention system) which if not corrected could lead to failure of the system and result in a release of tailings or waste into unrestricted areas.

~~((6))~~ (7) An application for a license to own, receive, possess and use byproduct material as defined in WAC 402-12-050 (6)(b) shall contain proposed specifications relating to the emissions control and disposition of the byproduct material to achieve the requirements and objectives set forth in the criteria listed in WAC 402-52-100.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-22-200 SCHEDULE A GROUPS OF MEDICAL USES OF RADIOACTIVE MATERIAL (REF. WAC 402-22-070(3) AND 402-22-110(9)). (1) Group I. Use of prepared radiopharmaceuticals for certain diagnostic studies involving measurements of uptake, dilution and excretion. This group does not include imaging or localization studies.

(a) Any radioactive material in a radiopharmaceutical and for a diagnostic use involving measurements of uptake, dilution or excretion for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(b) The provisions of ~~((paragraph (1)))~~(a) of this ~~((section))~~ subsection notwithstanding, no radioactive material in gaseous form or for use as an aerosol is permitted by this subsection except as specifically authorized in a license.

(2) Group II. Use of prepared radiopharmaceuticals for diagnostic imaging and localization studies.

(a) Any radioactive material in a radiopharmaceutical and for a diagnostic use involving imaging or localizing

for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect;

(b) The provisions of ~~((paragraph (2))~~(a) of this ~~((section))~~ subsection notwithstanding, no radioactive material in gaseous form or for use as an aerosol is permitted by this subsection except as specifically authorized ~~((im))~~ by a license or subsection (3)(b) of this section.

(3) Group III. Use of generators and reagent kits for the preparation and use of radiopharmaceuticals containing radioactive material for diagnostic imaging and localization studies.

(a) Any generator or reagent kit for preparation and diagnostic use of a radiopharmaceutical containing radioactive material for which generator or reagent kit a "Notice of claimed investigational exemption of a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(b) The provisions of ~~((paragraph (3))~~(a) of this ~~((section))~~ subsection notwithstanding, no generator or reagent kit is authorized for preparation of any gaseous form or aerosol of a radioactive material, except Technetium-99m as sodium pentetate as an aerosol for pulmonary function studies when used only with an approved and shielded delivery system, and disposed in accordance with applicable requirements, or as specifically authorized in a license.

(4) Group IV. Use of prepared radiopharmaceuticals for certain therapeutic uses that do not normally require hospitalization for purposes of radiation safety.

(a) Iodine-131 as iodide for treatment of hyperthyroidism and cardiac dysfunction;

(b) Phosphorus-32 as soluble phosphate for treatment of polycythemia vera, leukemia and bone metastases;

(c) Phosphorus-32 as colloidal chromic phosphate for intracavitary treatment of malignant effusions;

(d) Any radioactive material in a radiopharmaceutical and for a therapeutic use not normally requiring hospitalization for purposes of radiation safety for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(5) Group V. Use of prepared radiopharmaceuticals for certain therapeutic uses that normally require hospitalization for purposes of radiation safety.

(a) Gold-198 as colloid for intracavitary treatment of malignant effusions;

(b) Iodine-131 as iodide for treatment of thyroid carcinoma;

(c) Any radioactive material in a radiopharmaceutical and for a therapeutic use normally requiring hospitalization for radiation safety reasons for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(6) Group VI. Use of sources and devices containing radioactive material for certain medical uses.

(a) Americium-241 as a sealed source in a device for bone mineral analysis;

(b) Cesium-137 encased in needles and applicator cells for topical, interstitial, and intracavitary treatment of cancer;

(c) Cobalt-60 encased in needles and applicator cells for topical, interstitial, and intracavitary treatment of cancer;

(d) Gold-198 as seeds for interstitial treatment of cancer;

(e) Iodine-125 as a sealed source in a device for bone mineral analysis;

(f) Gadolinium-153 as a sealed source in a device for bone mineral analysis;

(g) Iridium-192 as seeds encased in nylon ribbon for interstitial treatment of cancer;

~~((g))~~ (h) Strontium-90 sealed in an applicator for treatment of superficial eye conditions; and

~~((h))~~ (i) Iodine-125 as seeds for interstitial treatment of cancer.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-22-240 APPENDIX—GENERAL LABORATORY RULES FOR SAFE USE OF UNSEALED SOURCES. (1) In addition to the requirements set forth in WAC 402-22-040, a specific licensee who uses unsealed, unplated and/or liquid sources should the applicant possess adequate facilities including ventilation systems which are compatible with the proposed uses: and,

(2) Possess, use, and store, radioactive materials in accordance with, but not limited to, the following:

(a) Receive, handle, and store radioactive materials only at specifically designated locations within the applicant's facility. Vessels containing radioactive material must be labeled as required by chapter 402-24 WAC.

(b) Wear disposable gloves at all times when handling ~~((disposable))~~ dispersible radioactive material or potentially contaminated items.

(c) Wear personnel monitoring devices (film badge and/or TLD), when required, at all times when working with, or in the vicinity of, radioactive materials. Extremity doses shall be considered in evaluating the need for separate extremity dosimeters. Calculations based on whole body badge results for photon emitters may be used in lieu of separate extremity dosimeters. Extremity dosimetry should be worn when working with millicurie or greater quantities of material (excluding low energy beta emitters and pure alpha emitters). Monitoring devices, when not in use, shall be stored only in a designated low-background area.

(d) Use remote tools, lead shields, lead-glass shields, and/or plexiglass shields as appropriate.

(e) Prohibit eating, chewing, drinking, smoking, and application of cosmetics in any area where radioactive material is used or stored.

(f) Do not store food, drink ~~((and))~~ or personal effects in any area, container, or refrigerator designated for radioactive materials use or storage.

(g) Do not pipette radioactive materials or perform any similar operation by employing mouth suction.

- (h) Use disposable absorbent material with impervious backing to cover work surfaces where spillage is possible.
- (i) Properly dress and protect open wounds on exposed body surfaces before working with radioactive materials.
- (j) Wear laboratory coats when working with radioactive material. Potentially contaminated laboratory coats shall not be worn outside the immediate work area.
- (k) Nuclides in volatile form, or with a high potential for volatilization should be used only in areas with ventilation systems which conform to the requirements of WAC 402-24-030 and 402-24-050.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-24-020 RADIATION DOSE TO INDIVIDUALS IN RESTRICTED AREAS.* (1) Except as provided in (~~WAC 402-24-020(2)~~) subsection (2) of this section no licensee or registrant shall possess, use, store, receive, or transfer sources of radiation in such a manner as to cause any individual in a restricted area to receive in any period of one calendar quarter from all sources of radiation in the licensee's or registrant's possession a dose in excess of the limits specified in the following table:

REM PER CALENDAR QUARTER	
Whole body; head and trunk; active blood-forming organs; lens of eyes; or gonads	1.25
Hands and forearms; feet and ankles	18.75
Skin of whole body	7.5

NOTE:

*For determining the doses specified in (~~WAC 402-24-020~~) this section a dose from x- or gamma rays up to 10 MeV may be assumed to be equivalent to the exposure measured by a properly calibrated appropriate instrument in air at or near the body surface in the region of the highest dose rate.

(2) A licensee or registrant may permit an individual in a restricted area to receive a dose to the whole body greater than that permitted under (~~WAC 402-24-020(1)~~) subsection (1) of this section, provided that:

- (a) During any calendar quarter the dose to the whole body from sources of radiation in the licensee's or registrant's possession shall not exceed ((3)) three rems; and
- (b) The dose to the whole body, when added to the accumulated occupational dose to the whole body, shall not exceed 5(N-18) rems when "N" equals the individual's age in years at the individual's last birthday; and
- (c) The licensee or registrant has determined the individual's accumulated occupational dose to the whole body on department Form RHF-4 or on a clear and legible record containing all the information required in that form and has otherwise complied with the requirements of WAC 402-24-024. As used in (~~WAC 402-24-020(2)~~) subsection (2) of this section "dose to the whole body" shall be deemed to include any dose to the whole body, gonads, active blood-forming organs, head and trunk, or lens of the eye; and
- (d) The licensee or registrant has determined that the predicted dose to the whole body is as low as is reasonably achievable and consistent with the statements in

WAC 402-10-010. The licensee or registrant shall perform an evaluation of the expected whole body dose before permitting any individual to receive a whole body dose in excess of the limits specified in (~~WAC 402-24-020(1)~~) subsection (1) of this section.

A written record of the prior evaluation of this exposure shall be retained for ((review)) inspection by the department.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-24-040 PERMISSIBLE LEVELS OF RADIATION FROM EXTERNAL SOURCES IN UNRESTRICTED AREAS.*

NOTE:

*It is the intent of this section to limit radiation levels so that it is unlikely that individuals in unrestricted areas would receive a dose to the whole body in excess of 0.5 rem in any ((one)) calendar year. If in specific instances, it is determined by the department that this intent is not met, the department may, pursuant to WAC 402-12-170, impose such additional requirements on the licensee or registrant as may be necessary to meet the intent.

(1) Except as authorized by the department pursuant to (~~WAC 402-24-040(2)~~) subsection (2) of this section, no licensee or registrant shall possess, use, or transfer sources of radiation in such a manner as to create in any unrestricted area from such sources of radiation in that person's possession:

(a) Radiation levels which, if an individual were continuously present in the area, could result in the individual's receiving a dose in excess of ((2)) two millirems in any ((1)) one hour; or

(b) Radiation levels which, if an individual were continuously present in the area, could result in the individual's receiving a dose in excess of ((100)) one hundred millirems in any ((7)) seven consecutive days.

(2) Any person may apply to the department for proposed limits upon levels of radiation in unrestricted areas in excess of those specified in (~~WAC 402-24-040(1)~~) subsection (1) of this section resulting from the applicant's possession or use of sources of radiation. Such applications should include information as to anticipated average radiation levels and anticipated occupancy times for each unrestricted area involved. The department may approve the proposed limits if the applicant demonstrates to the satisfaction of the department that the proposed limits are not likely to cause any individual to receive a dose to the whole body in any period of one calendar year in excess of 0.5 rem and that the proposed limits are consistent with WAC 402-10-010.

(3) In addition to other requirements of this part, licensees engaged in uranium fuel cycle operations subject to the provisions of 40 CFR Part 190, "Environmental Radiation Protection Standards for Nuclear Power Operation," shall comply with that part.

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-24-050 CONCENTRATION IN EFFLUENTS RELEASED TO UNRESTRICTED AREAS. (1) A licensee shall not possess, use, or transfer licensed material so as to release to an unrestricted area radioactive material in concentrations which exceed the limits specified in WAC 402-24-220, Appendix A, Table II, except as authorized pursuant to ~~((WAC 402-24-050(2)))~~ subsection (2) of this section. For purposes of this section concentrations may be averaged over a period not greater than one calendar year.

(2) An application for a license or amendment may include proposed limits higher than those specified in ~~((WAC 402-24-050(1)))~~ subsection (1) of this section. The department will approve the proposed limits if the applicant demonstrates:

(a) That the applicant has made a reasonable effort to minimize the radioactivity contained in effluents released to unrestricted areas; and

(b) That it is not likely that radioactive material discharged in the effluent would result in the exposure of an individual to concentrations of radioactive material in air or water exceeding the limits specified in WAC 402-24-220, Appendix A, Table II.

(3) An application for higher limits pursuant to ~~((WAC 402-24-050(2)))~~ subsection (2) of this section shall include information demonstrating that the applicant has made a reasonable effort to minimize the radioactivity discharged in effluents to unrestricted areas, and shall include, as pertinent:

(a) Information as to flow rates, total volume of effluent, peak concentration of each radionuclide in the effluent, and concentration of each radionuclide in the effluent averaged over a period of one calendar year at the point where the effluent leaves a stack, tube, pipe, or similar conduit;

(b) A description of the properties of the effluents, including:

(i) Chemical composition,

(ii) Physical characteristics, including suspended solids content in liquid effluents, and nature of gas or aerosol for air effluents,

(iii) The hydrogen ion concentrations (pH) of liquid effluents, and

(iv) The size range of particulates in effluents released into air;

(c) A description of the anticipated human occupancy in the unrestricted area where the highest concentration of radioactive material from the effluent is expected, and, in the case of a river or stream, a description of water uses downstream from the point of release of the effluent;

(d) Information as to the highest concentration of each radionuclide in an unrestricted area, including anticipated concentrations averaged over a period of one calendar year:

(i) In air at any point of human occupancy, or

(ii) In water at points of use downstream from the point of release of the effluent;

(e) The background concentration of radionuclides in the receiving river or stream prior to the release of liquid effluent;

(f) A description of the environmental monitoring equipment, including sensitivity of the system, and procedures and calculations to determine concentrations of radionuclides in the unrestricted area and possible reconcentrations of radionuclides; and

(g) A description of the waste treatment facilities and procedures used to reduce the concentration of radionuclides in effluents prior to their release.

(4) For the purposes of this section, the concentration limits in WAC 402-24-220, Appendix A, Table II of this part shall apply at the boundary of the restricted area. The concentration of radioactive material discharged through a stack, pipe or similar conduit may be determined with respect to the point where the material leaves the conduit. If the conduit discharges within the restricted area, the concentration at the boundary may be determined by applying appropriate factors for dilution, dispersion, or decay between the point of discharge and the boundary.

(5) In addition to limiting concentrations in effluent streams, the department may limit quantities of radioactive material released in air or water during a specified period of time if it appears that the daily intake of radioactive material from air, water, or food by a suitable sample of an exposed population group, averaged over a period not exceeding one calendar year, would otherwise exceed the daily intake resulting from continuous exposure to air or water containing one-third the concentration of radioactive material specified in WAC 402-24-220, Appendix A, Table II.

(6) In addition to the limits set in WAC 402-24-050(1) all radioactive emissions to the atmosphere must meet the requirements of chapter 402-80 WAC.

(7) The provisions of this section do not apply to disposal of radioactive material into sanitary sewerage systems, which is governed by WAC 402-24-140.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-24-085 SURVEYS. Each licensee or registrant shall make or cause to be made such surveys, as defined in WAC 402-12-050(~~((66))~~), as may be necessary for the licensee or registrant to establish compliance with these regulations and are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. Records of such surveys shall be preserved as specified in WAC 402-24-170. Information on performing surveys may be found in the United States Nuclear Regulatory Commission's Regulatory Guide 8.23.

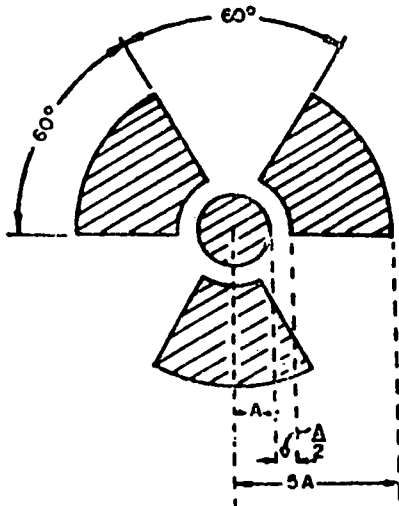
AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-24-090 CAUTION SIGNS, LABELS, AND SIGNALS. (1) General.

(a) Except as otherwise authorized by the department, symbols prescribed by this section shall use the conventional radiation caution colors (magenta or purple on

yellow background). The symbol prescribed by this section is the conventional three-blade design: Radiation symbol

- (i) Cross-hatch area is to be magenta or purple.
- (ii) Background is to be yellow.



(b) The conventional radiation symbol as described in ~~((WAC 402-24-090 (1)))(a)~~ of this subsection shall be used only for:

(i) Instructing individuals to be cognizant of a potential radiation hazard as prescribed in ~~((WAC 402-24-090 (1)(c) through 402-24-090 (1)(j)))(c) through (j)~~ of this subsection.

(ii) Indicating that information presented pertains to the topic of radiation.

(c) In addition to the contents of signs and labels prescribed in this section, a licensee or registrant may provide on or near such signs and labels any additional information which may be appropriate in aiding individuals to minimize exposure to radiation.

(d) Each radiation area and entrance thereto shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION* - RADIATION AREA. However, in an exceptionally large room where other activities of a nonradiological nature are conducted the entrance need not be posted provided a conspicuous barricade with an appropriate number of signs is established to delineate the radiation area.

NOTE:

*The word "DANGER" may be substituted for "CAUTION" on signs required by ~~((subsections WAC 402-24-090 (1)(d) through 402-24-090 (1)(h)))(d) through (h)~~ of this subsection.

(e) High radiation areas.

(i) Each high radiation area and all entrances thereto shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION* - HIGH RADIATION AREA.

(ii) Each entrance or access point to a high radiation area shall be:

(A) Equipped with a control device which shall cause the level of radiation to be reduced below that at which

an individual might receive a dose of ~~((100))~~ one hundred millirems in ~~((1))~~ one hour upon entry into the area; or

(B) Equipped with a control device which shall energize a conspicuous visible or audible alarm signal in such a manner that the individual entering the high radiation area and the licensee or a supervisor of the activity are made aware of the entry; or

(C) Maintained locked except during periods when access to the area is required, with positive control over each individual entry.

(iii) The controls required by ~~((WAC 402-24-090 (1)))(e)(ii)~~ of this subsection shall be established in such a way that no individual will be prevented from leaving a high radiation area.

(iv) In the case of a high radiation area established for a period of ~~((30))~~ thirty days or less, direct surveillance to prevent unauthorized entry may be substituted for the controls required by ~~((WAC 402-24-090 (1)))(e)(ii)~~ of this subsection. Direct surveillance requires the continuous physical presence of an individual capable of taking all necessary precautions to prevent unwarranted exposure of individuals.

(v) Any licensee or registrant may apply to the department for approval of methods not included in ~~((WAC 402-24-090 (1)))(e)(ii)~~ and (iv) of this subsection for controlling access to high radiation areas. The department will approve the proposed alternatives if the licensee or registrant demonstrates that the alternative methods of control will prevent unauthorized entry into a high radiation area, and that the requirement of ~~((WAC 402-24-090 (1)))(e)(ii)~~ of this subsection is met.

(vi) Very high radiation areas:

(A) Each area in which there may exist radiation levels in excess of ~~((500))~~ five hundred rems in one hour at one meter from a sealed radioactive source⁷ that is used to irradiate materials shall:

(I) Have each entrance or access point equipped with entry control devices which shall function automatically to prevent any individual from inadvertently entering the area when such radiation levels exist; permit deliberate entry into the area only after a control device is actuated that shall cause the radiation level within the area, from the sealed source, to be reduced below that at which it would be impossible for an individual to receive a dose in excess of ~~((100))~~ one hundred mrem in one hour; and prevent operation of the source if the source would produce radiation levels in the area that could result in a dose to an individual in excess of ~~((100))~~ one hundred mrem in one hour. The entry control devices required by ~~((this paragraph (2)))(e)(vi)(A)~~ of this subsection shall be established in such a way that no individual will be prevented from leaving the area.

(II) Be equipped with additional control devices such that upon failure of the entry control devices to function as required by ~~((paragraph (2)))(e)(vi)(A)(I)~~ of this ~~((section))~~ subsection the radiation level within the area, from the sealed source, shall be reduced below that at which it would be possible for an individual to receive a dose in excess of ~~((100))~~ one hundred mrem in one hour; and visible and audible alarm signals shall be

generated to make an individual attempting to enter the area aware of the hazard and the licensee or at least one other individual who is familiar with the activity and prepared to render or summon assistance, aware of such failure of the entry control devices;

(III) Be equipped with control devices such that upon failure or removal of physical radiation barriers other than the source's shielded storage container the radiation level from the source shall be reduced below that at which it would be possible for an individual to receive a dose in excess of ~~((+00))~~ one hundred mrem in one hour; and visible and audible alarm signals shall be generated to make potentially affected individuals aware of the hazard and the licensee or at least one other individual, who is familiar with the activity and prepared to render or summon assistance, aware of the failure or removal of the physical barrier. When the shield for the stored source is a liquid, means shall be provided to monitor the integrity of the shield and to signal, automatically, loss of adequate shielding. Physical radiation barriers that comprise permanent structural components, such as walls, that have no credible probability of failure or removal in ordinary circumstances need not meet the requirements of ~~((this paragraph (2)))~~ (e)(vi)(A)(III) of this subsection;

(IV) Be equipped with devices that will automatically generate visible and audible alarm signals to alert personnel in the area before the source can be put into operation and in sufficient time for any individual in the area to operate a clearly identified control device which shall be installed in the area and which can prevent the source from being put into operation;

(V) Be controlled by use of such administrative procedure and such devices as are necessary to assure that the area is cleared of personnel prior to each use of the source preceding which use it might have been possible for an individual to have entered the area;

(VI) Be checked by a physical radiation measurement to assure that prior to the first individual's entry into the area after any use of the source, the radiation level from the source in the area is below that at which it would be possible for an individual to receive a dose in excess of ~~((+00))~~ one hundred mrem in one hour;

(VII) Have entry control devices required in ~~((paragraph (2)))~~ (e)(vi)(A)(I) of this (section) subsection which have been tested for proper functioning prior to initial operation with such source of radiation on any day that operations are not uninterruptedly continued from the previous day or before resuming operations after any unintended interruption, and for which records are kept of the dates, times, and results of such tests of function. No operations other than those necessary to place the source in safe condition or to ~~((erect))~~ effect repairs on controls shall be conducted with such source unless control devices are functioning properly. The licensee shall submit an acceptable schedule for more complete periodic tests of the entry control and warning systems to be established and adhered to as a condition of the license;

(VIII) Have those entry and exit portals that are used in transporting materials to and from the irradiation area, and that are not intended for use by individuals, controlled by such devices and administrative procedures as are necessary to physically protect and warn against inadvertent entry by any individual through such portals. Exit portals for processed materials shall be equipped to detect and signal the presence of loose radiation sources that are carried toward such an exit and to automatically prevent such loose sources from being carried out of the area.

(B) Licensees with, or applicants for, licenses ~~((or))~~ for radiation sources that are within the purview of ~~((paragraph (2)))~~ (e)(vi)(A) of this (section) subsection, and that must be used in a variety of positions or in peculiar locations, such as open fields or forests, that make it impracticable to comply with certain requirements of ~~((paragraph (2)))~~ (e)(vi)(A) of this (section) subsection, such as those for the automatic control of radiation levels, may apply to the department for approval, prior to use of safety measures that are alternative to those specified in ~~((paragraph (2)))~~ (e)(vi)(C) of this (section) subsection, and that will provide at least an equivalent degree of personnel protection in the use of such sources. At least one of the alternative measures must include an entry-preventing interlock control based on a physical measurement of radiation that assures the absence of high radiation levels before an individual can gain access to an area where such sources are used.

(f) Airborne radioactivity areas. Each airborne radioactivity area shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION* – AIRBORNE RADIOACTIVITY AREA.

(g) Additional requirements.

(i) Each area or room in which any radioactive material, other than natural uranium or thorium, is used or stored in an amount exceeding 10 times the quantity of radioactive material specified in Appendix B of this part shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION* – RADIOACTIVE MATERIAL.

(ii) Each area or room in which natural uranium or thorium is used or stored in an amount exceeding one hundred times the quantity specified in Appendix B of this part shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION* – RADIOACTIVE MATERIAL.

(h) Containers and articles.

(i) Except as provided in ~~((WAC 402-24-090))~~ this section, each container of radioactive material shall bear a durable, clearly visible label identifying the radioactive contents.

(ii) A label required pursuant to ~~((WAC 402-24-090 (1)))~~ (h)(i) of this subsection shall bear the radiation caution symbol and the words: CAUTION* – RADIOACTIVE MATERIAL. It shall also provide sufficient information to permit individuals handling or using the containers, or working in the vicinity thereof, to take precautions to avoid or minimize exposures.

As appropriate, the information will include radiation levels, kinds of material, estimate of activity, date for which activity is estimated.

(i) Where containers are used for storage, the labels required in this subdivision shall state also the quantities and kinds of radioactive materials in the containers and the date of measurement of the quantities.

(j) All radiation machines shall be labeled in a manner which cautions individuals that radiation is produced when the machine is being operated.

(2) Notwithstanding the provisions of ~~((WAC 402-24-090))~~ subsection (1)(h), (i) of this section labeling is not required:

(a) For laboratory containers, such as beakers, flasks, and test tubes, used transiently in laboratory procedures when the person using such containers is present. For such containers a label identifying the radioactive contents is not required.

(b) For containers that do not contain radioactive material in quantities greater than the applicable quantities listed in WAC 402-24-230, Appendix B.

(c) For containers containing only natural uranium or thorium in quantities no greater than ten times the applicable quantities listed in WAC 402-24-230, Appendix B.

(d) For containers that do not contain radioactive material in concentrations greater than the applicable concentrations listed in WAC 402-24-220, Column 2, Table I, Appendix A.

(e) For containers when they are attended by an individual who takes the precautions necessary to prevent the exposure of any individual to radiation or radioactive material in excess of the limits established by the regulations in this part;

(f) For containers when they are in transport and packaged and labeled in accordance with regulations published by the United States Department of Transportation;

(g) For containers which are accessible only to individuals authorized to handle or use them* or to work in the vicinity thereof, provided that the contents are identified to such individuals by a readily available written record;

NOTE:

*For example, containers in locations such as water-filled canals, storage vaults, or hot cells.

(h) For manufacturing and process equipment such as piping and tanks.

~~((f))~~ (3) Each licensee, prior to disposal of an empty container which previously held radioactive material shall properly survey for contamination and remove or deface the radioactive material label or otherwise clearly indicate that the container no longer contains radioactive materials.

⁷This paragraph ~~((f)(e)(vi)(A))~~ does not apply to radioactive sources that are used in teletherapy, in radiography, or in completely self-shielded irradiators in which the source is both stored and operated within the same shielding radiation barrier and, in the designed configuration of the irradiator, is always physically inaccessible to any individual and cannot create high levels of radiation in an area that is accessible to any individual. This paragraph ~~((f)(e)(vi)(A))~~ also

does not apply to sources from which the radiation is incidental to some other use nor to nuclear reactor generated radiation other than radiation from byproduct, source, or special nuclear materials that are used in sealed sources in nonself-shielded irradiators.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-24-125 PROCEDURES FOR PICKING UP, RECEIVING, AND OPENING PACKAGES. (1)(a) Each licensee or registrant who expects to receive a package containing quantities of radioactive material in excess of the Type A₁ or A₂ quantities specified in WAC ~~((402-24-125(2)))~~ 402-12-200 shall:

(i) If the package is to be delivered to the licensee's or registrant's facility by the carrier, make arrangements to receive the package when it is offered for delivery by the carrier; or

(ii) If the package is to be picked up by the licensee or registrant at the carrier's terminal, make arrangements to receive immediate notification from the carrier of the arrival of the package ~~((, at the time of arrival))~~.

(b) Each licensee or registrant who picks up a package of radioactive material from a carrier's terminal shall pick up the package expeditiously upon receipt of notification from the carrier of its arrival.

(2)(a) Each licensee or registrant, upon receipt of a package of radioactive material, shall monitor the external surfaces of the package for radioactive contamination caused by leakage of the radioactive contents, except:

(i) Packages containing ~~((no more))~~ less than ~~((the exempt))~~ one hundred times the quantity of nuclide(s) specified in ~~((the table in this subdivision))~~ WAC 402-19-550, Schedule B;

(ii) Packages containing no more than 10 millicuries of radioactive material consisting solely of tritium, carbon-14, sulfur-35, or iodine-125;

(iii) Packages containing only radioactive material as gases or in special form;

(iv) Packages containing only radioactive material in other than liquid form (including Mo-99/Tc-99m generators) and not exceeding the Type A₁ or A₂ quantity limit specified in ~~((the table in this subdivision))~~ WAC 402-12-200; and

(v) Packages containing only radionuclides with half-lives of less than 30 days and a total quantity of no more than 100 millicuries.

The monitoring shall be performed as soon as practicable after receipt, but no later than three hours after the package is received at the licensee's facility if received during the licensee's normal working hours, or ~~((eighteen hours))~~ no later than three hours from the beginning of the next working day if received after normal working hours.

(b) If removable radioactive contamination in excess of 0.01 microcurie (22,200 transformations per minute) per ~~((+00))~~ one hundred square centimeters of package surface is found on the external surfaces of the package, the licensee shall immediately notify by telephone, telegraph, mailgram or facsimile, the final delivering carrier, shipper and the department.

((TABLE OF EXEMPT AND TYPE A QUANTITIES

Transport Group*	Exempt Quantity Limit (in millicuries)	Type A Quantity Limit (in curies)
I	0.01	0.001
II	0.1	0.050
III	1	3
IV	1	20
V	1	20
VI	1	1,000
VII	25,000	1,000
Special form*	1	20

NOTE:

*The definitions of transport group and special form are specified in United States Department of Transportation regulations. A copy of pertinent sections from these regulations are available upon request from the department.))

(3)(a) Each licensee or registrant, upon receipt of a package containing quantities of radioactive material in excess of the Type A₁ or A₂ quantities specified in WAC 402-24-125(2), other than those transported by exclusive use vehicle, shall monitor the radiation levels external to the package. The package shall be monitored as soon as practicable after receipt, but no later than three hours after the package is received at the licensee's facility if received during the licensee's normal working hours, ~~((or 18 hours))~~ and no later than three hours from the beginning of the next working day if received after normal working hours.

(b) If radiation levels are found on the external surface of the package in excess of ~~((200))~~ two hundred millirem per hour, or at one meter from the external surface of the package in excess of ~~((10))~~ ten millirem per hour, the licensee or registrant shall immediately notify, by telephone, telegraph, mailgram or facsimile, the shipper, the final delivering carrier and the department.

(4) Each licensee or registrant shall establish and maintain procedures for safely opening packages in which radioactive material is received, and shall assure that such procedures are followed and that due consideration is given to ~~((special))~~ instructions for the type of package being opened and the monitoring of potentially contaminated packaging material (including packages containing radioactive material in gaseous form) to assure that only background levels of radiation are present prior to disposal of such material as nonradioactive waste. In addition, this shall include a wipe sample of the outside of any inner package which contains a liquid or dispersible radionuclide (radioactive wastes shall be exempted). Copies of such written procedures shall be retained for inspection by the department.

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-24-135 METHOD OF OBTAINING APPROVAL OF PROPOSED DISPOSAL PROCEDURES. Any person may apply to the department for approval of proposed procedures to dispose of radioactive

material in a manner not otherwise authorized in this chapter. Each application shall contain a description of the radioactive material, including the quantities and kinds of radioactive material and levels of radioactivity involved, and the proposed manner and conditions of disposal. The application, where appropriate, ~~((should))~~ shall also include an analysis and evaluation of pertinent information as to the nature of the environment, including topographical, geological, meteorological, and hydrological characteristics; usage of ground and surface waters in the general area; the nature and location of other potentially affected facilities; and procedures to be observed to minimize the risk of unexpected or hazardous exposures.

The department will not approve any application for a license to receive radioactive material from other persons for disposal on land not owned by a state or the federal government.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-24-170 RECORDS OF SURVEYS, RADIATION MONITORING, AND DISPOSAL. (1) Each licensee or registrant shall maintain records showing the radiation exposures of all individuals for whom personnel monitoring is required under WAC 402-24-070. Such records shall be kept on state of Washington current occupational external radiation exposure (Form RHF-5), in accordance with the instructions contained in that form, or on clear and legible records containing all the information required by Form RHF-5. The doses entered on the forms or records shall be for periods of time not exceeding one calendar quarter.

(2) Each licensee or registrant shall maintain records in the same units used in this part, showing the results of surveys required by WAC 402-24-085 monitoring required by WAC 402-24-125~~((2) and 402-24-125(3))~~, and disposals made under WAC 402-24-135 through 402-24-165.

(3) (a) Records of individual exposure to radiation and to radioactive material which must be maintained pursuant to the provisions of ~~((WAC 402-24-170(1)))~~ subsection (1) of this section and records of bioassays, including results of whole body counting examinations made pursuant to WAC 402-24-080, shall be preserved indefinitely or until the department authorizes their disposal.

(b) Records of the results of surveys and monitoring which must be maintained pursuant to ~~((WAC 402-24-170(2)))~~ subsection (2) of this section shall be preserved for two years after completion of the survey except that the following records shall be maintained until the department authorizes their disposition:

(i) Records of the results of surveys to determine compliance with WAC 402-24-030;

(ii) In the absence of personnel monitoring data, records of the results of surveys to determine external radiation dose;

(iii) Records of the results of surveys used to evaluate the release of radioactive effluents to the environment.

(4) Records of disposal of licensed material made pursuant to WAC 402-24-135, 402-24-140 ~~((or))~~,

402-24-150, 402-24-160, or 402-24-165 shall be maintained until the department authorizes their disposition.

(5) Records which must be maintained pursuant to this part may be the original or a reproduced copy or microform if such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by department regulations.

(6) If there is a conflict between the department's regulations in this part, license condition, or other written department approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this part for such records shall apply unless the department, pursuant to WAC 402-12-125 (~~of these regulations~~), has granted a specific exemption from the record retention requirements specified in the regulations in this part.

(7) The discontinuance (~~of~~) or curtailment (~~of~~) activities does not relieve the licensee or registrant of responsibility for retaining all records required by this section. A licensee or registrant may, however, request the department to accept such records. The acceptance of the records by the department relieves the licensee or registrant of subsequent responsibility only in respect to their preservation as required in this section.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-24-180 **REPORTS OF THEFT OR LOSS OF RADIATION SOURCES.** Each licensee and/or registrant shall report immediately by telephone, (~~Seattle, area code~~) 206(~~=~~)/682-5327 and confirm promptly by letter to the State Department of Social and Health Services, Office of Radiation ((Control Unit)) Protection, Mail Stop ((LF-13)) LE-13, Olympia, Washington 98504, the actual or attempted theft or loss as soon as such theft or loss becomes known to the licensee and/or registrant of:

- (1) Any radiation-producing machine; or
- (2) Any quantity of radioactive material in excess of a quantity exempted under WAC 402-24-230, Appendix B, or any item not exempted in chapter 402-19 WAC.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-24-190 **NOTIFICATION OF INCIDENTS.** (1) Immediate notification. Each licensee and/or registrant shall immediately notify the State Department of Social and Health Services, Office of Radiation ((Control Unit)) Protection, Mail Stop ((LF-13)) LE-13, Olympia, Washington 98504, by telephone (~~Seattle, area code~~) 206(~~=~~)/682-5327 and confirming letter of any incident involving any radiation source (~~possessed by him and~~) which may have caused or threatens to cause:

(a) A dose to the whole body of any individual, or any dosimetry device assigned to any individual, of ~~((25))~~ twenty-five rems or more of radiation; a dose to the skin of the whole body of any individual or any dosimetry

device assigned to any individual of ~~((150))~~ one hundred fifty rems or more of radiation; or a dose to the feet, ankles, hands, or forearms of any individual, or any dosimetry device assigned to any individual, of ~~((375))~~ three hundred seventy-five rems or more of radiation; or

(b) The release of radioactive material in concentrations which, if averaged over a period of ~~((24))~~ twenty-four hours, would exceed ~~((5,000))~~ five thousand times the limits specified for such materials in WAC 402-24-220, Appendix A, Table II (~~or~~

~~(c) A loss of one working week or more of the operation of any facilities affected; or~~

~~(d) Damage to property in excess of \$200,000).~~

(2) Twenty-four hour notification. Each licensee and/or registrant shall within twenty-four hours notify the State Department of Social and Health Services, Office of Radiation ((Control Unit)) Protection, Mail Stop ((LF-13)) LE-13, Olympia, Washington 98504, by telephone (~~Seattle, area code~~) 206(~~=~~)/682-5327 and confirming letter of any incident involving any radiation source possessed which may have caused or threatens to cause:

(a) A dose to the whole body of any individual, or any dosimetry device assigned to any individual, of ~~((5))~~ five rems or more of radiation; a dose to the skin of the whole body of any individual or any dosimetry device assigned to any individual of ~~((30))~~ thirty rems or more of radiation; or a dose to the feet, ankles, hands, or forearms or any dosimetry device assigned to any individual, of ~~((75))~~ seventy-five rems or more of radiation; or

(b) The release of radioactive material in concentrations which, if averaged over a period of ~~((24))~~ twenty-four hours, would exceed ~~((500))~~ five hundred times the limits specified for such materials in WAC 402-24-220, Appendix A, Table II; or

~~(c) ((A loss of one day or more of the operation of any facilities affected; or~~

~~(d) Damage to property in excess of \$2,000)) Exposure of any individual or personnel monitoring device(s) to quantities of radiation in excess of limits specified by WAC 402-24-020(1).~~

~~(3) ((Exposure of personnel monitoring device in excess of 5 rem which was not worn by the assigned individual. Each licensee and/or registrant shall notify the State Department of Social and Health Services, Radiation Control Program, Mail Stop LF-13, Olympia, Washington 98504 by telephone (Seattle 206/682-5327) within twenty-four hours and confirming by letter.~~

~~(4) Within twenty-four hours, each registrant shall notify the department of an incident whereby a patient received, or may have received, an unintentional radiation exposure due to x-ray system malfunction.~~

~~(5)) For each occurrence, requiring notification pursuant to this section, a prompt investigation of the situation shall be initiated by the licensee/registrant. A written report of the findings of the investigation shall be sent to the department within thirty days.~~

Any report filed with the department pursuant to this section shall be prepared in the manner described in WAC 402-24-200(2). Telephone notifications that do not involve immediate or twenty-four hour notification

shall not be made to the emergency number (Seattle 206/682-5327). Routine calls should be made to the Olympia office (206/((753-5957))753-3468).

AMENDATORY SECTION (Amending Order 1095, filed 2/6/76)

WAC 402-24-215 NOTIFICATIONS AND REPORTS TO INDIVIDUALS. (1) Requirements for notification and reports to individuals of exposure to radiation or radioactive material are specified in WAC 402-48-040 ((of these regulations)).

(2) When a licensee or registrant is required pursuant to WAC 402-24-200 to report to the department any exposure of an individual or dosimetry device assigned to any individual to radiation from any source, the licensee or registrant shall also notify the individual. Such notice shall be transmitted at a time not later than the transmittal to the department, and shall comply with the provisions of WAC 402-48-040(1).

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-28-031 GENERAL REQUIREMENTS—ADMINISTRATIVE CONTROLS. (1) No person shall make, sell, lease, transfer, lend or install x-ray equipment or the accessories used in connection with such equipment unless such accessories and equipment, when properly placed in operation and properly used, will meet the requirements of these regulations.

(2) The registrant shall be responsible for directing the operation of the x-ray machines which are in his/her control. The registrant or registrant's agent shall assure that the following provisions are met in the operation of the x-ray machine(s):

(a) An x-ray machine which does not meet the provisions of these regulations, or which is malfunctioning in a manner that threatens the health or safety of patient, operator, or general public shall not be operated for diagnostic or therapeutic purposes.

(b) Individuals who will be operating the x-ray equipment shall be adequately instructed in safe operating procedures and shall be able to demonstrate competence, upon request from the department, in the correct use of the equipment. Required areas of competency are listed in Appendix ((F)) II.

(c) In the vicinity of each x-ray system's control panel a chart shall be provided, which specifies for most examinations which are performed by that system a listing of information, including but not limited to the following, for each projection within that examination:

(i) Patient's anatomical size versus technique factors to be utilized;

(ii) Source to image receptor distance to be used;

(iii) Type and placement of gonad shielding to be used; and

(iv) If applicable, settings for automatic exposure devices.

(d) When required by the department, a registrant shall create and provide to operators of the x-ray system, radiation safety procedures which address patient

and occupationally-exposed personnel safety. These procedures shall instruct, or define any restrictions of the operating technique required for safe operation of the particular x-ray system.

(e) Except for patients who cannot be moved out of the room and the patient being examined, only the staff and ancillary personnel required for the medical procedure or training shall be present in the room during the radiographic exposure. Other than the patient being examined:

(i) All individuals shall be positioned such that no part of the body including the extremities not protected by 0.5 mm lead equivalent will be struck by the useful beam.

(ii) Staff and ancillary personnel shall be protected from the direct scatter radiation by protective aprons or whole body protective barriers of not less than 0.25 mm lead equivalent.

(iii) Patients who cannot be removed from the room shall be protected from the direct scatter radiation by whole body protective barriers of 0.25 mm lead equivalent or shall be so positioned that the nearest portion of the body is at least 2 meters from both the tube head and the nearest edge of the image receptor.

(iv) When a portion of the body of any staff or ancillary personnel is potentially subjected to stray radiation which could result in that individual receiving one quarter of the maximum permissible dose as defined in WAC 402-24-020 of these regulations, additional protective devices may be required by the department.

(f) Gonad shielding of not less than 0.5 mm lead equivalent shall be used for patients who are of reproductive ((capability)) age during radiographic procedures in which the gonads are in the direct (useful) beam, except for cases in which this would interfere with the diagnostic procedure.

(g) Persons shall not be exposed to the useful beam except for healing arts purposes, each exposure of which has been authorized by a licensed practitioner of the healing arts. This provision specifically prohibits deliberate exposure for the following purposes:

(i) Exposure of an individual for training, demonstration or other purposes unless there are also healing arts requirements and proper prescription has been provided.

(ii) Exposure of an individual for the purpose of healing arts screening without prior written approval of the state health officer.

(h) When a patient or film must be provided with auxiliary support during a radiation exposure:

(i) Mechanical holding devices shall be used when the technique permits. The safety rules, when required under ((WAC 402-28-031 (2))) (d) of this subsection, shall list individual projections where holding devices cannot be utilized;

(ii) Written safety procedures, as required by ((WAC 402-28-031 (2))) (d) of this subsection, shall indicate the requirements for selecting a holder and the procedure the holder shall follow;

(iii) The human holder shall be protected as required by ((WAC 402-28-031 (2))) (e)(i) of this subsection; the holder who is occupationally exposed to radiation shall be provided with a personnel monitoring device,

worn at the collar outside the lead apron and records of exposures shall be maintained;

(iv) No person shall be used routinely to hold film or patients;

(v) In those cases where the patient must hold the film any portion of the body other than the area of clinical interest struck by the useful beam shall be protected by not less than 0.5 mm lead equivalent material;

(vi) Such holding shall be permitted only in very unusual and rare situations;

(vii) For the holder who is occupationally exposed to radiation, a record shall be made of the examination and shall include patient identification, the name of the human holder, date of the examination, number of exposures and technique factors utilized for the exposure(s) whenever the primary beam has knowingly intersected any portion of the holder's body.

(i) Personnel dosimetry. All persons who are associated with the operation of an x-ray system are subject to the occupational exposure limits and the requirements for the determination of the doses which are stated in WAC 402-24-024. In addition: When protective clothing or devices are worn on portions of the body and a dosimeter is required, at least one such dosimeter shall be utilized as follows:

(i) When an apron is worn, the monitoring device shall be worn at the collar outside of the apron.

(ii) The dose to the whole body based on the maximum dose attributed to the most critical organ shall be recorded on the reports required by WAC 402-24-170 of these regulations. If more than one device is used or a record is made of the data, each dose shall be identified with the area where the device was worn on the body.

(j) Personnel monitoring of an operator is required where exposure switch cords are utilized that allow the operator to stand in an unprotected area during exposures, and worst-case measurements by the department show that twenty-five percent of the exposure limits specified in WAC 402-24-020 may be exceeded.

(k) All persons involved in the operation of a fluoroscope and working within the fluoroscopy room during its operation must wear a personnel dosimeter in accordance with WAC 402-24-070 and ~~((402-28-031))~~

(i)(i) ~~((above))~~ of this subsection. ~~((Where))~~ If extremities are in ~~((;))~~ or near the primary beam, extremity dosimeters are also required.

(l) Healing arts screening utilizing radiation. Any person proposing to conduct a healing arts screening program shall not initiate such a program without prior approval of the state health officer. When requesting such approval, that person shall submit the information outlined in Appendix III of this part. If any information submitted becomes invalid or outdated, the state health officer shall be notified immediately.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-28-032 GENERAL REQUIREMENTS—PLAN REVIEW. (1) Prior to construction, the floor plans and equipment arrangement of all installations (new or modifications of existing installations)

utilizing x-rays for diagnostic or therapeutic purposes shall be submitted to a qualified expert for determination of shielding requirements and submitted to the department for subsequent review. Review shall not imply approval.

(2) The review of such plans shall not preclude the requirement of additional modifications should a subsequent analysis of operating conditions indicate the possibility of an individual receiving a dose in excess of the limits prescribed in WAC 402-24-020, 402-24-035, and 402-24-040.

(3) Diagnostic veterinary, podiatric, ~~((or))~~ and dental intraoral and panoramic facilities may be exempted from submitting shielding calculations if a floor plan showing those items indicated in ~~((WAC 402-28-032))~~ subsection (4) of this section is submitted to the department. The department may require additional information if necessary.

(4) In order for the department to provide an evaluation, technical advice, and official review of the shielding requirements for a radiation installation, a floor plan drawn to scale and the following data is required:

- (a) The normal location of the x-ray tube;
- (b) The limits of the tube travel;
- (c) The directions in which the tube will be pointed;
- (d) The location of any windows;
- (e) The location of the control booth or operator's position;
- (f) The location of the exposure switch;
- (g) The position of the viewing window, if any;
- (h) The composition and thickness of the walls;
- (i) If more than one story, the height floor-to-floor;
- (j) If more than one story, the composition and thickness of materials in the ceiling or floor;
- (k) The make and model of the x-ray machine;
- (l) The maximum kVp and mA;
- (m) The types of examination or treatments (e.g., ~~((dental))~~ chest, cephalometric, general x-ray, or therapy);
- (n) The identification and occupancy of areas adjacent to the x-ray room;
- (o) The anticipated x-ray workload, which may be expressed in number of patients and exposures per week including technique factors to be used, or milliampereseconds or milliampereminutes per week, and estimates of the percentage of exposures that are expected to occur for a particular beam direction (e.g., twenty percent of exposures will be chest radiographs).

(5) Minimum design requirements for x-ray machine operators' booths—new installations only. (These requirements do not apply to dental intraoral, podiatry and veterinary installations ((are not applicable)), but see subsections (6) and (7) of this section for dental panoramic and cephalometric.)

(a) The operator shall be allotted not less than 7.5 square feet of unobstructed floor space in the booths.

(i) The minimum space as indicated above must be a geometric configuration where no dimension is less than two feet.

(ii) The space shall be allotted excluding any encumbrance by the console, such as an overhang, cables, or other similar encroachment.

(iii) An extension of a straight line drawn between any point on the edge of the booth shielding and a point one foot horizontally beyond the nearest vertical edge of a chest cassette holder or(;) any corner of the examination table shall not impinge on the unobstructed space.

(iv) The booth walls shall be at least seven feet high and shall be permanently fixed to the floor or other structure as may be necessary.

(v) When a door or moveable panel is used as the integral part of the booth structure, it must have a permissive device which will prevent an exposure when the door or panel is not closed.

(b) Switch placement: The operator's switch for the radiographic machine shall be fixed within the booth and:

(i) Shall be at least 102 centimeters (40 inches) inside the protected area;

(ii) Shall allow the operator to use the available viewing windows.

(c) Viewing system requirements:

(i) Each booth shall have at least one viewing device which will:

(A) Be so placed that the operator can view the patient during any exposure; and

(B) The device shall be so placed that the operator can have full view of any occupant of the room and any entry into the room.

(ii) When the viewing system is a window the following requirements also apply:

(A) It shall have a visible area of at least one square foot.

(B) The glass shall have at least the same lead equivalence as that required in the booth's wall in which it is to be mounted.

(iii) When the viewing system is by mirrors, the mirrors shall be so located as to accomplish the general requirements as in (i) (~~above~~) of this subsection.

(iv) When the viewing system is by electronic means (e.g., TV, etc.):

(A) The camera shall be so located as to accomplish the general requirements in (i) (~~above~~) of this subsection; and

(B) There shall be an alternate viewing system as a backup for electronic failure.

(6) Dimensions of primary beam shielding (chest, cephalometer, etc.) shall exceed the largest possible beam size by at least 30.5 centimeters (one foot) in every direction. Cephalometric primary beam shielding shall be deemed adequate if for a maximum (~~working~~) workload of twenty films a week, two pound lead is installed (for occupiable areas).

(7) A viewing device shall be installed in dental panoramic and cephalometric x-ray installations, so that the requirements of subsection (5)(c) of this section are met.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-28-035 GENERAL REQUIREMENTS FOR ALL DIAGNOSTIC X-RAY SYSTEMS. In addition to other requirements of this chapter, all diagnostic x-ray systems shall meet the following requirements:

(1) Warning label. The control panel containing the main power switch shall bear the warning statement, legible and accessible to view: "WARNING: This x-ray unit may be dangerous to patient and operator unless safe exposure factors and operating instructions are observed."

(2) Battery charge indicator. On battery-powered generators, visual means shall be provided on the control panel to indicate whether the battery is in a state of charge adequate for proper operation.

(3) Leakage radiation from the diagnostic source assembly. The leakage radiation from the diagnostic source assembly measured at a distance of 1 meter in any direction from the source shall not exceed 100 milliroentgens in 1 hour when the x-ray tube is operated at its leakage technique factors.

(4) Radiation from components other than the diagnostic source assembly. The radiation emitted by a component other than the diagnostic source assembly shall not exceed 2 milliroentgens in 1 hour at 5 centimeters from any accessible surface of the component when it is operated in an assembled x-ray system under any conditions for which it was designed. Compliance shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

(5) Beam quality

(a) The half-value layer (HVL) of the useful beam for a given x-ray tube potential shall not be less than the values shown in (~~WAC 402-28-035~~) this section, Table I. If it is necessary to determine such half-value layer at an x-ray tube potential which is not listed in Table I linear interpolation or extrapolation may be made.

WAC 402-28-035 TABLE I

Design operating range (kilovolts peak)	Measured potential (kilovolts peak)	Half-value layer (milli-meters of aluminum equivalent)	Half-value layer (milli-meter of aluminum equivalent for dental units)
Below 50 —	30	0.3	1.5
	40	0.4	1.5
	49	0.5	1.5
50 to 70 —	50	1.2	1.5
	60	1.3	1.5
	70	1.5	1.5
Above 70 —	71	2.1	2.1
	80	2.3	2.3
	90	2.5	2.5
	100	2.7	2.7
	110	3.0	3.0
	120	3.2	3.2
	130	3.5	3.5
140	3.8	3.8	
	150	4.1	4.1

(b) Beryllium window tubes have a minimum of 0.5 mm aluminum equivalent filtration permanently mounted in the useful beam.

(c) For capacitor energy storage equipment, compliance shall be determined with the maximum quantity of charge per exposure.

(d) The required minimal aluminum equivalent filtration shall include the filtration contributed by all materials which are always present between the focal spot of the tube and the patient. (e.g., a tabletop when the tube is mounted "under the table" and inherent filtration of the tube)

(e) Filtration control. For x-ray systems which have variable kVp and variable filtration for the useful beam, a device shall link the kVp selector with the filter(s) and shall prevent an exposure unless the minimum amount of filtration required by (a) of this subsection is in the useful beam for the given kVp which has been selected.

(6) Multiple tubes. Where two or more radiographic tubes are controlled by one exposure switch, the tube or tubes which have been selected shall be clearly indicated prior to initiation of the exposure. Such indication shall be both on the x-ray control panel and near or on the tube housing assembly which has been selected.

(7) Mechanical support of tube head. The tube housing assembly supports shall be adjusted such that the tube housing assembly will remain stable during an exposure unless the tube housing movement during exposure is a designed function of the x-ray system.

(8) Technique indicators

(a) The technique factors to be used during an exposure shall be indicated before the exposure begins, except when automatic exposure controls are used, in which case the technique factors which are set prior to the exposure shall be indicated.

(b) On equipment having fixed technique factors, the requirement, in (a) of this subsection may be met by permanent markings. Indication of technique factors shall be visible from the operator's position except in the case of spot films made by the fluoroscopist.

(9) Certified units. All diagnostic x-ray systems certified to comply with 21 ((~~CRF~~)) CFR 1020 shall meet the requirements of that certification.

(10) Linearity: The difference between the ratio of exposure to mAs at one mA setting and the ratio at another mA setting shall not exceed 0.10 times the sum of the ratios. This is written as:

$$X_1 - X_2 \leq 0.10 (X_1 + X_2)$$

Where X_1 and X_2 are the ratios, mR/mAs for each mA station.

The test will be performed at any two adjacent mA stations with the same indicated focal spot size. For continuous mA selection, the test will be performed at two indicated mA stations differing by not more than a factor of two.

(11) kVp accuracy: The difference between the indicated and actual kVp of an x-ray machine shall not be greater than 10% of the indicated kVp, or, alternatively, if available, the accuracy specifications of the control panel manufacturer must be met.

(12) Requirements of subsections (10) and (11) of this section apply only to all certified machines and to

those uncertified machines where transfer, sale, or reassembly for use after January 1, 1984, is involved. See WAC 402-28-031(1).

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-28-040 FLUOROSCOPIC X-RAY SYSTEMS. All fluoroscopic x-ray systems shall meet the following requirements:

(1) Limitation of useful beam.

(a) The fluoroscopic tube shall not produce x-rays unless the primary barrier is in position to intercept the entire useful beam at all times.

(b) The entire cross section of the useful beam shall be intercepted by the primary protective barrier of the fluoroscopic image assembly at any SID.

(c) Nonimage-intensified fluoroscopic equipment shall not be used.

(d) For image-intensified fluoroscopic equipment without a spot film device, neither the length nor the width of the fluoroscopic x-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than 3 percent of the SID. The sum of the excess length and the excess width shall be no greater than 4 percent of the SID. Measurements shall be made at the minimum SID available but at no less than 8 inches table top to ((film plane)) image receptor distance.

(e) For uncertified image-intensified fluoroscopic equipment with a spot film device, the fluoroscopic x-ray beam with the shutters wide open (during either fluoroscopy itself or spot films) shall be no larger than the dimensions of the largest spot film size for which the device is designed. Measurements shall be made at the minimum SID available but at no less than 8 inches table top to the film plane distance.

(f) For certified (21 CFR 1020) image-intensified fluoroscopic equipment with a spot film device, neither the length nor the width of the fluoroscopic x-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than 3 percent of the SID. The sum of the excess width shall be no greater than 4 percent of the SID. Measurements shall be made at the minimum SID available but at no less than 8 inches table top to film plane distance.

(g) For all image-intensified fluoroscopic equipment:

(i) Means shall be provided to permit further limitation of the x-ray field;

(ii) The minimum field size at the greatest SID shall be equal to or less than 5 centimeters by 5 centimeters;

(iii) Compliance with ((~~WAC 402-28-040 (1)~~)) (d) and (e) of this subsection shall be determined with the beam axis indicated to be perpendicular to the plane of the image receptor. For rectangular x-ray fields used with circular image reception, the error in alignment shall be determined along the length and width dimensions of the x-ray field which pass through the center of the visible area of the image receptor.

(2) Activation of the fluoroscopic tube. X-ray production in the fluoroscopic mode shall be controlled by a deadman switch.

(3) Entrance exposure rate allowable limits.

(a) For equipment with or without automatic brightness control, the exposure rate measured at the point where the center of the useful beam enters the patient should be as low as practicable and shall not exceed ten roentgens per minute, except during film recording of fluoroscopic images or when provided with optional high level control. When so provided, an audible signal shall indicate use of the high level control; special means of activating, via a deadman switch, shall be necessary for activation of high level control.

(b) For equipment which is provided with optional high level control, the equipment shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 5 roentgens per minute at the point where the center of the useful beam enters the patient, unless the high level control is activated.

(i) Special means of activation of high level controls, such as additional pressure applied continuously by the operator, shall be required to avoid accidental use.

(ii) A continuous signal audible to the fluoroscopist shall indicate that the high level control is being employed.

(c) Measuring compliance of entrance exposure rate limits. Compliance with ~~((WAC 402-28-040(3)))~~ this subsection shall be determined as follows:

(i) Movable grids and compression devices shall be removed from the useful beam during the measurement.

(ii) If the source is below the table, exposure rate shall be measured 1 centimeter above the tabletop or cradle.

(iii) If the source is above the table, the exposure rate shall be measured at 30 centimeters above the tabletop with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement.

(iv) In a C-arm type of fluoroscope, the exposure rate shall be measured 30 centimeters from the input surface of the fluoroscopic imaging assembly.

(d) Periodic measurement of entrance exposure rate limits.

(i) Periodic measurements of the exposure rate shall be made. An adequate period for such measurements shall be annually or after any maintenance of the system which might affect the exposure rate.

(ii) Results of these measurements shall be available where any fluoroscopist may have ready access to them while using that fluoroscope. Results of the measurements shall include the maximum possible R/minute, as well as the physical factors used to determine all data, the name of the person performing the measurements, the last two dates the measurements were performed, and the type of device used in making the measurements.

(iii) Conditions of measurement.

~~(A) ((The measurement shall be made under the conditions that satisfy the requirements of WAC 402-28-040(3)(a)(iii);~~

~~(B) The kVp shall be the peak kV that the x-ray system is capable of producing;~~

~~(C)) The kVp shall be adjusted to that which will produce the maximum entrance exposure rate;~~

(B) The high level control, if present, shall not be activated;

~~((D))~~ (C) The x-ray system(s) that incorporates automatic exposure control (automatic brightness control, etc.) shall have sufficient material (e.g. lead or lead equivalence) placed in the useful beam to produce the maximum output of the x-ray system; and

~~((E))~~ (D) X-ray system(s) that do not incorporate automatic exposure control shall utilize the maximum milliamperage of the x-ray system. Materials (e.g. an attenuation block) may be placed in the useful beam to protect the imaging system.

(4) Barrier transmitted radiation rate limits.

(a) The exposure rate due to transmission through the primary protective barrier with the attenuation block in the useful beam, combined with radiation from the image intensifier, if provided, shall not exceed 2 milliroentgens per hour at 10 centimeters from any accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor for each roentgen per minute of entrance exposure rate.

(b) Measuring compliance of barrier transmission.

(i) The exposure rate due to transmission through the primary protective barrier combined with radiation from the image intensifier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

(ii) If the source is below the tabletop, the measurement shall be made with the input surface of the fluoroscopic imaging assembly positioned 30 centimeters above the tabletop.

(iii) If the source is above the tabletop and the SID is variable, the measurement shall be made with the end of the beam-limiting device or spacer as close to the tabletop as it can be placed, provided that it shall not be closer than 30 centimeters.

(iv) Movable grids and compression devices shall be removed from the useful beam during the measurement.

(v) The attenuation block shall be positioned in the useful beam 10 centimeters from the point of measurement of entrance exposure rate and between this point and the input surface of the fluoroscopic imaging assembly.

(5) Indication of potential and current. During fluoroscopy and cinefluorography, x-ray tube potential and current shall be continuously indicated.

(6) Source-skin distance. The source to skin distance shall not be less than:

(a) 38 centimeters on stationary fluoroscopes manufactured after the effective date of this regulation,

(b) 35.5 centimeters on stationary fluoroscopes which are in operation prior to the effective date of these regulations,

(c) 30 centimeters on all mobile fluoroscopes, and

(d) 20 centimeters for image intensified fluoroscopes used for specific surgical application. The users operating manual must provide precautionary measures to be adhered to during the use of device.

(7) Fluoroscopic timer.

(a) Means shall be provided to preset the cumulative on-time of the fluoroscopic tube. The maximum cumulative time of the timing device shall not exceed 5 minutes without resetting.

(b) A signal audible to the fluoroscopist shall indicate the completion of any preset cumulative on-time. Such signal shall continue to sound while x-rays are produced until the timing device is reset. Alternatively, the timing device may terminate exposures at the end of the preset time.

(8) Mobile fluoroscopes. In addition to the other requirements of ~~((WAC 402-28-040))~~ this section:

(a) In the absence of a table top, a cone or spacer frame shall limit the target-to-skin distance to not less than twelve inches.

(b) A machine shall not be operated when the collimating cone or diaphragm is not in place.

(9) Control of scattered radiation.

(a) Fluoroscopic table designs when combined with normal operating procedures shall be such that no unprotected part of any staff or ancillary person's body shall be exposed to unattenuated scattered radiation which originates from under the table. The attenuation required shall be not less than 0.25 mm lead equivalent.

(b) Equipment configuration when combined with procedures shall be such that no portion of any staff or ancillary person's body, except the extremities, shall be exposed to the unattenuated scattered radiation emanating from above the table top unless:

(i) The radiation has passed through not less than 0.25 mm lead equivalent material (e.g., drapes, Bucky-slot cover-sliding or folding panel, or self supporting curtains) in addition to any lead equivalency provided by the protective apron referred to in WAC 402-28-031 (2)(e).

(ii) Exceptions to ~~((WAC 402-28-040 (9)))~~ (b) of this subsection may be made in some special procedures where a sterile field will not permit the use of the normal protective barriers. Where the use of prefitted sterilized covers for the barriers is practical, the department shall not permit such exception.

(10) Radiation therapy simulation systems. Radiation therapy simulation systems shall be exempt from all the requirements of ~~((WAC 402-28-040))~~ subsections (1), (4) and (7) of this section: PROVIDED, That:

(a) Such systems are designed and used in such a manner that no individual other than the patient is in the x-ray room during periods of time when the system is producing x-rays; and

(b) Such systems as do not meet the requirements of ~~((WAC 402-28-040))~~ subsection (7) of this section, and are provided with a means of indicating the cumulative time during which individual patient has been exposed to x-rays. Procedures shall require that the timer be reset between examinations in such cases.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-28-091 THERAPEUTIC X-RAY INSTALLATIONS LESS THAN 1 MEV. (1) Equipment requirements.

(a) Leakage radiation. When the tube is operated at its leakage technique factors, the leakage radiation shall not exceed the value specified at the distance specified for the classification of that x-ray system:

(i) Contact therapy systems. Leakage radiation shall not exceed 100 milliroentgens per hour at ~~((5))~~ five centimeters from the surface of the tube housing assembly;

(ii) 0-150 kVp systems. Systems which are manufactured or installed prior to the effective date of ~~((WAC 402-28-091))~~ this section shall have a leakage radiation which does not exceed ~~((+))~~ one roentgen in ~~((+))~~ one hour at ~~((+))~~ one meter from the source;

(iii) 0-150 kVp systems. Systems which are manufactured on or after the effective date of ~~((WAC 402-28-091))~~ this section shall have a leakage radiation which does not exceed 100 milliroentgens in ~~((+))~~ one hour at ~~((+))~~ one meter from the source;

(iv) 151 to 999 kVp systems. The leakage radiation shall not exceed ~~((+))~~ one roentgen in ~~((+))~~ one hour at ~~((+))~~ one meter from the source except systems that operate in excess of 500 kVp may have a leakage radiation at ~~((+))~~ one meter from the source equivalent to the exposure within ~~((+))~~ one hour of the useful beam at ~~((+))~~ one meter from the source multiplied by a factor of 0.001.

(b) Permanent beam limiting devices. Permanent fixed diaphragms or cones used for limiting the useful beam shall provide the same or higher degree of protection as that required by the tube housing assembly.

(c) Removable and adjustable beam limiting devices.

(i) Removable beam limiting devices shall, for the portion of the useful beam to be blocked by these devices, transmit not more than ~~((+))~~ one percent of the original x-ray beam at the maximum kilovoltage and maximum treatment filter;

(ii) Adjustable beam limiting devices installed after the effective date of ~~((WAC 402-28-091))~~ this section shall meet the requirements of ~~((WAC 402-28-091 (+)))~~ (c)(i) of this subsection;

(iii) Adjustable beam limiting devices installed before the effective date of ~~((WAC 402-28-091))~~ this section shall, for the portion of the x-ray beam to be blocked by these devices, transmit not more than ~~((5))~~ five percent of the original x-ray beam at the maximum kilovoltage and maximum treatment filter.

(d) Filter system. The filter system shall be so designed that:

(i) Filters cannot be accidentally displaced from the useful beam at any possible tube orientation;

(ii) Each filter is marked as to its material of construction and its thickness or wedge angle for wedge filters;

(iii) It shall be possible for the operator to determine the presence or absence of each filter and the orientation of each wedge filter in the useful beam when the operator is at the control panel, either by display at the control panel or by direct observation; and

(iv) The radiation at ~~((5))~~ five centimeters from the filter insertion slot opening does not exceed 30 roentgens per hour under any operating conditions.

(e) Tube immobilization. The tube housing assembly shall be capable of being immobilized during stationary treatments.

(f) Focal spot marking. The tube housing assembly shall be so marked that it is possible to determine the location of the focal spot to within ((5)) five millimeters, and such marking shall be readily accessible for use during calibration procedures.

(g) Timer.

(i) A timer shall be provided which has a display at the treatment control panel. The timer shall be graduated in minutes and fractions of minutes. The timer shall have a preset time selector and an elapsed time indicator;

(ii) The timer shall be a cumulative timer which activates with radiation and retains its reading after irradiation is interrupted or terminated. After irradiation is terminated and before irradiation can be reinitiated, it shall be necessary to cycle the preset time selector through zero time;

(iii) The timer shall terminate irradiation when a pre-selected time has elapsed;

(iv) The timer shall permit accurate presetting and determination of exposure times as short as 1 second;

(v) The time shall not permit an exposure if set at zero;

(vi) ~~((The timer shall comply with the provisions of WAC 402-28-091 (1)(m) where applicable;~~

(vii)) The timer shall not activate until the shutter is opened, when patient irradiation is controlled by a shutter mechanism.

(h) Control panel functions. The control panel, in addition to the displays required in other provisions of this chapter (~~402-28 WAC~~) shall have:

(i) An indication of whether electrical power is available at the control panel and if activation of the x-ray tube is possible;

(ii) An indication of whether x-rays are being produced;

(iii) Means for indicating kV and x-ray tube current;

(iv) The means for terminating an exposure at any time;

(v) A locking device which will prevent unauthorized use of the x-ray system; and

(vi) For x-ray equipment manufactured after the effective date of ~~((WAC 402-28-091))~~ this section, a positive display of specific filter(s) in the beam.

(i) Multiple tubes. When a control panel may energize more than one x-ray tube:

(i) It shall be possible to activate only one x-ray tube at any time;

(ii) There shall be an indication at the control panel identifying which x-ray tube is energized; and

(iii) There shall be an indication at the tube housing assembly when that tube is energized.

(j) Source-to-patient distance. There shall be means of determining the source-to-patient distance to within ((+)) one centimeter.

(k) Shutters. Unless it is possible to bring the x-ray output to the prescribed exposure parameters within

((5)) five seconds, the entire useful beam shall be automatically attenuated by a shutter having a lead equivalency not less than that of the tube housing assembly. In addition:

(i) After the unit is at operating parameters, the shutter shall be controlled electrically by the operator from the control panel;

(ii) An indication of shutter position shall appear at the control panel.

(l) Low filtration x-ray tubes. Each x-ray system equipped with a beryllium or other low-filtration window shall be clearly labeled as such upon the tube housing assembly and at the control panel.

(2) Facility design requirements for systems capable of operating above 50 kVp.

In addition to shielding adequate to meet requirements of chapters 402-22 and 402-24 WAC (~~(of these regulations)~~) and the shielding plan review provisions of WAC 402-28-032, the treatment room shall meet the following design requirements:

(a) Warning lights. Treatment rooms to which access is possible though more than one entrance shall be provided with warning lights, in a readily observable position near the outside of all access doors, which will indicate when the the useful beam is "on." Also, it is required that entrances other than the main one be equipped with interior locks, activated for the period of exposure, and that the main entrance be under control of the operator.

(b) Voice communication. Provision shall be made for two-way aural communication between the patient and the operator at the control panel; however, where excessive noise levels make aural communication impractical, other methods of communication shall be used.

(c) Viewing systems. Windows, mirrors, closed-circuit television, or an equivalent system shall be provided to permit continuous observation of the patient during irradiation and shall be so located that the operator can observe the patient from the control panel. When the primary viewing system is by electronic means (e.g., television), an alternate viewing system shall be available for use in the event of electronic failure or treatment must be discontinued until repair is made. If treatment is to be discontinued, this policy shall be included in the written safety procedures. A copy of the safety procedures shall be provided to the operator.

(d) Additional requirements. Treatment rooms which contain an x-ray system capable of operating above 150 kVp shall meet the following additional requirements:

(i) All necessary shielding, except for any beam interceptor, shall be provided by fixed barriers;

(ii) The control panel shall be outside the treatment room;

(iii) All doors of the treatment room shall be electronically connected to the control panel such that x-ray production cannot occur unless all doors are closed;

(iv) When the doors referred to in ~~((WAC 402-28-091(2)))~~ (d)(iii) of this subsection are opened while the x-ray tube is activated:

(A) X-ray production shall terminate within ((+)) one second; or

(B) The radiation at a distance of ~~((+))~~ one meter from the source shall be reduced to less than 100 milliroentgens per hour within ~~((+))~~ one second.

(v) After the radiation output of the x-ray tube has been affected by the opening of any door referred to in ~~((WAC 402-28-091(2)))~~ ~~(d)(iii)~~ of this subsection, it shall be possible to restore the x-ray system to full operation only upon:

(A) Closing the door; and subsequently

(B) Reinitiating the exposure at the control panel.

(e) ~~((Surveys, calibrations, spot checks, and operating procedures:~~

~~(i) All new facilities, and existing facilities not previously surveyed, shall have a survey made by, or under the direction of, a qualified expert. Such surveys shall also be done after any change in the facility or equipment which might cause a significant increase in radiation hazard:~~

~~(ii) The expert shall report his findings in writing to the person in charge of the facility and a copy of the report shall be maintained by the registrant for inspection by the department:~~

~~(iii) The survey and report shall indicate all instances where the installation in the opinion of the qualified expert is in violation of applicable regulations and cite all items of noncompliance:~~

~~(f))~~ Calibrations.

(i) The calibration of an x-ray system shall be performed at intervals not to exceed one year and after any change or replacement of components which could cause a change in the radiation output.

(ii) The calibration of the radiation output of the x-ray system shall be performed by or under the direction of a qualified expert who is physically present at the facility during such calibration.

(iii) Calibration of the radiation output of an x-ray system shall be performed with a calibrated instrument. The calibration of such instrument shall be directly traceable on a national standard. The instrument shall have been calibrated within the preceding ~~((2))~~ two years.

(iv) The calibrations made pursuant to ~~((WAC 402-28-091(2)))~~ ~~(e)(i)~~ of this subsection shall be such that the dose at a reference point in soft tissue can be calculated to within ~~((+5))~~ ± five percent.

(v) The calibration of the x-ray system shall include, but not be limited to, the following determinations:

(A) Verification that the x-ray system is operating in compliance with the design specifications;

(B) The exposure rates for each combination of field size, technique factors, filter, and treatment distance used;

(C) The degree of congruence between the radiation field and the field indicated by the localizing device if such device is present; and

(D) An evaluation of the uniformity of the radiation field symmetry for the field sizes used and any dependence upon tube housing assembly orientation.

(vi) Records of calibration performed pursuant to ~~((WAC 402-28-091(2)))~~ ~~(e)~~ of this subsection shall be maintained by the registrant for ~~((2))~~ two years after completion of the calibration.

(vii) A copy of the most recent x-ray system calibration shall be available for use by the operator at the control panel.

~~((g) Spot checks. Spot checks shall be performed on x-ray systems capable of operation at greater than 150 kVp. Such spot checks shall meet the following requirements:~~

~~(i) The spot check procedures shall be in writing and shall have been developed by a qualified expert;~~

~~(ii) The measurements taken during the spot checks shall demonstrate the degree of consistency of the operating characteristics which can affect the radiation output of the x-ray system;~~

~~(iii) The spot check procedure shall specify the frequency at which tests or measurements are to be performed;~~

~~(iv) The procedure shall also note conditions which shall require that the system be recalibrated in accordance with WAC 402-28-091(2)(f), and~~

~~(v) Records of spot check measurements performed pursuant to WAC 402-28-091(2)(g) shall be maintained by a registrant for 2 years following such measurement:~~

~~(h))~~ (f) Operating procedures.

(i) ~~((Therapeutic x-ray systems shall specify the frequency at which tests or measurements are to be performed;~~

~~(ii))~~ When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used;

~~((iii))~~ (ii) The tube housing assembly shall not be held by an individual during exposures;

~~((iv))~~ (iii) No individual other than the patient shall be in the treatment room unless such individual is protected by a barrier sufficient to meet the requirements of chapter 402-24 WAC ~~((of these regulations))~~. No individual other than the patient shall be in the treatment room during exposures when the kVp exceeds 150;

~~((v))~~ (iv) The x-ray system shall not be used in the administration of radiation therapy unless the requirements of ~~((WAC 402-28-091(2)(e)(i) and (f)(iv)))~~ (e) of this subsection have been met.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-28-101 X-RAY AND ELECTRON THERAPY SYSTEMS WITH ENERGIES OF ONE MEV AND ABOVE. Chapter 402-44 WAC except WAC 402-44-110 (3) and (4) shall apply to medical facilities using therapy systems with energies 1 MeV and above.

(1) Definitions. In addition to the definitions provided in WAC 402-28-020, the following definitions shall be applicable to ~~((WAC 402-28-101))~~ this section.

(a) "Applicator" means a structure which indicates the extent of the treatment field at a given distance from the virtual source and which may or may not incorporate the beam limiting device.

(b) "Beam scattering filter" means a filter used in order to scatter a beam of electrons.

(c) "Central axis of the beam" means a line passing through the virtual source and the center of the plane

figure formed by the edge of the final beam limiting device.

(d) "Dose monitoring system" means a system of devices for the detection and display of quantities of radiation.

(e) "Dose monitor unit" means a unit from which the absorbed dose can be calculated.

(f) "Existing equipment" means therapy systems subject to (~~WAC 402-28-101~~) this section which were manufactured on or before the effective date of these regulations.

(g) "Field flattening filter" means a filter used to homogenize the dose rate over the area of a useful beam of x-rays.

(h) "Field size" means the dimensions of an area in a plane perpendicular to the specified direction of the beam of incident radiation at a specified depth in a phantom and defined by specified isodose lines.

(i) "Gantry" means that part of the system supporting and allowing possible movements of the radiation head.

(j) "Interruption of irradiation" means the stopping of irradiation with the possibility of continuing irradiation without resetting of the operating conditions at the control panel.

(k) "Isocenter" means a fixed point in space located at the intersection of the rotation axes of the principal movements of the therapy system.

(l) "Moving beam therapy" mean radiation therapy with relative displacement of the useful beam and the patient during irradiation.

(m) "New equipment" means systems subject to (~~WAC 402-28-101~~) this section which were manufactured after effective date of these regulations.

(n) "Normal treatment distance" means the distance between the virtual source and a reference point on the central axis of the beam. The reference is located at a position where the patient will be placed during radiation therapy.

(o) "Patient" means an individual subjected to examination and treatment.

(p) "Phantom" means a volume of material behaving in a manner similar to tissue with respect to the attenuation and scattering of radiation.

(q) "Primary dose monitoring system" means a system which will monitor the quantity of radiation produced during irradiation and which will terminate irradiation when a preselected number of dose monitor units have been acquired.

(r) "Radiation treatment prescription" means the absorbed dose which is intended to be delivered to the treatment volume.

(s) "Radiation head" means the structure from which the useful beam emerges.

(t) "Redundant dose monitoring combination" means a combination of two dose monitoring systems in which both systems are arranged to terminate irradiation in accordance with a preselected number of dose monitor units.

(u) "Secondary dose monitoring system" means a system which will terminate irradiation in the event of failure of the primary system.

(v) "Shadow tray" means a device attached to the radiation head to support auxiliary beam limiting material.

(w) "Stationary beam therapy" means radiation therapy without relative displacement of the useful beam and the patient during irradiation.

(x) "Target" means that part of a radiation source which intercepts a beam of accelerated particles with subsequent emission of other radiation.

(y) "Termination of irradiation" means the stopping of irradiation in a fashion which will not permit continuance of irradiation without the resetting of operating conditions at the control panel.

(z) "Treatment field" means the area of the patient's skin which is to be irradiated.

(aa) Treatment volume means that portion of the patient's body which is to be irradiated.

(bb) "Virtual source" means a point from which radiation appears to originate.

(2) Requirements for equipment.

(a) Leakage radiation to the patient area.

(i) New equipment should meet the following requirements:

(A) For all operating conditions, the dose equivalent in rem due to leakage radiation, including x-ray, electrons, and neutrons, at any point in a circular plane of ~~((2))~~ two meters radius centered on and perpendicular to the central axis of the beam at the normal treatment distance and outside the maximum useful beam, should not exceed 0.1 percent of the maximum dose equivalent in rem of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the plane surface. Measurements shall be averaged over an area up to but not exceeding ~~((100))~~ one hundred square centimeters at the positions specified.

(B) For each system the registrant shall determine, or obtain from the manufacturer, the leakage radiation existing at the positions specified in (~~WAC 402-28-101 (2))~~ (a)(i)(A) of this subsection for specified operating conditions. Records for leakage radiation shall be maintained at the installation for inspection by the department.

(ii) Existing equipment (that installed prior to the effective date of the regulations) should meet the following requirements:

(A) The leakage radiation, excluding neutrons, at any point in the area specified by (~~WAC 402-28-101 (2))~~ (a)(i)(A) of this subsection, where such area intercepts the central axis of the beam ~~((+))~~ (+) one meter from the virtual source, should not exceed 0.1 percent of the maximum dose equivalent in rems of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the surface of the reference circular plane. Measurements should be averaged over an area up to but not exceeding ~~((100))~~ one hundred square centimeters at the positions specified.

(B) For each system, the registrant should determine, or obtain from the manufacturer, the leakage radiation existing at the positions specified in (~~WAC 402-28-101 (2))~~ (a)(ii)(A) of this subsection for specified operating conditions. Records for radiation leakage shall be maintained at the installation for inspection by the department.

(b) Leakage radiation outside the patient area.

(i) The dose equivalent in rem due to leakage radiation, except in the area specified in ~~((WAC 402-28-101 (2)))~~ (a) of this subsection, when measured at any point ~~((†))~~ one meter from the path of the charged particle, before the charged particle strikes the target or window, should not exceed 0.1 percent for x-ray leakage nor 0.5 percent for neutron leakage of the maximum dose equivalent in rems of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the circular plane specified in ~~((WAC 402-28-101 (2)))~~ (a) of this subsection.

(ii) The registrant should determine, or obtain from the manufacturer, the actual leakage radiation existing at the positions specified in ~~((WAC 402-28-101 (2)))~~ (a) of this subsection for specified operating conditions. Measurements should be averaged over an area up to but not exceeding ~~((†00))~~ one hundred square centimeters at the positions specified.

(c) Beam limiting devices. Adjustable or interchangeable beam limiting devices shall be provided and such devices shall transmit no more than ~~((2))~~ two percent of the useful beam for the portion of the useful beam which is to be attenuated by the beam limiting device. The neutron component of the useful beam shall not be included in this requirement. Measurements shall be averaged over an area up to but not exceeding ~~((†00))~~ one hundred square centimeters at the normal treatment distance.

(d) Filters.

(i) If the absorbed dose rate information required by ~~((WAC 402-28-101 (2)))~~ (p) ((related exclusively to)) of this subsection is dependent on operation with a field flattening or beam scattering filter in place, such filter shall be removable only by the use of tools.

(ii) In systems which utilize a system of wedge filters, interchangeable field flattening filters, or interchangeable beam scattering filters:

(A) Irradiation shall not be possible until a selection of a filter has been made at the treatment control panel;

(B) An interlock system shall be provided to prevent irradiation if the filter selected is not in the correct position;

(C) An indication of the wedge filter orientation with respect to the treatment field shall be provided at the control panel, by direct observation or by electronic means, when wedge filters are used;

(D) A display shall be provided at the treatment control panel showing the filter(s) in use;

(E) Each filter which is removable from the system shall be clearly identified as to that filter's material of construction, thickness, and the wedge angle for wedge filters; and

(F) An interlock shall be provided to prevent irradiation if any filter selection operation carried out in the treatment room does not agree with the filter selection operation carried out at the treatment control panel.

(e) Beam quality. The registrant shall determine, or obtain from the manufacturer, data sufficient to assure that the following beam quality requirements are met:

(i) The absorbed dose resulting from x-rays in a useful electron beam at a point on the central axis of the

beam ~~((†0))~~ ten centimeters greater than the practical range of the electrons shall not exceed the values stated in Table III. Linear interpolation shall be used for values not stated.

TABLE III

Maximum Energy of Beam in Electron MeV	X-ray Absorbed Dose as a Fraction of Maximum Absorbed Dose
1	0.03
15	0.05
35	0.10
50	0.20

(ii) Compliance with ~~((WAC 402-28-101 (2)))~~ (e)(i) of this subsection shall be determined using:

(A) A measurement within a phantom with the incident surface of the phantom at the normal treatment distance and normal to the central axis of the beam;

(B) The largest field size available which does not exceed ~~((†5))~~ fifteen centimeters by ~~((†5))~~ fifteen centimeters; and

(C) A phantom whose cross-sectional dimensions exceed the measurement radiation field by at least ~~((5))~~ five centimeters and whose depth is sufficient to perform the required measurement.

(iii) The absorbed dose at a surface located at the normal treatment distance, at the point of intersection of that surface with the central axis of the useful beam during x-ray irradiation, shall not exceed the limits stated in Table IV. Linear interpolation shall be used for values not stated.

TABLE IV

Maximum Photon Energy in MeV	Absorbed Dose at the Surface as a Fraction of the Maximum Absorbed Dose
1	0.80
2	0.70
5	0.60
15	0.50
35	0.40
50	0.20

(iv) Compliance with ~~((WAC 402-28-101 (2)))~~ (e)(iii) of this subsection shall be determined by:

(A) Measurements made within a phantom using an instrument which will allow extrapolation to the surface absorbed dose;

(B) Use of a phantom whose size and placement meet the requirements of ~~((WAC 402-28-101 (2)))~~ (e)(iii) of this subsection;

(C) Removal of all beam modifying devices which can be removed without the use of tools, except for beam scattering or beam flattening filters; and

(D) The largest field size available which does not exceed ~~((+5))~~ fifteen centimeters by ~~((+5))~~ fifteen centimeters.

(v) The registrant shall determine, or obtain from the manufacturer, the maximum percentage absorbed dose due to stray neutrons in the useful beam for specified operating conditions.

(f) Beam monitors. All therapy systems shall be provided with radiation detectors in the radiation head.

(i) New equipment shall be provided with at least two radiation detectors. The detectors shall be incorporated into two monitoring systems arranged either as a primary/primary combination or as a primary/secondary combination.

(ii) Existing equipment shall be provided with at least one radiation detector. This detector shall be incorporated into a primary system.

(iii) The detectors and system into which the detector is incorporated shall meet the following requirements:

(A) Each primary system shall have a detector which is a transmission full beam detector and which is placed on the patient side of any fixed added filters other than a wedge filter.

(B) The detectors shall be removable only with tools and shall be interlocked to prevent incorrect positioning.

(C) Each detector shall be capable of independently monitoring and controlling the useful beam.

(D) Each detector shall form part of a dose monitoring system from whose readings in dose monitor units the absorbed dose at a reference point in the treatment volume can be calculated.

(E) For new equipment the design of the dose monitoring systems of ~~((WAC 402-28-101(2)))~~ (h) of this subsection shall assure that the malfunctioning of one system shall not affect the correct functioning of the second system. In addition:

(I) The failure of any element common to both systems shall terminate the useful beam.

(II) The failure of any element common to both systems which could affect the correct operation of both systems shall terminate irradiation.

(F) Each dose monitoring system shall have a legible display at the treatment control panel. Each display shall:

(I) Maintain a reading until intentionally reset to zero;

(II) Have only one scale and no scale multiplying factors in new equipment; and

(III) Utilize a design such that increasing dose is displayed by increasing numbers and shall be so designed that, in the event of an overdosage of radiation, the absorbed dose may be accurately determined under all normal conditions of use or foreseeable failures.

(G) In the event of power failure, the dose monitoring information required in ~~((WAC 402-28-101(2)))~~ (h) of this subsection displayed at the control panel at the time of failure shall be retrievable in at least one system.

(g) Beam symmetry.

(i) For new equipment, each therapy machine shall have the capability of comparing the dose rates in each of the four quadrants of the central ~~((80))~~ eighty percent of the useful beam. Beam symmetry information

shall be displayed at the treatment control panel, and such display shall be capable of indicating a differential of more than ~~((5))~~ five percent between any two of the quadrant dose rates. Beam asymmetry in excess of ~~((20))~~ twenty percent shall automatically terminate the useful beam.

(ii) Beam symmetry requirements of ~~((WAC 402-28-101(2)))~~ (g)(i) of this subsection shall be met if the user can demonstrate to the satisfaction of the department that adequate fail-safe protection against the beam asymmetry is incorporated into the inherent design of the accelerator.

(iii) On existing equipment where the department has determined that beam symmetry is inadequate the use of an automatic beam asymmetry warning system may be required.

(h) Selection and display of dose monitor units.

(i) Irradiation shall not be possible until a selection of a number of dose monitor units has been made at the treatment control panel.

(ii) After useful beam termination, it shall be necessary manually to reset the preselected dose monitor units before treatment can be reinitiated.

(iii) The preselected number of dose monitor units shall be displayed at the treatment control panel until reset manually for the next irradiation.

(i) Termination of irradiation by the dose monitoring system.

(i) Each of the required monitoring systems shall be capable of independently terminating an irradiation. Provision shall be made to test the correct operation of each system.

(ii) Each primary system shall terminate irradiation when the preselected number of dose monitor units has been detected by the system.

(iii) Each secondary system shall terminate irradiation when 102 percent of the preselected number of dose monitor units has been detected by the system.

(iv) For new equipment, indicators on the control panel shall show which monitoring system has terminated the beam.

(j) Interruption switches. It shall be possible to interrupt irradiation and equipment movements at any time from the operator's position at the treatment control panel. Following any interruption, it shall be possible to restart irradiation by operator action without any reselection of operating conditions. If any change is made of a preselected value during an interruption the equipment shall go to termination condition.

(k) Termination switches. It shall be possible to terminate irradiation and equipment movements, or go from an interruption condition to termination conditions, at any time from the operator's position at the treatment control panel.

(l) Timer.

(i) A timer shall be provided which has a display at the treatment control panel. The timer shall be graduated in minutes and decimals of minutes. The timer shall have a preset time selector and an elapsed time indicator.

(ii) The timer shall be a cumulative timer which switches on and off with the radiation and retains its

reading after irradiation is interrupted or terminated. It shall be necessary to zero and subsequently reset the elapsed time indicator and the preset time selector after irradiation is terminated before irradiation shall again be possible.

(iii) The timer shall terminate irradiation when a pre-selected time has elapsed if the dose monitoring systems fail to do so.

(m) Selection of radiation type. Equipment capable of both x-ray therapy and electron therapy shall meet the following requirements:

(i) Irradiation shall not be possible until a selection of radiation type has been made at the treatment control panel.

(ii) An interlock system shall be provided to insure that the equipment can emit only the radiation type which has been selected.

(iii) An interlock system shall be provided to prevent irradiation if any selected operations carried out in the treatment room do not agree with the selected operations carried out in the treatment control panel.

(iv) An interlock system shall be provided to prevent irradiation with x-rays when electron applicators are fitted and irradiation with electrons when accessories for x-ray therapy are fitted.

(v) The radiation type selected shall be displayed at the treatment control panel before and during irradiation.

(n) Selection of energy. Equipment capable of generating radiation beams of different energies shall meet the following requirements:

(i) Irradiation shall not be possible until a selection of energy has been made at the treatment control panel.

(ii) An interlock system shall be provided to insure that the equipment can emit only the energy of radiation which has been selected.

(iii) An interlock system shall be provided to prevent irradiation if any selected operations carried out in the treatment room do not agree with the selected operations carried out at the treatment control panel.

(iv) The energy selected shall be displayed at the treatment control panel before and during irradiation.

(o) Selection of stationary beam therapy or moving beam therapy. Equipment capable of both stationary beam therapy and moving beam therapy shall meet the following requirements:

(i) Irradiation shall not be possible until a selection of stationary beam therapy or moving beam therapy has been made at the treatment control panel.

(ii) An interlock system shall be provided to insure that the equipment can operate only in the mode which has been selected.

(iii) An interlock system shall be provided to prevent irradiation if any selected operations carried out in the treatment room do not agree with the selected operations carried out at the treatment control panel.

(iv) An interlock system shall be provided to terminate irradiation if the movement stops during moving beam therapy.

(v) Moving beam therapy shall be so controlled that the required relationship between the number of dose monitor units and movement is obtained.

(vi) The mode of operation shall be displayed at the treatment control panel.

(p) Absorbed dose rate. For new equipment, a system shall be provided from whose readings the absorbed dose rate at a reference point in the treatment volume can be calculated.³ In addition:

(i) The quotient of the number of dose monitor units by time shall be displayed at the treatment control panel.

(ii) If the equipment can deliver, under any conditions, an absorbed dose rate at the normal treatment distance more than twice the maximum value specified by the manufacturer's anticipated dose rate for any machine parameters utilized, a device shall be provided which terminates irradiation when the absorbed dose rate exceeds a value twice the specified maximum. The value at which the irradiation will be terminated shall be in a record maintained by the registrant.

(q) Location of focal spot and beam orientation. The registrant shall determine, or obtain from the manufacturer, the location with reference to an accessible point on the radiation head of:

- (i) The x-ray target or the virtual source of x-rays;
- (ii) The electron window or the scattering foil;
- (iii) All possible orientations of the useful beam.

(r) System (~~(checking facilities)~~) interlock checks. Capabilities shall be provided so that all radiation safety interlocks can be checked. When preselection of any of the operating conditions requires action in the treatment room and at the treatment control panel, selection at one location shall not give a display at the other location until the requisite selected operations in both locations have been completed.

(s) Shadow trays shall be designed such that the skin entrance-dose due to electrons produced within the shadow tray are minimized.

(t) Facility and shielding requirements. In addition to chapter 402-24 WAC, the following design requirements shall apply:

(i) Except for entrance doors or beam interceptors, all the required barriers shall be fixed barriers.

(ii) The treatment control panel shall be located outside the treatment room.

(iii) Windows, mirrors, closed-circuit television, or other equivalent viewing systems shall be provided to permit continuous observation of the patient during irradiation and shall be so located that the operator may observe the patient from the treatment control panel. When the viewing system is by electronic means (e.g., television), an alternate viewing system shall be provided for use in the event of failure of the primary system.

(iv) Provision shall be made for two-way aural communication between the patient and the operator at the treatment control panel. However, where excessive noise levels make aural communications impractical, other methods of communication shall be used.

(v) Treatment rooms to which access is possible through more than one entrance shall be provided with warning lights, which will indicate when the useful beam is "on" in a readily observable position near the outside of all access doors.

(vi) Interlocks shall be provided such that all entrance doors shall be closed before treatment can be initiated or continued. If the radiation beam is interrupted by any door opening, it shall be possible to restore the machine to operation only by closing the door and reinitiating exposure by manual action at the control panel.

(u) Surveys, calibrations, spot checks and operating procedures.

(i) Survey.

(A) All new facilities, and existing facilities not previously surveyed, shall have a survey made by, or under the direction of, a qualified expert. Such surveys shall also be done after any change in the facility or equipment which might cause a significant increase in radiation hazard.

(B) The registrant shall obtain a written report of the survey from the qualified expert and a copy of the report shall be transmitted by the registrant to the department.

(C) The ~~((survey and))~~ report shall indicate all instances where the installation, in the opinion of the qualified expert, is in violation of applicable regulations and shall cite the section violated.

(ii) Calibrations.

(A) The calibration of systems subject to ~~((WAC 402-28-101))~~ this section shall be performed before the system is first used for irradiation of patient and thereafter at time intervals which do not exceed ~~((6))~~ six months and after any change which might significantly alter the calibration, spatial distribution, or other characteristics of the therapy beam.

(B) The calibration shall be performed under the direct supervision of a qualified expert.

(C) Calibration of the dose equivalent of the therapy beam shall be performed with a measurement instrument the calibration of which is directly traceable to national standards of exposure or absorbed dose and which shall have been calibrated within the preceding ~~((2))~~ two years.

(D) Calibrations made pursuant to ~~((WAC 402-28-101(2)))~~ (u)(ii) of this subsection shall be such that the dose at a reference point in soft tissue can be calculated within + 5 percent.

(E) The calibration of the therapy beam shall include but not be limited to the following determinations:

(I) Verification that the equipment is operating in compliance with the design specifications concerning the light localizer, the side light and back-pointer alignment with the isocenter, when applicable, variation in the axis of rotation for the table, gantry and jaw system, and beam flatness and symmetry at specified depths.

(II) The exposure rate or dose rate in air and at various depths of water for the range of field sizes used, for each effective energy, and for each treatment distance used for radiation therapy.

(III) The congruence between the radiation field and the field indicated by the localizing device.

(IV) The uniformity of the radiation field and its dependency upon the direction of the useful beam.

~~((V) The calibration determinations above shall be provided in sufficient detail such that the absorbed dose to tissue in the useful beam may be calculated to within +5 percent.))~~

(F) Records of the calibration performed pursuant to ~~((WAC 402-28-101(2)))~~ (u)(ii) of this subsection shall be maintained by the registrant for ~~((2))~~ two years after completion of the calibration.

(G) A copy of the latest calibration performed pursuant to ~~((WAC 402-28-101(2)))~~ (u)(ii) of this subsection shall be available for use by the operator at the treatment control panel.

(iii) Spot checks. Spot checks shall be performed on the system subject to ~~((WAC 402-28-101))~~ this section. Such spot checks shall meet the following requirements:

(A) The spot check procedures shall be in writing and shall have been developed by a qualified expert.

(B) The measurements taken during spot checks shall demonstrate the degree of consistency of the operating characteristics which can affect the radiation output of the system or the radiation delivered to a patient during a therapy procedure.

(C) The spot check procedures shall specify the frequency at which tests or measurements are to be performed.

(D) For systems in which beam quality can vary significantly, spot checks shall include quality checks.

(E) Where a system has built-in devices which provide a self-check of any parameter during irradiation, the spot check procedures shall require that the parameter be independently verified at specific time intervals.

(F) The reason for spot checks which are erratic or inconsistent with calibration data shall be promptly investigated and corrected before the system is used for patient irradiation.

(G) Whenever a spot check indicates a significant change in the operating characteristics of a system, as specified in the qualified expert's spot check procedures, the system shall be recalibrated as required in ~~((WAC 402-28-101(2)))~~ (u)(ii) of this subsection.

(H) Records of spot check measurements performed pursuant to ~~((WAC 402-28-101(2)))~~ (u)(iii) of this subsection shall be maintained by the registrant for a period of one year or for twice as long as the spot check cycle, whichever is greater.

(I) Operating procedures.

(I) No individual other than the patient shall be in the treatment room during treatment of a patient.

(II) If a patient must be held in position during treatment, mechanical supporting or restraining devices shall be used.

(III) The system shall not be used in the administration of radiation therapy unless ~~((WAC 402-28-101(2)))~~ (u)(i), (ii), and (iii) of this subsection have been met.

³The radiation detectors specified in ~~((WAC 402-28-101(2)))~~ (f) of this subsection may form part of this system.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-32-020 INTERSTITIAL, INTRACAVITARY AND SUPERFICIAL APPLICATIONS.

(1) Accountability, storage, and handling.

(a) Except as otherwise specifically authorized by the department, each licensee shall provide accountability of

sealed sources and shall keep a record of the issue and return of all sealed sources to their place of storage.

(b) Each licensee shall conduct a quarterly physical inventory to account for all sources and devices received and possessed. Records of the inventories shall be maintained for inspection by the department and shall include the quantities and kinds of radioactive material, location of sources and devices, and the date of the inventory.

(c) Each licensee shall follow the radiation safety and handling instructions approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and furnished by the manufacturer on the label attached to the source, device or permanent container thereof, or in the leaflet or brochure which accompanies the source or device, and maintain such instruction in a legible and conveniently available form.

(d) Each licensee shall assure that needles or standard medical applicator cells containing Radium-226, or Cobalt-60 as wire are not opened while in the licensee's possession unless specifically authorized by license condition.

(2) Testing sealed sources for leakage and contamination.

(a) All sealed sources containing more than 100 microcuries of radioactive material with a half-life greater than thirty days, except Iridium-192 seeds encased in nylon ribbon, shall be tested for contamination and/or leakage at intervals not to exceed six months or at such other intervals as are approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and described by the manufacturer on the label attached to the source, device, or permanent container thereof, or in the leaflet or brochure which accompanies the source or device. Each source or device shall be so tested prior to its first use unless the supplier furnishes a certificate that the source or device has been so tested within six months prior to the transfer.

(b) Leak tests shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample or in the case of radium, the escape of radon at the rate of 0.001 microcurie per twenty-four hours. The test sample shall be taken from the source or from the surfaces of the device in which the source is permanently or semipermanently mounted or stored on which one might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the department.

(c) Any leak test conducted pursuant to ~~((WAC 402-32-020 (2)))~~ (a) of this subsection which reveals the presence of 0.005 microcurie or more of removable contamination or in the case of radium, the escape of radon at the rate of 0.001 microcurie per twenty-four hours, shall be considered evidence that the sealed source is leaking. The licensee shall immediately withdraw the source from use and cause it to be decontaminated and repaired or to be disposed of in accordance with department regulations. A report shall be filed within five days of the test with the department, describing the equipment involved, the test results, and the corrective action taken.

(3) Radiation surveys.

(a) The maximum radiation level at a distance of ~~((+))~~ one meter from the patient in whom brachytherapy sources have been inserted shall be determined by measurement or calculation. This radiation level shall be entered on the patient's chart and other signs as required under ~~((WAC 402-32-020))~~ subsection (4) of this section.

(b) The radiation levels in the patient's room and the surrounding area shall be determined, recorded, and maintained for inspection by the department.

(c) The licensee shall assure that patients treated with Cobalt-60, Cesium-137, Iridium-192, or Radium-226 or any other nonpermanent implants remain hospitalized until a source count and a radiation survey of the patient and the patient's room confirm that all implants have been removed and are accounted for.

(4) Signs and records.

(a) In addition to the requirements of WAC 402-24-090, the bed, cubicle, or room of the hospital brachytherapy patient shall be marked with a sign indicating the presence of brachytherapy sources. This sign shall incorporate the radiation symbol and specify the radionuclide, the activity, date, and the individual(s) to contact for radiation safety instructions. The sign is not required provided the exception in WAC 402-24-095(2) is met.

(b) The following information shall be included for the duration of the patient's treatment in the patient's official hospital medical record/chart:

(i) The radionuclide administered, number of sources, activity in millicuries and time and date of administration;

(ii) The exposure rate at ~~((+))~~ one meter, the time the determination was made, and by whom;

(iii) The radiation symbol; and

(iv) The precautionary instructions necessary to assure that the exposure of individuals does not exceed that permitted under WAC 402-24-020.

(5) Information required by subsection (4)(b)(i) and (ii) of this section shall be retained for review by the department.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-32-100 SPECIAL REQUIREMENTS FOR TELETERAPY LICENSEES. (1) Requirement to perform full calibration requirements of teletherapy units.

(a) Any licensee authorized under WAC 402-22-070 to use teletherapy units for treating humans shall cause full calibration measurements to be performed on each teletherapy unit:

(i) Prior to the first use of the unit for treating humans:

(A) Whenever spot-check measurements indicate that the output value differs by more than five percent from the value obtained at the last full calibration corrected mathematically for physical decay;

(B) Following replacement of the radiation source or following reinstallation of the teletherapy unit in a new location;

(C) Following any repair of the teletherapy unit that includes removal of the source or major repair of the components associated with the source exposure assembly; and

(D) At intervals not exceeding one year.

(b) Full calibration measurements required by ((~~paragraph~~)) (a) of this subsection shall include determination of:

(i) The exposure rate or dose rate to an accuracy within ± 3 percent for the range of field sizes and for the range of distances (or for the axis distance) used in radiation therapy;

(ii) The congruence between the radiation field and the field indicated by the light beam localizing device;

(iii) The uniformity of the radiation field and its dependence upon the orientation of the useful beam;

(iv) Timer accuracy; and

(v) The accuracy of all distance measuring devices used for treating humans.

(c) Full calibration measurements shall be made in accordance with the procedures recommended by the Scientific Committee on Radiation Dosimetry of the American Association of Physicists in Medicine (Physics in Medicine and Biology, Vol. 16, No. 3, 1971, pp. 379-386).¹

(d) The exposure rate or dose rate values determined in ((~~paragraph~~)) (b)(i) of this subsection shall be corrected mathematically for physical decay for intervals not exceeding one month for units employing a Cobalt-60 source and six months for units employing a Cesium-137 source.

(e) Full calibration measurements required by ((~~paragraph~~)) (a) of this subsection and physical decay corrections required by ((~~paragraph~~)) (d) of this subsection shall be performed by an expert qualified by training and experience in accordance with ((~~WAC 402-32-100~~)) subsection (4) of this section.

(2) Requirement to perform periodic spot-check measurements of teletherapy units.

(a) Any licensee authorized under WAC 402-22-070(4) to use teletherapy units for treating humans shall cause spot-check measurements to be performed on each teletherapy unit at intervals not exceeding one month.

(b) Spot-check measurements required by ((~~paragraph~~)) (a) of this subsection shall include determination of:

(i) Timer accuracy;

(ii) The congruence between the radiation field and the field indicated by the light beam localizing device;

(iii) The accuracy of all distance measuring devices used for treating humans;

(iv) The exposure rate, dose rate, or a quantity related in a known manner to these rates for one typical set of operating conditions; and

(v) The difference between the measurement made in ((~~paragraph~~)) (b) of this subsection and the anticipated output, expressed as a percentage of the anticipated output (i.e., the value obtained at last full calibration corrected mathematically for physical decay).

(c) Spot-check measurements required by ((~~paragraph~~)) (a) of this subsection shall be performed in accordance with procedures established by an expert qualified by training and experience in accordance with ((~~WAC 402-32-100~~)) subsection (4) of this section. (A qualified expert need not actually perform the spot-check measurements.) If a qualified expert does not perform the spot-check measurements, the results of the spot-check measurements shall be reviewed by a qualified expert within fifteen days.

(3) Requirement to calibrate instruments used for full calibration and spot-check measurements.

(a) Full calibration measurements required by ((~~WAC 402-32-100~~)) subsection (1) of this section shall be performed using a dosimetry system that has been calibrated by the National Bureau of Standards or by a Regional Calibration Laboratory accredited by the American Association of Physicists in Medicine. The dosimetry system shall have been calibrated within the previous two years and after any servicing that may have affected system calibration.

(b) Spot-check measurements required by ((~~WAC 402-32-100~~)) subsection (2) of this section shall be performed using a dosimetry system that has been calibrated in accordance with ((~~paragraph~~)) (a) of this subsection. Alternatively, a dosimetry system used solely for spot-check measurements may be calibrated by direct intercomparison with a system that has been calibrated in accordance with ((~~paragraph~~)) (a) of this subsection. This alternative calibration method shall have been performed within the previous one year and after each servicing that may have affected system calibration. Dosimetry systems calibrated by this alternative method shall not be used for full calibration measurements. The use of thermoluminescent dosimeter does not satisfy the requirements of this section.

(4) Qualified expert. The licensee shall determine if a person is an expert qualified by training and experience to calibrate a teletherapy unit and establish procedures for (and review the results of) spot-check measurements. The licensee shall determine that the qualified expert:

(a) Is certified by the American Board of Radiology in Therapeutic Radiological Physics, Radiological Physics, Roentgen-Ray and Osmin-Ray Physics, or X-ray and Radium Physics; or

(b) Has the following minimum training and experience:

(i) A master's or doctor's degree in physics, biophysics, radiological physics or health physics;

(ii) One year of full-time training in therapeutic radiological physics; and

(iii) One year of full-time experience in a radiotherapy facility including personal calibration and spot-check of at least one teletherapy unit.

NOTE: The requirements of ((~~WAC 402-32-100~~)) subsection (4) of this section are in addition to those set forth in WAC 402-12-050(41).

(5) Records.

The licensee shall maintain, for inspection by the department, records of the measurements, tests, corrective actions, and instrument calibrations made under ((~~WAC 402-32-100~~)) subsections (1) and (2) of this section and

records of the licensee's evaluation of the qualified expert's training and experience made under (~~WAC 402-32-100~~) subsection (4) of this section.

(a) Records of (i) full calibration measurements and (ii) calibration of instruments used to make these measurements shall be preserved for five years after completion of the full calibration.

(b) Records of (i) spot-check measurements and corrective actions and (ii) calibration of instruments used to make spot-check measurements shall be preserved for two years after completion of the spot-check measurements and corrective actions.

(c) Records of the licensee's evaluation of the qualified expert's training and experience shall be preserved for five years after the qualified expert's last performance of a full calibration of the licensee's teletherapy unit.

(6) Inspection and servicing of the source exposure mechanism.

~~(a) ((The licensee shall cause each teletherapy unit used to treat humans to be fully inspected and serviced during source replacement or at intervals not to exceed five years, whichever comes first, to assure proper functioning of the source exposure mechanism.~~

~~(b) Inspection and servicing of the teletherapy unit shall be performed by persons specifically licensed to do so by the United States Nuclear Regulatory Commission or an agreement state.~~

~~(c) Amendments to teletherapy licenses in effect as of the effective date of these regulations, which extended the time interval for the inspection and servicing requirement of WAC 402-32-100 (6)(a) shall remain in effect and are not rescinded by this section.)) Each teletherapy machine shall be fully inspected and serviced during source replacement or at intervals not to exceed five years, whichever comes first, to assure proper function of the source exposure mechanism. This inspection and servicing must be performed by persons specifically authorized to do so by the department, the United States Nuclear Regulatory Commission, or an agreement state, and a complete written report of the inspection and servicing must be kept on file for review by the department.~~

~~(b) The following shall be performed only by persons specifically authorized by the department, the United States Nuclear Regulatory Commission, or an agreement state to perform such services:~~

~~(i) Installation, inspection, servicing, relocation, or removal of teletherapy units containing sources.~~

~~(ii) Source exchange.~~

~~(iii) Any maintenance or repair operations on a teletherapy unit involving work on the source drawer, the shutter, or other mechanism that could expose the source, reduce the shielding around the source or compromise the safety of the unit and result in increased radiation levels.~~

¹Licensees that have their teletherapy units calibrated by persons who do not meet these criteria for minimum training and experience may require a license amendment excepting them from the requirements of (~~WAC 402-32-100~~) subsection (4) of this section. The request should include the name of the proposed qualified expert, a description of his training and experience including information similar to that specified (~~(m)~~) by subsection (4) of this section and a report of at least

one calibration and spot-check program based on measurements personally made by the proposed expert within the last ~~((+))~~ ten years and written endorsement of the technical qualifications of the proposed expert from personal knowledge by a physicist certified by the American Board of Radiology in one of the specialties listed therein.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-34-140 LABORATORY SAFETY. In addition to those requirements found in WAC (~~402-22-070(7))~~ 402-22-240, the licensee shall utilize syringe shields or other shielding devices for all manipulations. Syringe shields should be used for injections whenever practicable.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-34-210 RADIOACTIVE GASES. (1) Licensees utilizing radioactive gases, such as Xenon-133 or Krypton-81m, shall have and use by January 1, 1984 a ventilation system adequate for such use, including an approved trap. Radioactive gas shall be disposed only as specifically authorized by the license.

(2) Licensees utilizing radioactive gases shall maintain (~~concentrations below applicable limits contained in chapter 402-24~~) emissions in accordance with limits specified in chapters 402-24 and 402-80 WAC. Verification shall be documented. Such verification may be made by calculation, air samples, or the use of constant monitoring instrumentation.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-36-070 LEAK TESTING, REPAIR, TAGGING, OPENING, MODIFICATION, AND REPLACEMENT OF SEALED SOURCES. (1) The replacement of any sealed source fastened to or contained in a radiographic exposure device and leak testing, repair, tagging, opening, or any other modification of any sealed source shall be performed only by persons specifically authorized to do so by the department, the United States Nuclear Regulatory Commission, or any agreement state.

(2) Each sealed source shall be tested for leakage at intervals not to exceed ~~((6))~~ six months. In the absence of a certificate from a transferor that a test has been made within the ~~((6))~~ six-month period prior to the transfer, the sealed source shall not be put into use until tested and results obtained.

(3) The leak test shall be capable of detecting the presence of 0.005 microcurie of removable contamination on the sealed source. An acceptable leak test for sealed sources in the possession of a radiography licensee would be to test at the nearest accessible point to the sealed source storage position, or other appropriate measuring point, by a procedure to be approved pursuant to WAC 402-22-070 (5)(e). Records of leak test results shall be kept in units of microcuries and maintained for inspection by the department for two years after the leak test is performed (~~(or until the sealed source is transferred or disposed of, whichever comes first)~~).

(4) Any test conducted pursuant to subsections (2) and (3) of this section which reveals the presence of 0.005 microcurie or more of removable radioactive material shall be considered evidence that the sealed source is leaking. The licensee shall immediately withdraw the equipment involved from use and shall cause it to be decontaminated and repaired or to be disposed of, in accordance with regulations of the department. Within ((5)) five days after obtaining results of the test, the licensee shall file a report with the department describing the involved equipment, the test results, and the corrective action taken.

(5) A sealed source which is not fastened to or contained in a radiographic exposure device shall have permanently attached to it a durable tag at least one inch square bearing the prescribed radiation caution symbol in conventional colors magenta or purple on a yellow background, and at least the instructions: "Danger - Radioactive material - Do not handle - Notify civil authorities if found."

(6) Each radiographic exposure device shall have permanently and conspicuously attached to it a durable label at least ((four)) two inches square bearing the prescribed radiation caution symbol in conventional colors (magenta or purple on a yellow background), and at a minimum the instructions, "Danger - Radioactive material - Do not handle - Notify civil authorities if found."

Chapter 402-38 WAC
RADIATION SAFETY REQUIREMENTS FOR
WIRELINE SERVICE OPERATIONS AND SUB-
SURFACE TRACER STUDIES

WAC
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402-38-400 Radiation surveys.
402-38-420 Documents and records required at field stations.
402-38-440 Documents and records required at temporary job sites.

402-38-500 Notification of incidents, abandonment, and lost sources.

NEW SECTION

WAC 402-38-010 PURPOSE. This chapter establishes radiation safety requirements for persons using sources of radiation for wireline service operations including mineral logging, radioactive markers, and/or subsurface tracers studies. The requirements of this chapter are in addition to, and not in substitution for, requirements of chapters 402-10, 402-12, 402-19, 402-22, 402-24, and 402-48 WAC.

NEW SECTION

WAC 402-38-025 SCOPE. The regulations in this chapter apply to all licensees who use sources of radiation for wireline service operations, including mineral logging, radioactive markers, uranium sinker bars, or subsurface tracer studies.

NEW SECTION

WAC 402-38-030 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Casing" means a metal pipe or tube used as a lining for oil or gas wells to prevent collapse of the well-bore.

(2) "Field station" means a facility where radioactive sources may be stored or used and from which equipment is dispatched to temporary job sites.

(3) "Fresh water aquifer" means a geological formation that is capable of yielding a significant amount of fresh water to a well or spring.

(4) "Injection tool" means a device used for controlled subsurface injection of radioactive tracer material.

(5) "Irretrievable well-logging source" means any sealed source containing licensed material that is pulled off or not connected to the wireline that suspends the source in the well and for which all reasonable effort at recovery has been expended.

(6) "Logging assistant" means an individual who assists the logging supervisor in performing the well-logging operations.

(7) "Logging supervisor" means an individual who provides personal supervision of the use of licensed material at the temporary job site and who is responsible to the licensee for assuring compliance with requirements of the department's regulations and the conditions of the license.

(8) "Logging tool" means a device used subsurface to perform well-logging.

(9) "Mineral logging" means any logging performed for the purpose of mineral (including water) exploration other than oil or gas.

(10) "Personal supervision" means guidance and instruction by the supervisor who is physically present at the job site and watching the performance of the operation in such proximity that contact is maintained and immediate assistance given as required.

(11) "Radioactive marker" means licensed material used for the purpose of depth determination or direction

orientation. This term includes radioactive collar markers and radioactive iron nails.

(12) "Sealed source" means any licensed material that is encased in a capsule designed to prevent leakage or escape of the radioactive material.

(13) "Source holder" means the housing or assembly into which a radioactive source is placed for the purpose of facilitating the handling and use of such source in well-logging operations.

(14) "Subsurface tracer study" means, for the purpose of this chapter, the release of unsealed licensed material or a substance labeled with licensed material in a single well or multiple wells for the purpose of tracing the movement or position of the material or substance in the well-bore or adjacent formation(s) (this term does not include the use of licensed material in field flooding studies).

(15) "Surface casing" means a pipe or tube used as a lining in a well to isolate the fresh water zone from the well.

(16) "Temporary job site" means any location to which radioactive materials have been dispatched or taken to perform wireline service operations or subsurface tracer studies.

(17) "Uranium sinker bar" means a weight containing depleted uranium used for the purpose of providing additional force to pull a logging tool down toward the bottom of a well.

(18) "Well-bore" means any drilled hole in which wireline service operations and/or subsurface tracer studies are performed.

(19) "Well-logging" means the lowering and raising of measuring devices or tools which contain sources of radiation into well-bores or cavities (salt domes, etc.) for the purpose of obtaining information about the well and/or adjacent formations which may be used in oil, gas, mineral or geological explorations.

(20) "Well-logging operation" means any activity involving licensed material performed in a well, including well-logging, mineral logging, subsurface tracer studies, use of radioactive markers, radioactive iron nails, uranium sinker bars, and radioactive sands, and transportation or storage of same.

(21) "Wireline" means a cable containing one or more electrical conductors which is used to lower and raise logging tools in the well-bore.

(22) "Wireline service operation" means any evaluation or mechanical service which is performed in the well-bore using devices containing radioactive material on a wireline.

NEW SECTION

WAC 402-38-040 PROHIBITIONS. No licensee shall perform wireline service operations with a sealed source(s) or conduct subsurface tracer studies with sources of radiation unless, prior to commencement of the operation, the licensee has a written agreement with the well operator, well owner, drilling contractor, or land owner that:

(1) In the event a sealed source is lodged downhole every reasonable effort at recovery will be made;

(2) Potentially contaminated equipment or areas will not be released until an acceptable and documented survey is performed;

(3) Specific types of recovery operations which could endanger the integrity of the sealed source encapsulation will not be permitted or conducted; and

(4) In the event a decision is made to abandon the sealed source downhole, requirements of WAC 402-38-500 shall be met.

NEW SECTION

WAC 402-38-060 LIMITS ON LEVELS OF RADIATION. Sources of radiation shall be used, stored, and transported in such a manner that the transportation requirements of WAC 402-19-500 and the dose limitation requirements of chapter 402-24 WAC are met.

NEW SECTION

WAC 402-38-080 STORAGE PRECAUTIONS.

(1) Each source of radiation, except accelerators, shall be provided with a storage and/or transport container. Such containers shall be utilized. The container shall be provided with a lock (or tamper seal, for calibration sources) to prevent unauthorized removal of, or exposure to, the source(s) of radiation. Such locks shall be used each time the source of radiation is placed in the storage/transport container.

(2) Sources of radiation shall be stored in a manner which will minimize danger from explosion and/or fire.

NEW SECTION

WAC 402-38-100 TRANSPORT PRECAUTIONS. (1) Transport containers shall be physically secured to the transporting vehicle to prevent accidental loss, tampering, or unauthorized removal.

(2) Transport of radioactive material shall be in accordance with applicable provisions of the United States Department of Transportation, as required by WAC 402-19-500.

NEW SECTION

WAC 402-38-120 RADIATION SURVEY INSTRUMENTS. (1) The licensee or registrant shall maintain and use sufficient calibrated and operable radiation survey instruments at each field station and temporary job site to make physical radiation surveys as required. Instrumentation shall be capable of measuring 0.1 milliroentgen per hour through at least 100 milliroentgens per hour.

(2) Each radiation survey instrument shall be calibrated:

(a) At intervals not to exceed six months and after each instrument servicing;

(b) At energies and radiation levels appropriate for use;

(c) At two points located approximately one-third and two-thirds at full scale on each scale (for logarithmic scale, at midrange of each decade, and at two points of at least one decade); and

(d) Such that accuracy within ± 20 percent of the true radiation levels can be demonstrated on each scale.

(3) Each licensee shall have available additional calibrated and operable radiation detection instruments capable of detecting radiation and contamination levels that could be encountered during well-logging operations or during the event of an accident, e.g., an alpha meter in case of Am-241 source rupture, a contamination meter and probe, and a high level meter capable of detecting radiation levels up to at least one roentgen per hour. The licensee may own such instruments or may make prior arrangements to obtain them expeditiously from a second party as necessary.

(4) Calibration records shall be maintained for a period of at least three years for inspection by the department.

NEW SECTION

WAC 402-38-140 LEAK TESTING OF SEALED SOURCES. Each licensee utilizing sealed sources of radioactive material shall have the sources tested for leakage and/or contamination in accordance with WAC 402-24-060.

NEW SECTION

WAC 402-38-160 INVENTORIES. (1) Each licensee shall conduct a physical inventory at intervals not to exceed three months to account for all sources of radiation received and possessed. Records of such inventories shall be maintained for at least two years from the date of the inventory for inspection by the department and shall include the quantities, kinds, and serial numbers of sources of radiation, the location where such sources of radiation are assigned and/or stored, the date of the inventory, and the name of the individual conducting the inventory.

(2) Spotmarkers containing radioactive material shall be inventoried prior to arrival at a field site and prior to departure. Records of such inventories shall include the quantity and kinds of radioactive material, serial numbers where appropriate, the date and name of the person performing the inventory, and shall be maintained for inspection by the department.

NEW SECTION

WAC 402-38-180 UTILIZATION LOGS/RECORDS. Each licensee shall maintain current records, which shall be kept available for inspection by the department for two years from the date of recorded event, showing the following information for each source of radiation:

(1) Make, model, and serial number of each source of radiation used;

(2) The identity of the well-logging supervisor and logging assistants to whom assigned;

(3) The locations where used and dates of use; and

(4) In the case of tracer materials and/or radioactive markers, the utilization records shall also indicate the radionuclide and quantity of activity used in a particular well.

NEW SECTION

WAC 402-38-200 DESIGN, PERFORMANCE, AND CERTIFICATION CRITERIA FOR SEALED SOURCES USED IN DOWNHOLE OPERATIONS.

(1) Each sealed source, except those containing radioactive material in gaseous form, used in downhole operations shall be certified by the manufacturer, or other testing organization acceptable to the department, to meet the following minimum criteria:

(a) Be of doubly encapsulated construction;

(b) Contain radioactive material whose chemical and physical forms are as insoluble and nondispersible, respectively, as practical; and

(c) Has been individually pressure tested to at least 24,656 pounds per square inch absolute (170 MN/m^2) without leakage or failure.

(2) Except those containing radioactive material in gaseous form, in the absence of a certificate from a transferor certifying that an individual sealed source meets the requirements of subsections (1) and (3) of this section, the sealed source shall not be put into use until such determinations and testings have been performed and acceptable documented results obtained.

(3) Each sealed source, except those containing a radioactive material in gaseous form, used in downhole operations shall be certified by the manufacturer, or other testing organization acceptable to the department, to meet the sealed source performance requirements for oil well-logging as contained in the January 1986 or most current American National Standard N542, "Sealed Radioactive Sources, Classification."

(4) Certification documents shall be maintained for inspection by the department for a period of three years after source disposal. If a source is abandoned downhole, the certification documents shall be maintained until the department authorizes disposition.

NEW SECTION

WAC 402-38-220 LABELING. (1) Each source, source holder, and logging tool containing radioactive material shall bear a durable, legible, and clearly visible marking or label which has, at a minimum, the standard radiation caution symbol, with or without the conventional color requirement, and the following wording: "DANGER (or CAUTION) RADIOACTIVE MATERIAL." This labeling shall be on the smallest component transported as a separate piece of equipment.

(2) Each transport container shall have permanently attached to it a durable, legible, and clearly visible label which has, at a minimum, the standard radiation caution symbol and colors and the following wording: "DANGER (or CAUTION) RADIOACTIVE MATERIAL, NOTIFY CIVIL AUTHORITIES IF FOUND."

(3) The licensee may not use a uranium sinker bar in well-logging operations after December 31, 1987, unless it is clearly and legibly impressed with the words "CAUTION-RADIOACTIVE DEPLETED URANIUM" and "NOTIFY CIVIL AUTHORITIES IF FOUND."

NEW SECTION

WAC 402-38-240 INSPECTION AND MAINTENANCE. (1) Each licensee shall conduct a program of visual inspection and maintenance of source holders, logging tools, source handling tools, storage containers, transport containers, injection tools, and sinker bars to ensure that the required labeling is legible and that visual physical damage is absent. The licensee shall perform the visual inspection and maintenance at least every three months. Such inspection and maintenance shall follow the manufacturers recommendations for the equipment involved. Licensees shall maintain records of inspections and maintenance for three years for inspection by the department.

(2) Each licensee shall maintain appropriate copies of manufacturer's operating and maintenance instructions at those locations where such inspection and maintenance is performed.

(3) Each licensee shall inspect the source holders, logging tools, and source handling tools for obvious defects before the equipment is used each day to ensure that the equipment is in good working condition.

(4) If any inspection conducted pursuant to this section reveals damage to the labeling or to components critical for radiation safety, the licensee shall remove the item from service until authorized repairs are made.

(5) Removal of a sealed source from a source holder, and maintenance on sealed sources, holders, or pressure housings in which sealed sources are placed, or on other equipment containing a sealed source may not be performed unless a written instruction for the particular operation in question has been approved by the department as part of the license application.

(6) If a sealed source is stuck in a source holder or logging tool, the licensee may not perform any operations such as drilling, cutting, or chiseling on the source holder or logging tool, unless it is specifically licensed by the department to perform this operation.

(7) The repair, opening, or modification of any sealed source must be performed only by persons specifically licensed to do so by the department, the United States Nuclear Regulatory Commission, an agreement state, or a licensing state.

NEW SECTION

WAC 402-38-260 TRAINING REQUIREMENTS. (1) The licensee may not permit an individual to act as a logging supervisor until that person:

(a) Has completed at least forty hours of formal training in a course recognized by the department, the United States Nuclear Regulatory Commission, an agreement state, or a licensing state covering the subjects outlined in subsection (5) of this section;

(b) Has received copies of and instruction in:

(i) Washington state regulations contained in this chapter and in the applicable chapters 402-10, 402-12, 402-24, and 402-48 WAC or their equivalent;

(ii) The license under which the logging supervisor will perform well-logging operations; and

(iii) The licensee's operating, recordkeeping, and emergency procedures.

(c) Has completed three months of on-the-job training and demonstrated competence in the use of licensed materials, remote handling tools, and radiation survey instruments by a field evaluation; and

(d) Has demonstrated understanding of the requirements in (a) and (b) of this subsection by successfully completing a closed book written test.

(2) The licensee may not permit an individual to act as a logging assistant until that person:

(a) Has received copies of and instruction in the licensee's operating and emergency procedures;

(b) Has demonstrated understanding of the materials listed in subsection (1) (a) and (b) of this section by successfully completing a closed book written test; and

(c) Has received instructions in the use, under the personal supervision of the logging supervisor, of tracer material, sealed sources, remote handling tools, and radiation survey instruments, as appropriate.

(3) Each licensee shall provide for documented refresher training of logging supervisors and logging assistants at intervals not to exceed twelve months.

(4) Each licensee shall maintain a record of each logging supervisor's and logging assistant's training, including copies and dates of written tests for a minimum of three years following the termination of employment.

(5) Each licensee shall include the following subjects in the formal training required by this chapter:

(a) Fundamentals of radiation safety:

(i) Characteristics of radiation;

(ii) Units of radiation dose and quantity of radioactivity;

(iii) Hazards of exposure to radiation;

(iv) Levels of radiation from licensed material;

(v) Methods of controlling radiation dose:

(A) Working time;

(B) Working distances;

(C) Shielding;

(D) Radiation safety practices, including prevention and contamination and methods of decontamination;

(b) Radiation detection instrumentation to be used:

(i) Use of radiation survey instruments:

(A) Operation;

(B) Calibration;

(C) Limitations;

(ii) Survey techniques;

(iii) Use of personnel monitoring equipment;

(c) Equipment to be used:

(i) Handling equipment and remote handling tools;

(ii) Licensed materials;

(iii) Storage, control, and disposal of equipment and licensed material;

(iv) Operation and control of equipment and licensed materials;

(v) Maintenance of equipment;

(d) Requirements of pertinent state and federal regulations;

(e) Case histories and potential consequences of accidents in well-logging operations.

NEW SECTION

WAC 402-38-280 OPERATING AND EMERGENCY PROCEDURES. The licensee's operating and

emergency procedures shall include instruction in at least the following:

(1) Handling and use of sources of radiation to be employed such that no individual is likely to be exposed to radiation doses in excess of the standards established in chapter 402-24 WAC;

(2) Methods and occasions for conducting radiation surveys;

(3) Methods and occasions for locking and securing sources of radiation;

(4) Personnel monitoring and the use and care of personnel monitoring equipment;

(5) Transportation of sources of radiation to temporary job sites and field stations, including the marking, labeling, packaging, and placing of sources of radiation in vehicles, shipping papers, placarding of vehicles, and physical securing of sources of radiation to transport vehicles during transportation to prevent accidental loss, tampering, or unauthorized removal;

(6) Minimizing personnel exposure, including that from inhalation and ingestion of licensed material, during well-logging operations and in the event of an accident;

(7) Procedure for notifying proper personnel in the event of an accident;

(8) Maintenance of records;

(9) Inspection and maintenance of source holders, logging tools, source handling tools, storage containers, transport containers, and injection tools;

(10) Procedures to be followed in the event a sealed source is lodged downhole or ruptured;

(11) Procedures to be used for picking up, receiving, and opening packages containing radioactive material;

(12) The procedure and the use of tools for remote handling of sealed sources and radioactive tracer material, except low activity calibration sources;

(13) The procedure to use for detecting contamination and for preventing the spread of contamination; and

(14) The procedure to be used to decontaminate the environment, equipment, and/or personnel if any or all are contaminated.

NEW SECTION

WAC 402-38-300 PERSONNEL MONITORING. (1) The licensee may not permit an individual to act as a logging supervisor or logging assistant unless that person wears, at all times during well-logging operations, either a film badge or thermoluminescent dosimeter (TLD). Each film badge or TLD must be assigned to and worn by only one individual. The film badge must be exchanged and analyzed at least monthly and TLD badges exchanged and analyzed at least every three months. The licensee shall have each badge or TLD processed in a timely fashion.

(2) The licensee shall provide appropriate bioassay services to individuals using licensed materials for subsurface tracer studies.

(3) The licensee shall keep reports received from the badge or TLD processor and from the bioassay service laboratory for inspection until the department authorizes disposition or terminates the license.

(4) Personnel monitoring devices and equipment shall monitor for beta, gamma, and neutron radiation as appropriate.

(5) Each licensee shall adhere to the requirements of the United States Nuclear Regulatory Commission Regulatory Guide 8.20 "Applications of Bioassay for I-125 and I-131."

NEW SECTION

WAC 402-38-320 RADIOACTIVE CONTAMINATION CONTROL. (1) During efforts to recover a sealed source lodged in the well, the licensee shall continuously monitor, with an appropriate radiation detection instrument, the circulating fluids from the well to check for contamination resulting from damage to the sealed source.

(2) If the licensee detects evidence that the sealed source has ruptured or licensed materials have caused contamination, it shall initiate required emergency procedures.

(3) If contamination results from the use of licensed material in well-logging operations, the licensee shall decontaminate all work areas, equipment, and unrestricted areas to levels deemed appropriate by the department.

NEW SECTION

WAC 402-38-340 SECURITY. During each logging or tracer application, the logging supervisor or other designated employee shall maintain direct surveillance of the operation to protect against unauthorized and/or unnecessary entry into the restricted area (as defined in WAC 402-12-050).

NEW SECTION

WAC 402-38-360 HANDLING TOOLS. The licensee shall provide and require the use of tools that will assure remote handling of sealed sources other than low activity calibration sources.

NEW SECTION

WAC 402-38-380 SUBSURFACE TRACER STUDIES. (1) Protective gloves and other appropriate protective clothing and equipment shall be used by all personnel handling radioactive tracer material. Adequate precautions shall be taken to avoid ingestion or inhalation of radioactive material, and to avoid contamination of field site stations and temporary job sites.

(2) No licensee shall cause the injection or administration of radioactive material into fresh water aquifers without prior written authorization from the department and any other appropriate state agency.

NEW SECTION

WAC 402-38-400 RADIATION SURVEYS. (1) Radiation surveys shall be made and recorded for each area where radioactive materials are stored at intervals not to exceed six months. In those cases where neutron sources are involved, calculations for dose rate may be substituted for direct measurement.

(2) Radiation surveys shall be made and recorded for the radiation levels in occupied positions and on the exterior of each vehicle used to transport radioactive material. Such surveys shall include each and every source of radiation or combination of sources to be transported in the vehicle. In those cases where neutron sources are involved, calculations for dose rate may be substituted for direct measurement.

(3) After removal of the sealed source from the logging tool and before departing the job site, the logging tool detector shall be energized and/or a survey meter used to assure that the logging tool and all related equipment are free of contamination.

(4) Radiation surveys shall be made and recorded at the job site or well head for each tracer operation, except those using Hydrogen-3, Carbon-14, or Sulfur-35. Such surveys shall include measurements of radiation levels immediately before and after each operation.

(5) If the licensee suspects that, as a result of operations involving a sealed source, the encapsulation of the sealed source could have been damaged by the operation, it shall conduct a radiation survey, including a contamination survey, during and after the operation.

(6) The licensee shall make a radiation survey at the temporary job site for each subsurface tracer study. The survey must include measurement of radiation levels before and after the operation, and measurement of contamination levels after the subsurface tracer study.

(7) Records of surveys required pursuant to this section shall include the dates, the identification of individuals making the survey, the identification of survey instruments used including make, model, serial number and calibration date, and an exact description of the location of the survey with diagram. Records of these surveys shall be maintained for inspection by the department for at least two years after completion of the survey.

NEW SECTION

WAC 402-38-420 DOCUMENTS AND RECORDS REQUIRED AT FIELD STATIONS. Each licensee shall maintain for inspection by the department the following documents and records for the specific devices and sources at the field station:

- (1) Appropriate license or equivalent documents;
- (2) Operating and emergency procedures;
- (3) Applicable regulations;
- (4) Records of the latest survey instrument calibrations required pursuant to WAC 402-38-120;
- (5) Records of the latest leak test results required pursuant to WAC 402-38-140;
- (6) Records of inventories required pursuant to WAC 402-38-160;
- (7) Utilization records required pursuant to WAC 402-38-180;
- (8) Records of inspection and maintenance required pursuant to WAC 402-38-240;
- (9) Survey records required pursuant to WAC 402-38-400; and
- (10) Training records required pursuant to WAC 402-38-260.

NEW SECTION

WAC 402-38-440 DOCUMENTS AND RECORDS REQUIRED AT TEMPORARY JOB SITES. Each licensee conducting operations at a temporary job site shall have the following documents and records available at all times at that site for inspection by the department:

- (1) Current operating and emergency procedure(s);
- (2) Survey records required pursuant to WAC 402-38-400 for the period of operation at the site;
- (3) Actual current calibration certificates (or photocopies) for the radiation survey instruments used at the site;
- (4) When operating in the state of Washington under reciprocity, a copy of the appropriate license, and the Washington state rules and regulations for radiation protection;
- (5) Records of current leak tests for all sealed sources which require such tests at the job site;
- (6) Use logs required pursuant to WAC 402-38-180;
- (7) Current United States Department of Transportation shipping papers and transport container certifications for the material transported; and
- (8) Records of spotmarker inventories made prior to arrival required pursuant to WAC 402-38-160.

NEW SECTION

WAC 402-38-500 NOTIFICATION OF INCIDENTS, ABANDONMENT, AND LOST SOURCES.

(1) Notification of incidents and sources lost in other than downhole logging operations shall be made in accordance with appropriate provisions of chapter 402-24 WAC.

(2) The licensee shall immediately notify the state of Washington office of radiation protection by telephone (206/753-3468) and subsequently within five days by confirmatory letter if:

(a) Licensed material has been lost in or near a fresh water aquifer; or

(b) A sealed source has been ruptured. This notice must designate the well or other location and describe the magnitude and extent of licensed materials, assess the consequences of the loss or rupture, and explain efforts planned or being taken to mitigate these consequences.

(3) Whenever a sealed source or device containing radioactive material is lodged downhole, the licensee shall:

(a) Monitor the surface for the presence of radioactive contamination with an appropriate radiation survey instrument (not the logging tool itself) during logging tool recovery operations; and

(b) Notify the department immediately by telephone if radioactive contamination is detected at the surface or if the source appears to be damaged.

(4) When it becomes apparent that efforts to recover the radioactive source will not be successful, the licensee shall:

(a) Advise the well operator or owner, as appropriate, of the regulations of the state of Washington regarding abandonment, and an appropriate method of abandonment. The licensee shall ensure that such abandonment

procedures are implemented within thirty days after the sealed source has been classified as irretrievable. Such abandonment procedures shall include:

- (i) Immobilization and sealing in place of the radioactive source with a cement plug;
- (ii) The setting of a whipstock or deflection device; and
- (iii) The mounting of a permanent identification plaque at the surface of the well, containing the appropriate information required by subsection (5) of this section;

(b) Immediately notify the department by telephone (206/753-3468), giving the circumstances of the loss, and request and receive approval of the proposed abandonment procedures; and

(c) File a written report with the department within thirty days of the abandonment, setting forth the following information:

- (i) Date and time of occurrence and a brief description of attempts to recover the source;
- (ii) A description of the radioactive source(s) involved, including radionuclide, quantity, make, model and serial number, and chemical and physical form;
- (iii) Surface location and identification of well;
- (iv) Results of efforts to immobilize and seal the source in place;
- (v) Depth of the radioactive source in meters or feet;
- (vi) Depth to the top of cement plug in meters or feet;
- (vii) Depth of the well in meters or feet; and
- (viii) Information contained on the permanent identification plaque.

(5) Whenever a sealed source containing radioactive material is not recovered and is abandoned downhole, the licensee shall provide a permanent plaque at least eighteen centimeters square for posting the well or well bore (see Appendix A). This plaque shall:

- (a) Be constructed of long lasting material, such as stainless steel or monel; and
- (b) Contain the following information permanently and conspicuously engraved on its face:
 - (i) The word "CAUTION (or DANGER)";
 - (ii) The radiation symbol(s) with or without the conventional color requirement;
 - (iii) The date of abandonment (month/day/year);
 - (iv) The name of the well operator or well owner;
 - (v) The well name and well identification number(s) or other designation;
 - (vi) The sealed source(s) by radionuclide and quantity of activity (if more than one source is involved, information for each source shall be included);
 - (vii) The source depth and the depth to the top of the plug in meters or feet; and
 - (viii) An appropriate warning, depending on the specific circumstances of each abandonment.¹

(6) The department may, at its own discretion, impose such other requirements as it may deem necessary.

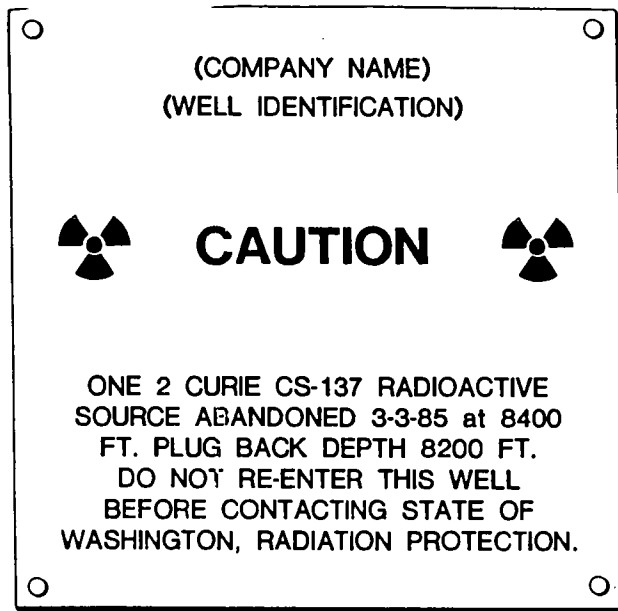
¹ An example of a suggested plaque is shown in Appendix A of this section. Appropriate warnings may include:

- (a) "Do not drill below plug back depth";
- (b) "Do not enlarge casing"; and/or

(c) "Do not reenter the hole before contacting the state of Washington radiation control section."

APPENDIX A

Example of Plaque for Identifying Wells Containing Sealed Sources Containing Radioactive Material Abandoned Downhole



The size of the plaque should be convenient for use on active or inactive wells, and shall be at least eighteen centimeters square. Letter size of the word "CAUTION" or "DANGER" shall be approximately twice the letter size of the rest of the information, e.g., one-half inch and one-fourth inch letter size, respectively.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-44-120 VENTILATION SYSTEMS.

(1) Means shall be provided to ensure that personnel are not exposed to airborne radioactive materials in excess of those limits specified in WAC 402-24-030, for restricted areas and WAC 402-24-050, for unrestricted areas.

(2) A registrant as required by WAC 402-24-050 shall not vent, release or otherwise discharge airborne radioactive material to an uncontrolled area which exceeds the limits specified in WAC 402-80-050 or 402-24-220 Appendix A - Table II, except as authorized pursuant to WAC 402-24-135 or 402-24-050(2). For purposes of this paragraph, concentrations may be averaged over a period not greater than one year. Every reasonable effort should be made to maintain releases of radioactive material to uncontrolled areas, as far below these limits as practicable.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-48-010 PURPOSE AND SCOPE. This chapter establishes requirements for notices, instructions

and reports by licensees or registrants to individuals engaged in work under a license or registration and options available to such individuals in connection with department inspections of licensees or registrants to ascertain compliance with the provisions of the act and regulations, orders and licenses issued thereunder regarding radiological working conditions. The regulations in this chapter apply to all persons who receive, possess, use, own or transfer a source of radiation licensed by or registered with the department pursuant to the regulations in chapters 402-16, 402-19, and 402-22 WAC. The definitions contained in WAC 402-12-050 also apply to this chapter.

AMENDATORY SECTION (Amending Order 1570, filed 12/8/80)

WAC 402-48-020 POSTING OF NOTICES TO WORKERS. (1) Each licensee or registrant shall post current copies of the following documents:

(a) The regulations in this chapter and in chapter 402-24 WAC;

(b) The license, certificate of registration, conditions or documents incorporated into the license by reference and amendments thereto;

(c) The operating procedures applicable to work under the license or registration;

(d) Any notice of ~~((violation))~~ noncompliance involving radiological working conditions, proposed imposition of civil penalty, order issued pursuant to chapter 402-12 WAC, or any response from the licensee or registrant.

(2) If posting of a document specified in ~~((WAC 402-48-020))~~ subsection (1)(a), (b), or (c) of this section is not practicable, the licensee or registrant may post a notice which describes the document and states where it may be examined.

(3) Each licensee or registrant shall conspicuously post pertinent emergency procedures when emergency procedures are required by the department.

(4) Properly completed department Form RHF-3 "Notice to employees," shall be posted by each licensee or registrant wherever individuals work in or frequent any portion of a restricted area.

~~((4))~~ (5) Documents, notices or forms posted pursuant to this section shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to observe them on the way to or from any particular work location to which the document applies, shall be conspicuous, and shall be replaced if defaced or altered.

~~((5))~~ (6) Department documents posted pursuant to ~~((WAC 402-48-020))~~ subsection (1)(d) of this section shall be posted as specified by subsection (5) of this section within five working days after receipt of the documents from the department; the licensee's or registrant's response, if any, shall be posted for a minimum of five working days after dispatch from the licensee or registrant. Such documents shall remain posted for a minimum of five working days or until action correcting the ~~((violation))~~ item(s) of noncompliance has been completed, whichever is later.

AMENDATORY SECTION (Amending Order 2026, filed 9/16/83)

WAC 402-48-040 NOTIFICATIONS AND REPORTS TO INDIVIDUALS. (1) Radiation exposure data for an individual and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of an individual shall be reported to the individual as specified in this section. The information reported shall include data and results obtained pursuant to these regulations, orders, and license conditions, as shown in records maintained by the licensee or registrant pursuant to these regulations. Each notification and report shall:

(a) Be in writing;

(b) Include appropriate identifying data such as the name of the licensee or registrant, the name of the individual, and the individual's Social Security number;

(c) Include the individual's exposure information; and

(d) Contain the following statement:

"This report is furnished to you under the provisions of the Washington state department of social and health services, office of radiation ((control section)) protection, rules and regulations for radiation protection. You should preserve this report for further reference."

(2) Upon request of the worker, each licensee or registrant shall advise each worker annually of the worker's current and accumulated exposure to radiation or radioactive material as shown in records maintained by the licensee or registrant pursuant to WAC 402-24-170 (1) and (3).

(3) At the request of a worker formerly engaged in work controlled by the licensee or the registrant, each licensee or registrant shall furnish to each worker or former worker a report of the worker's exposure to radiation or radioactive material upon termination. For the purposes of this section, termination means the end of employment with the licensee or the end of a work assignment in the licensee's restricted area(s) in a given calendar quarter without expectation, or specific scheduling, of reentry into such restricted area(s) during the remainder of that calendar quarter. Such report shall be furnished within ~~((30))~~ thirty days from the time the request is made, or within ~~((30))~~ thirty days after the exposure of the individual has been determined by the licensee or registrant, whichever is later; shall cover, within the period of time specified in the request, each calendar quarter in which the worker's activities involved exposure to radiation from radioactive material licensed by, or radiation machines registered with the department; and shall include the dates and locations of work under the license or registration in which the worker participated during this period.

(4) When a licensee or registrant is required pursuant to WAC 402-24-200 to report to the department any exposure of an individual to radiation or radioactive material, the licensee or the registrant shall also provide the individual a written report on the individual's exposure data included therein. Such reports shall be transmitted

at a time not later than the transmittal to the department.

(5) In addition to the requirements of (~~WAC 402-48-040~~) subsection (3) of this section, at the request of a worker who is terminating employment in a given calendar quarter with the licensee or registrant in work involving radiation exposure, or of a worker who, while employed by another person, is terminating assignment to work involving radiation exposure in the licensee's facility in that calendar quarter, each licensee or registrant shall provide to each such worker, or to the worker's designee, at termination, a written report regarding the radiation dose received by that worker from operations of the licensee or registrant during that specifically identified calendar quarter or fraction thereof, or provide a written statement of that dose if the finally determined personnel monitoring results are not available at that time. Estimated doses shall be clearly indicated as such.

AMENDATORY SECTION (Amending Order 1084, filed 1/14/76)

WAC 402-48-070 REQUESTS BY WORKERS FOR INSPECTIONS. (1) Any worker or representative of workers who believes that a violation of the act, of these regulations, or of license conditions exists or has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged, may request an inspection by giving notice of the alleged violation to the Washington state department of social and health services, office of radiation ((control unit)) protection. Any such notice shall be in writing, shall set forth the specific grounds for the notice, and shall be signed by the worker or representative of the workers. A copy shall be provided to the licensee or registrant by the office of radiation ((control unit)) protection no later than at the time of inspection except that, upon the request of the worker giving such notice, his name and the name of individuals referred to therein shall not appear in such copy or on any record published, released, or made available by the department, except for good cause shown.

(2) If, upon receipt of such notice, the inspector for the office of radiation ((control unit)) protection determines that the complaint meets the requirements set forth in (~~WAC 402-48-070~~) subsection (1) of this section, and that there are reasonable grounds to believe that the alleged violation exists or has occurred, the inspector shall cause an inspection to be made as soon as practicable, to determine if such alleged violation exists or has occurred. Inspections pursuant to this section need not be limited to matters referred to in the complaint.

(3) No licensee or registrant shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under these regulations or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of the worker or other workers of any option afforded by this chapter.

AMENDATORY SECTION (Amending Order 1084, filed 1/14/76)

WAC 402-48-080 INSPECTIONS NOT WARRANTED—INFORMAL REVIEW. (1) If the department of social and health services, office of radiation ((control unit)) protection determines, with respect to a complaint under WAC 402-48-070 that an inspection is not warranted because there are no reasonable grounds to believe that a violation exists or has occurred, the office of radiation ((control unit)) protection shall notify the complainant in writing of such determination.

(a) If the complaint resulted from activities concerning naturally occurring, accelerator produced, radioactive materials and/or radiation producing machines: The complainant may obtain review of such determination by submitting a written statement of position to the (~~Supervisor~~) Assistant Director, Division of Industrial Safety and Health, ((P.O. Box 207)) Mailstop HC-402, Olympia, Washington 98504. Such request for informal review will be processed according to the provisions of WAC 296-350-460 and the provisions of the interagency agreement between the department of labor and industries and the department of social and health services, office of radiation ((control unit)) protection, if any.

(b) If the complaint resulted from activities concerning byproduct material, source material, and/or special nuclear material: The complainant may obtain review of such determination by submitting a written statement of position with the Department of Social and Health Services, Health Services Division, Office of Radiation Protection, Mailstop LE-13, Olympia, Washington 98504 (206/753-3468), who will provide the licensee or registrant with a copy of such statement by certified mail, excluding, at the request of the complainant, the name of the complainant. The licensee or registrant may submit an opposing written statement of position with the department of social and health services, health services division, who will provide the complainant with a copy of such statement by certified mail. Upon the request of the complainant, the department of social and health services, health services division, may hold an informal conference in which the complainant and the licensee or registrant may orally present their views. An informal conference may also be held at the request of the licensee or registrant, but disclosure of the identity of the complainant will be made only following receipt of written authorization from the complainant. After considering all written or oral views presented, the department of social and health services, health services division, shall affirm, modify, or reverse the determination of the office of radiation ((control unit)) protection and furnish the complainant and the licensee or registrant a written notification of the decision and the reason therefor.

(2) If the office of radiation ((control unit)) protection determines that an inspection is not warranted because the requirements of WAC 402-48-070(1) have not been met, it shall notify the complainant in writing of such determination. Such determination shall be without prejudice to the filing of a new complaint meeting the requirements of WAC 402-48-070(1).

NEW SECTION

WAC 402-52-050 DEFINITIONS. The following definitions apply to the specified terms as used in this chapter.

(1) "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

(2) "Closure" means the activities following operations to decontaminate and decommission the buildings and site used to produce by-product materials and reclaim the tailings and/or waste disposal area.

(3) "Closure plan" means the department approved plan to accomplish closure.

(4) "Compliance period" begins when the department sets secondary groundwater protection standards and ends when the owner or operator's license is terminated and the site is transferred to the state or federal agency for long-term care.

(5) "Dike" means an embankment or ridge of either natural or man-made materials used to prevent the movement of liquids, sludges, solids, or other materials.

(6) "Disposal area" means the area containing by-product materials to which the requirements of criterion 6 apply.

(7) "Existing portion" means that land surface area of an existing surface impoundment on which significant quantities of uranium or thorium by-product materials had been placed prior to September 30, 1983.

(8) "Groundwater" means water below the land surface in a zone of saturation.

(9) "Leachate" means any liquid, including any suspended or dissolved components in the liquid, that has percolated through or drained from the by-product material.

(10) "Licensed site" means the area contained within the boundary of a location under the control of persons generating or storing by-product materials under a department license.

(11) "Liner" means a continuous layer of natural or man-made materials, beneath or on the sides of a surface impoundment which restricts the downward or lateral escape of by-product material, hazardous constituents, or leachate.

(12) "Point of compliance" is the site specific location in the uppermost aquifer where the groundwater protection standard must be met.

(13) "Surface impoundment" means a natural topographic depression, man-made excavation, or diked area, which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well.

(14) "Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

AMENDATORY SECTION (Amending Order 1683, filed 7/28/81)**WAC 402-52-100 CRITERIA RELATED TO DISPOSITION OF URANIUM MILL TAILINGS**

OR WASTES. As used in this section, the term "as low as reasonably achievable" has the same meaning as in WAC 402-10-010. The term by-product material has the same meaning as WAC 402-12-050 (6)(b).

As required by WAC 402-22-150(6), each applicant for a license to possess and use source material in conjunction with uranium or thorium milling, or by-product material at sites formerly associated with such milling, is required to include in a license application proposed specifications relating to the milling operation and the disposition of tailings or waste resulting from such milling activities. This section establishes criteria relating to the siting, operation, decontamination, decommissioning, and reclamation of mills and tailings or waste systems and sites at which such mills and systems are located and site and by-product material ownership. Applications must clearly demonstrate how these criteria have been addressed. The specifications shall be developed considering the expected full capacity of tailings or waste systems and the lifetime of mill operations. Where later expansions of systems or operations may be likely, the ~~((amendability))~~ amenability of the disposal system to accommodate increased capacities without degradation in long-term stability and other performance factors shall be evaluated.

Licenses or applicants may propose alternatives to the specific requirements in these criteria. The alternative proposals may take into account local or regional conditions, including geology, topography, hydrology, and meteorology. The department may find that the proposed alternatives meet the department's requirements if the alternatives will achieve a level of stabilization and containment of the sites concerned, and a level of protection for public health, safety, and the environment from radiological and nonradiological hazards associated with the sites, which is equivalent to, to the extent practicable, or more stringent than the level which would be achieved by the requirements of the standards promulgated by the United States Environmental Protection Agency in 40 CFR 192, Subparts D and E.

(1) Criterion 1 - In selecting among alternative tailings disposal sites or judging the adequacy of existing tailings sites, the following site features which would assure meeting the broad objective of isolating the tailings and associated contaminants from man and the environment ~~((in the short term and for thousands of years))~~ for one thousand years to the extent reasonably achievable, and in any case, for at least two hundred years without ongoing active maintenance shall be considered:

(a) Remoteness from populated areas;

(b) Hydrogeologic and other environmental conditions conducive to continued immobilization and isolation of contaminants from ~~((usable))~~ groundwater sources; and

(c) Potential for minimizing erosion, disturbance, and dispersion by natural forces over the long term.

In the selection of disposal sites, primary emphasis shall be given to isolation of tailings or wastes, a matter having long-term impacts, as opposed to consideration only of short-term convenience or benefits, such as minimization of transportation or land acquisition costs. While isolation of tailings will be a function of both site

characteristics and engineering design, overriding consideration shall be given to siting features given the long-term nature of the tailings hazards.

Tailings shall be disposed in a manner such that no active maintenance is required to preserve the condition of the site.

(2) Criterion 2 – To avoid proliferation of small waste disposal sites, by-product material from in-situ extraction operations, such as residues from solution evaporation or contaminated control processes, and wastes from small remote above ground extraction operations shall preferably be disposed at existing large mill tailings disposal sites; unless, considering the nature of the wastes, such as their volume and specific activity and the costs and environmental impacts of transporting the wastes to a large disposal site, such offsite disposal is demonstrated to be impracticable or the advantage of onsite burial clearly outweigh the benefits of reducing the perpetual surveillance obligations.

(3) Criterion 3 – The "prime option" for disposal of tailings is placement below grade, either in mines or specially excavated pits (that is, when the need for any specially constructed retention structure is eliminated).

The evaluation of alternative sites and disposal methods performed by mill operators in support of their proposed tailings disposal program (provided in applicants' environmental reports) shall reflect serious consideration of this disposal mode. In some instances, below-grade disposal may not be the most environmentally sound approach, such as might be the case if a ~~((high-quality))~~ groundwater formation is relatively close to the surface or not very well isolated by overlying soils and rock. Also, geologic and topographic conditions might make full, below-grade burial impracticable; for example, ~~((bedrock may be sufficiently near the surface that blasting would be required to excavate a disposal pit at excessive cost, and))~~ near-surface bedrock could create prominent excavation costs while more suitable alternate sites ~~((are not))~~ may be available. Where full below-grade burial is not practicable, the size of the retention structures, and the size and steepness of slopes of associated exposed embankments, shall be minimized by excavation to the maximum extent reasonably achievable or appropriate, given the geologic and hydrogeologic conditions at a site. In these cases, it must be demonstrated that an above-grade disposal program will provide reasonably equivalent isolation of the tailings from natural erosional forces.

(4) Criterion 4 – The following site and design criteria shall be adhered to whether tailings or wastes are disposed of above or below grade:

(a) Upstream rainfall catchment areas must be minimized to decrease erosion potential and the size of the probable maximum ~~((possible))~~ flood which could erode or wash out sections of the tailings disposal area.

(b) Topographic features shall provide good wind protection.

(c) Embankment and cover slopes shall be relatively flat after final stabilization to minimize erosion potential and to provide conservative factors of safety assuring long-term stability. The broad objective should be to

contour final slopes to grades which are as close as possible to those which would be provided if tailings were disposed of below grade; this could, for example, lead to slopes of about ~~((+0))~~ ten horizontal to ~~((+))~~ one vertical (10h:1v) or less steep. In general, slopes should not be steeper than about 5h:1v. Where steeper slopes are proposed, reasons why a slope less steep than 5h:1v would be impracticable should be provided, and compensating factors and conditions which make such slopes acceptable should be identified.

(d) A fully self-sustaining vegetative cover shall be established or rock cover employed to reduce wind and water erosion to negligible levels.

Where a full vegetative cover is not likely to be self-sustaining due to climatic conditions, such as in semiarid and arid regions, rock cover shall be employed on slopes of the impoundment system.

The following factors shall be considered in establishing the final rock cover design to avoid displacement of rock particles by human and animal traffic or by natural processes, and to preclude undercutting and piping:

(i) Shape, size, composition, gradation of rock particles (excepting bedding material, average particle size shall be at least cobble size or greater);

(ii) Rock cover thickness and zoning of particles by size; and

(iii) Steepness of underlying slopes.

(e) Individual rock fragments shall be dense, sound, and resistant to abrasion, and free from defects that would tend to unduly increase their destruction by water and frost actions. Weak, friable, or laminated aggregate shall not be used. Shale, rock laminated with shale, and cherts shall not be used.

Rock covering of slopes may not be required where top covers are on the order of ~~((+0))~~ ten meters or greater; impoundment slopes are on the order of 10h:1v or less; bulk cover materials have inherently favorable erosion resistance characteristics; and there is negligible drainage catchment area upstream of the pile, and there is good wind protection as described in ~~((points))~~ (a) and (b) of this ~~((criterion))~~ subsection.

(f) Impoundment surfaces shall be contoured to avoid areas of concentrated surface runoff or abrupt or sharp changes in slope gradient. In addition to rock cover on slopes, areas toward which surface runoff might be directed shall be well protected with substantial rock cover (riprap). In addition to providing for stability of the impoundment systems itself, the overall stability, erosion potential, and geomorphology of surrounding terrain shall be evaluated to assure that there are no processes, such as gully erosion, which would lead to impoundment instability.

~~((+))~~ (g) The impoundment shall not be located near a capable fault that could cause a maximum credible earthquake larger than that which the impoundment could reasonably be expected to withstand. As used in this criterion, the term "capable fault" has the same meaning as defined in Section III (g) of Appendix A of 10 CFR Part 100. The term "maximum credible earthquake" means that earthquake which would cause the maximum vibratory ground motion based upon an evaluation of earthquake potential considering the regional

and local geology and seismology and specific characteristics of local subsurface material.

~~((f))~~ (h) The impoundment, where feasible, should be designed to incorporate features which will promote deposition of suspended particles. For example, design features which promote deposition of sediment suspended in any runoff which flows into the impoundment area might be utilized; the object of such a design feature would be to enhance the thickness of cover over time.

(5) Criterion 5 - ~~((Steps shall be taken to reduce seepage of toxic materials into groundwater to the maximum extent reasonably achievable. Any seepage which does occur shall not result in deterioration of groundwater quality. Any existing groundwater supplies shall be protected from any deterioration in their current or potential use. The following steps shall be considered to accomplish this criterion:~~

~~(a) Installation of low permeability bottom liners (where synthetic liners are used, a leakage detection system shall be installed immediately below the liner to ensure major failures are detected if they occur. This is in addition to the groundwater monitoring program conducted as provided in criterion 7 WAC 402-52-100(7). Where clay liners are proposed or relatively thin in-situ clay soils are to be relied upon for seepage control, tests shall be conducted with representative tailings solutions and clay materials to confirm that no significant deterioration of permeability or stability properties will occur with continuous exposure of clay to tailings solutions. Tests shall be run for a sufficient period of time to reveal any effects if they are going to occur (in some cases, deterioration has been observed to occur rather rapidly after about nine months of exposure.~~

~~(b) Mill process design which provides the maximum practicable recycle of solutions and conservation of water to reduce the net input of liquid to the tailings impoundment.~~

~~(c) Dewatering of tailings by process devices and/or in-situ drainage system. At new sites, tailings shall be dewatered by a drainage system installed at the bottom of the impoundment to lower the phreatic surface and reduce the driving head for seepage, unless tests show tailings are not amenable to such a system. Where in-situ dewatering is to be conducted, the impoundment bottom shall be graded to assure that the drains are at a low point. The drains shall be protected by suitable filter materials to assure that drains remain free running. The drainage system shall also be adequately sized to assure good drainage.~~

~~(d) Neutralization to prevent movement of toxic substances.~~

~~Where groundwater is affected at an existing site due to seepage, action shall be taken to alleviate conditions that lead to excessive seepage and restore groundwater to its quality before milling operations began to the maximum extent practicable. The specific seepage control and groundwater protection method, or combination of methods, to be used must be worked out on a site-specific basis. Technical specifications shall be prepared to control installation of seepage control systems. A quality assurance, testing, and inspection program,~~

~~which includes supervision by a qualified engineer or geologist, shall be established to assure that specification is met.~~

~~While the primary method of protecting groundwater shall be isolation of tailings and tailings solutions, disposal involving contact with groundwater will be considered provided supporting tests and analysis are presented demonstrating that the proposed disposal and treatment methods will not degrade groundwater from current or potential uses.~~

~~Furthermore, steps shall be taken during stockpiling of ore to minimize penetration of radionuclides into underlying soils; suitable methods include lining and/or compaction of ore storage areas.~~

~~In support of a tailings disposal system proposal, the applicant/operator shall supply information concerning the following:~~

~~(c) The chemical and radioactive characteristics of the waste solutions.~~

~~(f) The characteristics of the underlying soil and geologic formations particularly the extent to which they will control transport of contaminants and solutions. This shall include detailed information concerning extent, thickness, uniformity, shape, and orientation of underlying strata. Hydraulic gradients and conductivities of the various formations shall be determined.~~

~~This information shall be gathered by borings and field survey methods taken within the proposed impoundment area and in surrounding areas where contaminants might migrate to usable groundwater. The information gathered on boreholes shall include both geologic and geophysical logs in sufficient number and degree of sophistication to allow determining significant discontinuities, fractures, and channeled deposits which are of high hydraulic conductivity. If field survey methods are used, they should be in addition to and calibrated with borehole logging. Hydrologic parameters such as permeability shall not be determined on the basis of laboratory analysis of samples alone; a sufficient amount of field testing (e.g., pump tests) shall be conducted to assure actual field properties are adequately understood. Testing shall be conducted to allow estimating chemisorption attenuation properties of underlying soil and rock.~~

~~(g) Location, extent, quality, and capacity of any groundwater at and near the site.)) criteria 5(a) through 5(g) and new criterion 9 incorporate the basic groundwater protection standards imposed by the United States Environmental Protection Agency in 40 CFR Part 192, Subparts D and E (48 FR 45926; October 7, 1983) which apply during operations and prior to the end of closure. Groundwater monitoring to comply with these standards is required by this criterion.~~

~~(a) The primary groundwater protection standard is a design standard for surface impoundments used to manage uranium and thorium by-product material. Surface impoundments (except for an existing portion) must have a liner that is designed, constructed, and installed to prevent any migration of wastes out of the impoundment to the adjacent subsurface soil, groundwater, or surface water at any time during the active life (including the closure period) of the impoundment. The liner~~

may be constructed of materials that may allow wastes to migrate into the liner (but not into the adjacent sub-surface soil, groundwater, or surface water) during the active life of the facility, provided that impoundment closure includes removal or decontamination of all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate. For impoundments that will be closed with the liner material left in place, the liner must be constructed of materials that can prevent wastes from migrating into the liner during the active life of the facility.

(b) The liner required by (a) of this subsection must be:

(i) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(ii) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift; and

(iii) Installed to cover all surrounding earth likely to be in contact with the wastes or leachate.

(c) The applicant or licensee will be exempted from the requirements of (a) of this subsection if the department finds, based on a demonstration by the applicant or licensee, that alternate design and operating practices together with site characteristics will prevent the migration of any hazardous constituents into groundwater or surface water at any future time. In deciding whether to grant an exemption, the department will consider:

(i) The nature and quantity of the wastes;

(ii) The proposed alternate design and operation;

(iii) The hydrogeologic setting of the facility, including the attenuative capacity and thickness of the liners and soils present between the impoundment and groundwater or surface water; and

(iv) All other factors which would influence the quality and mobility of the leachate produced and the potential for it to migrate to groundwater or surface water.

(d) A surface impoundment must be designed, constructed, maintained, and operated to prevent overtopping resulting from normal or abnormal operations; overfilling; wind and wave actions; rainfall; run-on; malfunctions of level controllers, alarms, and other equipment; and human error.

(e) When dikes are used to form the surface impoundment, the dikes must be designed, constructed, and maintained with sufficient structural integrity to prevent massive failure of the dikes. In ensuring structural integrity, it must not be presumed that the liner system will function without leakage during the active life of the impoundment.

(f) Uranium and thorium by-product materials must be managed to conform to the following secondary groundwater protection standard: Hazardous constituents entering the groundwater from a licensed site must

not exceed the specified concentration limits in the uppermost aquifer beyond the point of compliance during the compliance period. Hazardous constituents are those constituents identified by the department pursuant to (g) of this subsection. Specified concentration limits are those limits established by the department as indicated in (j) of this subsection. The department will also establish the point of compliance and compliance period on a site specific basis through license conditions and orders. The objective in selecting the point of compliance is to provide the earliest practicable warning that the impoundment is releasing hazardous constituents to the groundwater. The point of compliance must be selected to provide prompt indication of groundwater contamination on the hydraulically downgradient edge of the disposal area. The department must identify hazardous constituents, establish concentration limits, set the compliance period, and adjust the point of compliance, if needed, when the detection monitoring established under criterion 7 indicates leakage of hazardous constituents from the disposal area.

(g) A constituent becomes a hazardous constituent subject to (j) of this subsection when the constituent:

(i) Is reasonably expected to be in or derived from the by-product material in the disposal area;

(ii) Has been detected in the groundwater in the uppermost aquifer; and

(iii) Is listed in WAC 402-52-300 Appendix A.

(h) The department may exclude a detected constituent from the set of hazardous constituents on a site specific basis if it finds that the constituent is not capable of posing a substantial present or potential hazard to human health or the environment. In deciding whether to exclude constituents, the department will consider the following:

(i) Potential adverse effect on groundwater quality, considering —

(A) The physical and chemical characteristics of the waste in the licensed site, including its potential for migration;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity of groundwater and the direction of groundwater flow;

(D) The proximity and withdrawal rates of groundwater users;

(E) The current and future uses of groundwater in the area;

(F) The existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater quality;

(G) The potential for health risks caused by human exposure to waste constituents;

(H) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents;

(I) The persistence and permanence of the potential adverse effects.

(ii) Potential adverse effects on hydraulically-connected surface water quality, considering —

(A) The volume and physical and chemical characteristics of the waste in the licensed site;

- (B) The hydrogeological characteristics of the facility and surrounding land;
- (C) The quantity and quality of groundwater, and the direction of groundwater flow;
- (D) The patterns of rainfall in the region;
- (E) The proximity of the licensed site to surface waters;
- (F) The current and future uses of surface waters in the area and any water quality standards established for those surface waters;
- (G) The existing quality of surface water, including other sources of contamination and the cumulative impact on surface water quality;
- (H) The potential for health risks caused by human exposure to waste constituents;
- (I) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and
- (J) The persistence and permanence of the potential adverse effects.
 - (i) In making any determinations under (h) and (k) of this subsection about the use of groundwater in the area around the facility, the department will consider any identification of underground sources of drinking water and exempted aquifers made by the United States Environmental Protection Agency.
 - (j) At the point of compliance, the concentration of a hazardous constituent must not exceed —
 - (i) The department approved background concentration of that constituent in the groundwater;
 - (ii) The respective value given in the table in subsection (5)(l) of this section if the constituent is listed in the table and if the background level of the constituent is below the value listed; or
 - (iii) An alternate concentration limit established by the department.
 - (k) The department will establish a site specific alternate concentration limit for a hazardous constituent as provided in (j) of this subsection if it finds that the constituent will not pose a substantial present or potential hazard to human health or the environment as long as the alternate concentration limit is not exceeded. In establishing alternate concentration limits, the department will apply its as low as reasonably achievable criterion in this chapter. The department will also consider the following factors:
 - (i) Potential adverse effects on groundwater quality, considering —
 - (A) The physical and chemical characteristics of the waste in the licensed site including its potential for migration;
 - (B) The hydrogeological characteristics of the facility and surrounding land;
 - (C) The quantity of groundwater and the direction of groundwater flow;
 - (D) The proximity and withdrawal rates of groundwater users;
 - (E) The current and future uses of groundwater in the area;
 - (F) The existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater quality;

- (G) The potential for health risks caused by human exposure to waste constituents;
- (H) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents;
- (I) The persistence and permanence of the potential adverse effects.
 - (ii) Potential adverse effects on hydraulically-connected surface water quality, considering —
 - (A) The volume and physical and chemical characteristics of the waste in the licensed site;
 - (B) The hydrogeological characteristics of the facility and surrounding land;
 - (C) The quantity and quality of groundwater, and the direction of groundwater flow;
 - (D) The patterns of rainfall in the region;
 - (E) The proximity of the licensed site to surface waters;
 - (F) The current and future uses of surface waters in the area and any water quality standards established for those surface waters;
 - (G) The existing quality of surface water including other sources of contamination and the cumulative impact on surface water quality;
 - (H) The potential for health risks caused by human exposure to waste constituents;
 - (I) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and
 - (J) The persistence and permanence of the potential adverse effects.
- (l) MAXIMUM VALUES FOR GROUNDWATER PROTECTION:

Constituent or Property	Maximum Concentration
Milligrams per liter	
Arsenic.....	0.05
Barium.....	1.0
Cadmium.....	0.01
Chromium.....	0.05
Lead.....	0.05
Mercury.....	0.002
Selenium.....	0.01
Silver.....	0.05
Endrin (1,2,3,4,10,10-hexachloro-1,7-epoxy-1,4,4a,5,6,7,8,9a-octahydro-1,4-endo, endo-5,8-dimethano naphthalene).....	0.0002
Lindane (1,2,3,4,5,6-hexachlorocyclohexane, gamma isomer).....	0.004
Methoxychlor (1,1,1-Trichloro-2,2-bis(p-methoxyphenylethane).....	0.1
Toxaphene (C ₁₀ H ₁₀ Cl ₆ , Technical chlorinated camphene, 67-69 percent chlorine).....	0.005
2,4-D (2,4-Dichlorophenoxyacetic acid).....	0.1
2,4,5-TP Silvex (2,4,5-Trichlorophenoxypropionic acid).....	0.01
Picocuries per liter	
Combined radium - 226 and radium - 228.....	5
Gross alpha - particle activity (excluding radon and uranium when producing uranium by-product material or thorium when producing thorium by-product material).....	15

(m) If the groundwater protection standards established under (f) of this subsection are exceeded at a licensed site, a corrective action program must be put into

operation as soon as is practicable, and in no event later than eighteen months after the department finds that the standards have been exceeded. The licensee shall submit the proposed corrective action program and supporting rationale for department approval prior to putting the program into operation, unless otherwise directed by the department. The objective of the program is to return hazardous constituent concentration levels in groundwater to the concentration limits set as standards. The licensee's proposed program must address removing the hazardous constituents that have entered the groundwater at the point of compliance or treating them in place. The program must also address removing or treating in place any hazardous constituents that exceed concentration limits in groundwater between the point of compliance and the downgradient facility property boundary. The licensee shall continue corrective action measures to the extent necessary to achieve and maintain compliance with the groundwater protection standard. The department will determine when the licensee may terminate corrective action measures based on data from the groundwater monitoring program and other information that provide reasonable assurance that the groundwater protection standard will not be exceeded.

(n) In developing and conducting groundwater protection programs, applicants and licensees shall also consider the following:

(i) Installation of bottom liners (where synthetic liners are used, a leakage detection system must be installed immediately below the liner to ensure major failures are detected if they occur. This is in addition to the groundwater monitoring program conducted as provided in this criterion. Where clay liners are proposed or relatively thin, in-situ clay soils are to be relied upon for seepage control, tests must be conducted with representative tailings solutions and clay materials to confirm that no significant deterioration of permeability or stability properties will occur with continuous exposure of clay to tailings solutions. Tests must be run for a sufficient period of time to reveal any effects if they are going to occur (in some cases deterioration has been observed to occur rather rapidly after about nine months of exposure)).

(ii) Mill process designs which provide the maximum practicable recycle of solutions and conservation of water to reduce the net input of liquid to the tailings impoundment.

(iii) Dewatering of tailings by process devices and/or in-situ drainage systems (at new sites, tailings must be dewatered by a drainage system installed at the bottom of the impoundment to lower the phreatic surface and reduce the driving head of seepage, unless tests show tailings are not amenable to such a system. Where in-situ dewatering is to be conducted, the impoundment bottom must be graded to assure that the drains are at a low point. The drains must be protected by suitable filter materials to assure that drains remain free running. The drainage system must also be adequately sized to assure good drainage).

(iv) Neutralization to promote immobilization of hazardous constituents.

(o) Where groundwater impacts are occurring at an existing site due to seepage, action must be taken to alleviate conditions that lead to excessive seepage impacts and restore groundwater quality. The specific seepage control and groundwater protection method, or combination of methods, to be used must be worked out on a site-specific basis. Technical specifications must be prepared to control installation of seepage control systems. A quality assurance, testing, and inspection program, which includes supervision by a qualified engineer or scientist, must be established to assure the specifications are met.

(p) In support of a tailings disposal system proposal, the applicant/operator shall supply information concerning the following:

(i) The chemical and radioactive characteristics of the waste solutions.

(ii) The characteristics of the underlying soil and geologic formations particularly as they will control transport of contaminants and solutions. This includes detailed information concerning extent, thickness, uniformity, shape, and orientation of underlying strata. Hydraulic gradients and conductivities of the various formations must be determined. This information must be gathered from borings and field survey methods taken within the proposed impoundment area and in surrounding areas where contaminants might migrate to groundwater. The information gathered on boreholes must include both geologic and geophysical logs in sufficient number and degree of sophistication to allow determining significant discontinuities, fractures, and channeled deposits of high hydraulic conductivity. If field survey methods are used, they should be in addition to and calibrated with borehole logging. Hydrologic parameters such as permeability may not be determined on the basis of laboratory analysis of samples alone; a sufficient amount of field testing (e.g., pump tests) must be conducted to assure actual field properties are adequately understood. Testing must be conducted to allow estimating chemi-sorption attenuation properties of underlying soil and rock.

(iii) Location, extent, quality, capacity and current uses of any groundwater at and near the site.

(q) Steps must be taken during stockpiling of ore to minimize penetration of radionuclides into underlying soils; suitable methods include lining and/or compaction of ore storage areas.

(6) Criterion 6 - ((Sufficient earth cover, but not less than three meters, shall be placed over tailings or wastes at the end of milling operations to result in a calculated reduction in surface exhalation of radon emanating from the tailings or wastes to less than two picocuries per square meter per second)) (a) In cases where waste by-product material is to be permanently disposed, an earthen cover shall be placed over tailings or wastes at the end of the milling operations and the waste disposal area shall be closed in accordance with a design which shall provide reasonable assurance of control of radiological hazard to:

(i) Be effective for one thousand years, to the extent reasonably achievable, and, in any case, for at least two hundred years; and

(ii) Limit releases of Radon-222 from uranium by-product materials, and Radon-220 from thorium by-product materials, to the atmosphere so as to not exceed an average² release rate of twenty picocuries per square meter per second (pCi/m²/s). In computing required tailings cover thicknesses, moisture in soils in excess of amounts found normally in similar soils in similar circumstances shall not be considered. Direct gamma exposure from the tailings or wastes should be reduced to background levels. The effects of any thin synthetic layer shall not be taken into account in determining the calculated radon exhalation level. If nonsoil materials are proposed ((to reduce tailings covers to less than three meters)) as cover materials, it must be demonstrated that such materials will not crack or degrade by differential settlement, weathering, or other mechanism over long term time intervals.

(b) Near surface materials (i.e., within the top three meters) shall not include mine waste or rock that contains elevated levels of radium; soils used for near surface cover must be essentially the same, as far as radioactivity is concerned, as that of surrounding soils.

(c) The design requirements in this criterion for longevity and control of radon releases shall apply to any portion of a licensed and/or disposal site unless such portion contains a concentration of radium in land, averaged over areas of one hundred square meters, which, as a result of by-product material does not exceed the background level by more than:

(i) Five picocuries per gram (pCi/g) of Radium-226, or, in the case of thorium by-product material, Radium-228, averaged over the first fifteen centimeters below the surface; and

(ii) Fifteen pCi/g of Radium-226, or, in the case of thorium by-product material, Radium-228, averaged over fifteen centimeters thick layers more than fifteen centimeters below the surface.

(d) The licensee must also address the nonradiological hazards associated with the wastes in planning and implementing closure. The licensee shall ensure that disposal areas are closed in a manner that minimizes the need for further maintenance. To the extent necessary to prevent threats to human health and the environment, the license shall control, minimize, or eliminate post-closure escape of nonradiological hazardous constituents, leachate, contaminated rainwater, or waste decomposition products to the ground or surface waters or to the atmosphere.

Footnotes:

¹ The standard applies to design. Monitoring for radon after installation of an appropriately designed cover is not required.

² This average shall apply to the entire surface of each disposal area over periods of at least one year, but short compared to one hundred years. Radon will come from both uranium by-product materials and from covering material. Radon emissions from covering materials should be estimated as part of developing a closure plan for each site. The standard, however, applies only to

emissions from by-product materials to the atmosphere.

(7) Criterion 7 - Milling operations shall be conducted so that all airborne effluent releases are reduced to as low as is reasonably achievable. The primary means of accomplishing this shall be by means of emission controls. Institutional controls, such as extending the site boundary and exclusion area, may be employed to ensure that offsite exposure limits are met, but only after all practicable measures have been taken to control emissions at the source. Notwithstanding the existence of individual dose standards, strict control of emissions is necessary to assure that population exposures are reduced to the maximum extent reasonably achievable and to avoid site contamination. The greatest potential sources of offsite radiation exposure (aside from radon exposure) are dusting from dry surfaces of the tailings disposal area not covered by tailings solution and emissions from yellowcake drying and packaging operations. During operations and prior to closure, radiation doses from radon emissions from surface impoundments shall be kept as low as is practicable. Checks shall be made and logged hourly of all parameters (e.g., differential pressure and scrubber water flow rate) which determine the efficiency of yellowcake stack emission control equipment operation. It shall be determined whether or not conditions are within a range prescribed to ensure that the equipment is operating consistently near peak efficiency; corrective action shall be taken when performance is outside of prescribed ranges. Effluent control devices shall be operative at all times during drying and packaging operations and whenever air is exhausting from the yellowcake stack.

Drying and packaging operations shall terminate when controls are inoperative. When checks indicate the equipment is not operating within the range prescribed for peak efficiency, actions shall be taken to restore parameters to the prescribed range. When this cannot be done without shutdown and repairs, drying and packaging operations shall cease as soon as practicable.

Operations may not be restarted after cessation due to off-normal performance until needed corrective actions have been identified and implemented. All such cessations, corrective actions, and restarts shall be reported to the agency in writing, within ((+0)) ten days of the subsequent restart.

To control dusting from tailings, that portion not covered by standing liquids shall be wetted or chemically stabilized to prevent or minimize blowing and dusting to the maximum extent reasonably achievable. This requirement may be relaxed if tailings are effectively sheltered from wind, such as may be the case where they are disposed of below grade and the tailings surface is not exposed to wind. Consideration shall be given in planning tailings disposal programs to methods which would allow phased covering and reclamation of tailings impoundments since this will help in controlling particulate and radon emissions during operation. To control dustings from diffuse sources, such as tailings and ore pads where automatic controls do not apply, operators

shall develop written operating procedures specifying the methods of control which will be utilized.

Milling operations producing or involving thorium by-product material shall be conducted in such a manner as to provide reasonable assurance that the annual dose equivalent does not exceed twenty-five millirems to the whole body, seventy-five millirems to the thyroid, and twenty-five millirems to any other organ of any member of the public as a result of exposures to the planned discharge of radioactive materials, Radon-220 and its daughters excepted, to the general environment.

Uranium and thorium by-product materials shall be managed so as to conform to the applicable provisions of Title 40 of the Code of Federal Regulations, Part 440, Ore Mining and Dressing Point Source Category: Effluent Limitations Guidelines and New Source Performance Standards, Subpart C, Uranium, Radium, and Vanadium Ores Subcategory, as codified on January 1, 1983.

The licensee shall establish a detection monitoring program needed to establish the groundwater protection standards in subsection (5)(f) of this section. A detection monitoring program has two purposes. The initial purpose of the program is to detect leakage of hazardous constituents from the disposal area so that the need to set groundwater protection standards is monitored. If leakage is detected, the second purpose of the program is to generate data and information needed for the department to establish the standards under subsection (5)(f) of this section. The data and information must provide a sufficient basis to identify those hazardous constituents which require concentration limit standards and to enable the department to set the limits for those constituents and the compliance period. They may also need to provide the basis for adjustments to the point of compliance. For licenses in effect September 30, 1983, the detection monitoring programs must have been in place by October 1, 1984. For licenses issued after September 30, 1983, the detection monitoring programs must be in place when specified by the department in orders or license conditions. Once groundwater protection standards have been established pursuant to subsection (5)(f) of this section, the licensee shall establish and implement a compliance monitoring program. The purpose of the compliance monitoring program is to determine that the hazardous constituent concentrations in groundwater continue to comply with the standards set by the department. In conjunction with a corrective action program, the licensee shall establish and implement a corrective action monitoring program. The purpose of the corrective action monitoring program is to demonstrate the effectiveness of the corrective actions. Any monitoring program required by this paragraph may be based on existing monitoring programs to the extent the existing programs can meet the stated objective for the program.

(8) Criterion 8 – These criteria relating to ownership of tailings and their disposal sites become effective on November 8, 1981, and apply to all licenses terminated, issued, or renewed after that date.

Any uranium or thorium milling license or tailings license shall contain such terms and conditions as the

United States ((NRC)) Nuclear Regulatory Commission determines necessary to assure that prior to termination of the license, the licensee will comply with ownership requirements of this criterion for sites used for tailings disposal.

Title to the by-product material licensed pursuant to WAC 402-22-150 and land, including any interests therein (other than land owned by the United States or by a state) which is used for the disposal of any such by-product material, or is essential to ensure the long term stability of such disposal site, shall be transferred to the United States or the state. In view of the fact that physical isolation must be the primary means of long term control, and government land ownership is a desirable supplementary measure, ownership of certain severable subsurface interests (for example, mineral rights) may be determined to be unnecessary to protect the public health and safety and the environment. In any case, however, the applicant/operator must demonstrate a serious effort to obtain such subsurface rights, and must, in the event that certain rights cannot be obtained, provide notification in local public land records of the fact that the land is being used for the disposal of radioactive material and is subject to either a United States ((NRC)) Nuclear Regulatory Commission general or specific license prohibiting the disruption and disturbance of the tailings. In some rare cases, such as may occur with deep burial where no ongoing site surveillance will be required, surface land ownership transfer requirements may be waived. For licenses issued before November 8, 1981, the United States Nuclear Regulatory Commission may take into account the status of the ownership of such land, and interests therein, and the ability of a licensee to transfer title and custody thereof to the United States or the state.

(9) Criterion 9 – Secondary groundwater protection standards required by subsection (5) of this section are concentration limits for individual hazardous constituents. The list of constituents found in Appendix A identifies the constituents for which standards must be set and complied with if the specific constituent is reasonably expected to be in or derived from the by-product material and has been detected in groundwater. For purposes of this criterion, the property of gross alpha activity will be treated as if it is a hazardous constituent. Thus, when setting standards under subsection (5)(j) of this section, the department will also set a limit for gross alpha activity.

NEW SECTION

WAC 402-52-300 APPENDIX A.

Hazardous Constituents

Acetonitrile (Ethanenitrile)
 Acetophenone (Ethanone, 1-phenyl)
 3-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts (Warfarin)
 2-Acetylaminofluorene (Acetamide, N-(9H-fluoren-2-yl)-)
 Acetyl chloride (Ethanoyl chloride)
 1-Acetyl-2-thiourea (Acetamide, N-(aminothioxomethyl)-)
 Acrolein (2-Propenal)
 Acrylamide (2-Propenamide)
 Acrylonitrile (2-Propenenitrile)
 Aflatoxins

Hazardous Constituents

Hazardous Constituents

- Aldrin (1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a,8b-hexahydro-endo-exo-1,4:5,8-Dimethanonaphthalene)
- Allyl alcohol (2-Propen-1-ol)
- Aluminum phosphide
- 4-Aminobiphenyl ([1,1'-Biphenyl]-4-amine)
- 6-Amino-1,1a,2,8,8a,8b-hexahydro-8-(hydroxymethyl)-8a-methoxy-5-methyl-carbamate azirino[2',3':3,4] pyrrolo [1,2-a] indole-4,7-dione, (ester) (Mitomycin C) (Azirino[2'3':3,4] pyrrolo (1,2-a) indole-4,7-dione, 6-amino-8-[(amino-cabonyloxy)methyl]-1,1a,2,8,8a,8b-hexahydro-8a methoxy-5-methy-)
- 5-(Aminomethyl)-3-isoxazolol (3(2H))-Isoxazolone, 5-(aminomethyl)- 4-Aminopyridine (4-Pyridinamine)
- Amitrole (1H-1,2,4-Triazol-3-amine)
- Aniline (Benzenamine)
- Antimony and compounds, N.O.S.*
- Aramite (Sulfurous acid, 2-chloroethyl-, 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester)
- Arsenic and compounds, N.O.S.*
- Arsenic acid (Orthoarsenic acid)
- Arsenic pentoxide (Arsenic (V) oxide)
- Arsenic trioxide (Arsenic (III) oxide)
- Auramine (Benzenamine, 4,4'-carbonimidoylbis [N,N-Dimethyl-, monohydrochloride)
- Azaserine (L-Serine, diazoacetate (ester))
- Barium and compounds, N.O.S.*
- Barium cyanide
- Benz[c]acridine (3,4-Benzacridine)
- Benz[a]anthracene (1,2-Benzanthracene)
- Benzene (Cyclohexatriene)
- Benzearsonic acid (Arsonic acid, phenyl-)
- Benzene, dichloromethyl- (Benzal chloride)
- Benzenethiol (Thiophenol)
- Benzidine ([1,1'-Biphenyl]-4,4'diamine)
- Benzo[b]fluoranthene (2,3-Benzofluoranthene)
- Benzo[j]fluoranthene (7,8-Benzofluoranthene)
- Benzo[a]pyrene (3,4-Benzopyrene)
- p-Benzoquinone (1,4-Cyclohexadienedione)
- Benzotrifluoride (Benzene, trichloromethyl)
- Benzyl chloride (Benzene, (chloromethyl)-)
- Beryllium and compounds, N.O.S.*
- Bis(2-chloroethoxy)methane (Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-])
- Bis(2-chloroethyl) ether (Ethane, 1,1'-oxybis[2-chloro-])
- N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornaphazine)
- Bis(2-chloroisopropyl) ether (Propane, 2,2'-oxybis[2-chloro-])
- Bis(chloromethyl) ether (Methane, oxybis[chloro-])
- Bis(2-ethylhexyl) phthalate (1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester)
- Bromoacetone (2-Propanone, 1-bromo-)
- Bromomethane (Methyl bromide)
- 4-Bromophenyl phenyl ether (Benzene, 1-bromo-4-phenoxy-)
- Brucine (Strychnidin-10-one, 2,3-dimethoxy-)
- 2-Butanone peroxide (Methyl ethyl ketone, peroxide)
- Butyl benzyl phthalate (1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester)
- 2-sec-Butyl-4,6-dinitrophenol (DNBP) (Phenol, 2,4-dinitro-6-(1-methyl-propyl)-)
- Cadmium and compounds, N.O.S.*
- Calcium chromate (Chromic acid, calcium salt)
- Calcium cyanide
- Carbon disulfide (Carbon bisulfide)
- Carbon oxyfluoride (Carbonyl fluoride)
- Chloral (Acetaldehyde, trichloro-)
- Chlorambucil (Butanoic acid, 4-[bis(2-chloroethyl)amino]benzene-)
- Chlordane (alpha and gamma isomers) (4,7-Methanoindan, 1,2,4,5,6,7,8,8-octachloro-3,4,7a-tetrahydro-) (alpha and gamma isomers)
- Chlorinated benzenes, N.O.S.*
- Chlorinated ethane, N.O.S.*
- Chlorinated fluorocarbons, N.O.S.*
- Chlorinated naphthalene, N.O.S.*
- Chlorinated phenol, N.O.S.*
- Chloroacetaldehyde (Acetaldehyde, chloro-)
- Chloroalkyl ethers, N.O.S.*
- p-Chloroaniline (Benzenamine, 4-chloro-)
- Chlorobenzene (Benzene, chloro-)
- Chlorobenzilate (Benzenecetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester)
- p-Chloro-m-cresol (Phenol, 4-chloro-3-methyl)
- 1-Chloro-2,3-epoxypropane (Oxirane, 2-(chloromethyl)-)
- 2-Chloroethyl vinyl ether (Ethene, (2-chloroethoxy)-)
- Chloroform (Methane, trichloro-)
- Chloromethane (Methyl chloride)
- Chloromethyl methyl ether (Methane, chloromethoxy-)
- 2-Chloronaphthalene (Naphthalene, betachloro-)
- 2-Chlorophenol (Phenol, o-chloro-)
- 1-(o-Chlorophenyl)thiourea (Thiourea, (2-chlorophenyl)-)
- 3-Chloropropionitrile (Propanenitrile, 3-chloro-)
- Chromium and compounds, N.O.S.*
- Chrysene (1,2-Benzphenanthrene)
- Citrus red No. 2 (2-Naphthol, 1-[(2,5-dimethoxyphenyl)azo]-)
- Coal tars
- Copper cyanide
- Creosote (Creosote, wood)
- Cresols (Cresylic acid) (Phenol, methyl-)
- Crotonaldehyde (2-Butenal)
- Cyanides (soluble salts and complexes), N.O.S.*
- Cyanogen (Ethanedinitrile)
- Cyanogen bromide (Bromide cyanide)
- Cyanogen chloride (Chlorine cyanide)
- Cycasin(beta-D-Glucopyranoside, (methyl-ONN-azoxy)methyl-)
- 2-Cyclohexyl-4,6-dinitrophenol (Phenol, 2-cyclohexyl-4,6-dinitro-)
- Cyclophosphamide (2H-1,3,2, -Oxazaphosphorine, [bis(2-chloroethyl)amino]-tetrahydro-, 2-oxide)
- Daunomycin (5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy)-alpha-L-lyxo-hexopyranosyl]oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-)
- DDD (Dichlorodiphenyldichloroethane) (Ethane, 1,1-dichloro-2,2-bis(p-chlorophenyl)-)
- DDE (Ethylene, 1,1-dichloro-2,2-bis(4-chlorophenyl)-)
- DDT (Dichlorodiphenyltrichloroethane) (Ethane, 1,1,1-trichloro-2,2-bis(p-chlorophenyl)-)
- Diallate (S-(2,3-dichloroallyl) diisopropylthiocarbamate)
- Dibenz[a,h]acridine (1,2,4,5-Dibenzacridine)
- Dibenz[a,j]acridine (1,2,7,8-Dibenzacridine)
- Dibenz[a,h]anthracene (1,2,5,6-Dibenzanthracene)
- 7H-Dibenzo[c,g]carbazole (3,4,5,6-Dibenzcarbazole)
- Dibenzo[a,e]pyrene (1,2,4,5-Dibenzpyrene)
- Dibenzo[a,h]pyrene (1,2,5,6-Dibenzpyrene)
- Dibenzo[a,i]pyrene (1,2,7,8-Dibenzpyrene)
- 1,2-Dibromo-3-chloropropane (Propane, 1,2-dibromo-3-chloro-)
- 1,2-Dibromoethane (Ethylene dibromide)
- Dibromomethane (Methylene bromide)
- Di-n-butyl phthalate (1,2-Benzenedicarboxylic acid, dibutyl ester)
- o-Dichlorobenzene (Benzene, 1,2-dichloro-)
- m-Dichlorobenzene (Benzene, 1,3-dichloro-)
- p-Dichlorobenzene (Benzene, 1,4-dichloro-)
- Dichlorobenzene, N.O.S.* (Benzene, dichloro-, N.O.S.*)
- 3,3'-Dichlorobenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-)
- 1,4-Dichloro-2-butene (2-Butene, 1,4-dichloro-)
- Dichlorodifluoromethane (Methane, dichlorodifluoro-)
- 1,1-Dichloroethane (Ethylidene dichloride)
- 1,2-Dichloroethane (Ethylene dichloride)
- trans-1,2-Dichloroethene (1,2-Dichloroethylene)
- Dichloroethylene, N.O.S.* (Ethene, dichloro-, N.O.S.*)
- 1,1-Dichloroethylene (Ethene, 1,1-dichloro-)
- Dichloromethane (Methylene chloride)
- 2,4-Dichlorophenol (Phenol, 2,4-dichloro-)
- 2,6-Dichlorophenol (Phenol, 2,6-dichloro-)
- 2,4-Dichlorophenoxyacetic acid (2,4-D), salts and esters (Acetic acid, 2,4-dichlorophenoxy-, salts and esters)
- Dichlorophenylarsine (Phenyl dichloroarsine)
- Dichloropropane, N.O.S.* (Propane, dichloro-, N.O.S.*)
- 1,2-Dichloropropane (Propylene dichloride)
- Dichloropropanol, N.O.S.* (Propanol, dichloro-, N.O.S.*)
- Dichloropropene, N.O.S.* (Propene, dichloro-, N.O.S.*)
- 1,3-Dichloropropene (1-Propene, 1,3-dichloro-)
- Dieldrin (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octa-hydro-endo, exo-1,4:5,8-Dimethanonaphthalene)
- 1,2:3,4-diepoxybutane (2,2'-Bioxirane)

Hazardous Constituents

Diethylarsine (Arsine, diethyl-)
 N,N-Diethylhydrazine (Hydrazine, 1,2-diethyl)
 O,O-Diethyl S-methyl ester of phosphorodithioic acid (Phosphorodithioic acid, O,O-diethyl S-methyl ester)
 O,O-Diethylphosphoric acid, O-p-nitrophenyl ester (Phosphoric acid, diethyl p-nitrophenyl ester)
 Diethyl phthalate (1,2-Benzenedicarboxylic acid, diethyl ester)
 O,O-Diethyl O-2-pyrazinyl phosphorothioate (Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester)
 Diethylstilbesterol (4,4'-Stilbenediol, alpha, alpha-diethyl, bis(dihydrogen phosphate, (E)-)
 Dihydrosofrole (Benzene, 1,2-methylenedioxy-4-propyl-)
 3,4-Dihydroxy-alpha-(methylamino)methyl benzyl alcohol (1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-)
 Dilsopropylfluorophosphate (DFP) (Phosphorofluoridic acid, bis(1-methylethyl) ester)
 Dimethoate (Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester)
 3,3'-Dimethoxybenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3-3'-dimethoxy-)
 p-Dimethylaminoazobenzene (Benzenamine, N,N-dimethyl-4-(phenyl-lazo)-)
 7,12-Dimethylbenz[a]anthracene (1,2-Benzanthracene, 7,12-dimethyl-)
 3,3'-Dimethylbenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-)
 Dimethylcarbamoyl chloride (Carbamoyl chloride, dimethyl-)
 1,1-Dimethylhydrazine (Hydrazine, 1,1-dimethyl-)
 1,2-Dimethylhydrazine (Hydrazine, 1,2-dimethyl-)
 3,3-Dimethyl-1-(methylthio)-2-butanone, O-[(methylamino)carbonyl] oxime (Thiofanox)
 alpha, alpha-Dimethylphenethylamine (Ethanamine, 1,1-dimethyl-2-phenyl-)
 2,4-Dimethylphenol (Phenol, 2,4-dimethyl-)
 Dimethyl phthalate (1,2-Benzenedicarboxylic acid, dimethyl ester)
 Dimethyl sulfate (Sulfuric acid, dimethyl ester)
 Dinitrobenzene, N.O.S.* (Benzene, dinitro-, N.O.S.*)
 4,6-Dinitro-o-cresol and salts (Phenol, 2,4-dinitro-6-methyl-, and salts)
 2,4-Dinitrophenol (Phenol, 2,4-dinitro-)
 2,4-Dinitrotoluene (Benzene, 1-methyl-2,4-dinitro-)
 2,6-Dinitrotoluene (Benzene, 1-methyl-2,6-dinitro-)
 Di-n-octyl phthalate (1,2-Benzenedicarboxylic acid, dioctyl ester)
 1,4-Dioxane (1,4-Diethylene oxide)
 Diphenylamine (Benzenamine, N-phenyl-)
 1,2-Diphenylhydrazine (Hydrazine, 1,2-diphenyl-)
 Di-n-propylnitrosamine (N-Nitroso-di-n-propylamine)
 Disulfoton (O,O-diethyl S-[2-(ethylthio)ethyl] phosphorodithioate)
 2,4-Dithiobiuret (Thioimidodicarbonic diamide)
 Endosulfan (5-Norbornene, 2,3-dimethanol, 1,4,5,6,7,7-hexachloro-, cyclic sulfite)
 Endrin and metabolites (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo,endo-1,4:5,8-dimethanonaphthalene, and metabolites)
 Ethyl carbamate (Urethan) (Carbamic acid, ethyl ester)
 Ethyl cyanide (propanenitrile)
 Ethylenebisdithiocarbamic acid, salts and esters (1,2-Ethanediybiscarbamodithioic acid, salts and esters)
 Ethyleneimine (Aziridine)
 Ethylene oxide (Oxirane)
 Ethylenethiourea (2-Imidazolidinethione)
 Ethyl methacrylate (2-Propenoic acid, 2-methyl-, ethyl ester)
 Ethyl methanesulfonate (Methanesulfonic acid, ethyl ester)
 Fluoranthene (Benzo[j,k]fluorene)
 Fluorine
 2-Fluoroacetamide (Acetamide, 2-fluoro-)
 Fluoroacetic acid, sodium salt (Acetic acid, fluoro-, sodium salt)
 Formaldehyde (Methylene oxide)
 Formic acid (Methanoic acid)
 Glycidylaldehyde (1-Propanol-2,3-epoxy)
 Halomethane, N.O.S.*
 Heptachlor (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-)

Hazardous Constituents

Heptachlor epoxide (alpha, beta, and gamma isomers) (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-2,3-epoxy-3a,4,7,7-tetrahydro-, alpha, beta, and gamma isomers)
 Hexachlorobenzene (Benzene, hexachloro-)
 Hexachlorobutadiene (1,3-Butadiene, 1,1,2,3,4,4-hexachloro-)
 Hexachlorocyclohexane (all isomers) (Lindane and isomers)
 Hexachlorocyclopentadiene (1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-)
 Hexachloroethane (Ethane, 1,1,1,2,2,2-hexachloro-)
 1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-endo,endo-dimethanonaphthalene (Hexachlorohexa-hydro-endo,endo-dimethanonaphthalene)
 Hexachlorophene (2,2'-Methylenebis(3,4,6-trichlorophenol))
 Hexachloropropene (1-Propene, 1,1,2,3,3,3-hexachloro-)
 Hexaethyl tetraphosphate (Tetraphosphoric acid, hexaethyl ester)
 Hydrazine (Diamine)
 Hydrocyanic acid (Hydrogen cyanide)
 Hydrofluoric acid (Hydrogen fluoride)
 Hydrogen sulfide (Sulfur hydride)
 Hydroxydimethylarsine oxide (Cacodylic acid)
 Indeno (1,2,3-cd)pyrene (1,10-(1,2-phenylene)pyrene)
 Iodomethane (Methyl iodide)
 Iron dextran (Ferric dextran)
 Isocyanic acid, methyl ester (Methyl isocyanate)
 Isobutyl alcohol (1-Propanol, 2-methyl-)
 Isosafrole (Benzene, 1,2-methylenedioxy-4-allyl-)
 Kepone (Decachlorooctahydro-1,3,4-Methano-2H-cyclobuta[cd]pentalen-2-one)
 Lasiocarpine (2-Butenoic acid, 2-methyl-, 7-[(2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy)methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester)
 Lead and compounds, N.O.S.*
 Lead acetate (Acetic acid, lead salt)
 Lead phosphate (Phosphoric acid, lead salt)
 Lead subacetate (Lead, bis(acetato-0)tetrahydroxytri-)
 Maleic anhydride (2,5-Furandione)
 Maleic hydrazide (1,2-Dihydro-3,6-pyridazinedione)
 Malononitrile (Propanedinitrile)
 Melphalan (Alanine, 3-[p-bis(2-chloroethyl)amino]phenyl-,L-)
 Mercury fulminate (Fulminic acid, mercury salt)
 Mercury and compounds, N.O.S.*
 Methacrylonitrile (2-Propenenitrile, 2-methyl-)
 Methanethiol (Thiomethanol)
 Methapyrilene (Pyridine, 2-[(2-dimethylamino)ethyl]-2-thenylamino-)
 Methylol (Acetimidic acid, N-[(methylcarbamoyl)oxy]thio-, methyl ester)
 Methoxychlor (Ethane, 1,1,1-trichloro-2,2'-bis(p-methoxyphenyl)-)
 2-Methylaziridine (1,2-Propylenimine)
 3-Methylcholanthrene (Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-)
 Methyl chlorocarbonate (Carbonochloridic acid, methyl ester)
 4,4'-Methylenebis(2-chloroaniline) (Benzenamine, 4,4'-methylenebis(2-chloro-))
 Methyl ethyl ketone (MEK) (2-Butanone)
 Methyl hydrazine (Hydrazine, methyl-)
 2-Methylacetonitrile (Propanenitrile, 2-hydroxy-2-methyl-)
 Methyl methacrylate (2-Propenoic acid, 2-methyl-, methyl ester)
 Methyl methanesulfonate (Methanesulfonic acid, methyl ester)
 2-Methyl-2-(methylthio)propionaldehyde-o-(methylcarbonyl) oxime (Propanal, 2-methyl-2-(methylthio)-, 0-[(methylamino)carbonyl]oxime)
 N-Methyl-N'-nitro-N-nitrosoguanidine (Guanidine, N-nitroso-N-methyl-N'-nitro-)
 Methyl parathion (0,0-dimethyl O-(4-nitrophenyl) phosphorothioate)
 Methylthiouracil (4-1H-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-)
 Molybdenum and compounds, N.O.S.*
 Mustard gas (Sulfide, bis(2-chloroethyl)-)
 Naphthalene
 1,4-Naphthoquinone (1,4-Naphthalenedione)
 1-Naphthylamine (alpha-Naphthylamine)
 2-Naphthylamine (beta-Naphthylamine)
 1-Naphthyl-2-thiourea (Thiourea, 1-naphthalenyl-)
 Nickel and compounds, N.O.S.*

Hazardous Constituents

Nickel carbonyl (Nickel tetracarbonyl)
 Nickel cyanide (Nickel (II) cyanide)
 Nicotine and salts (Pyridine, (S)-3-(1-methyl-2-pyrrolidinyl)-, and salts)
 Nitric oxide (Nitrogen (II) oxide)
 p-Nitroaniline (Benzenamine, 4-nitro-)
 Nitrobenzene (Benzene, nitro-)
 Nitrogen dioxide (Nitrogen (IV) oxide)
 Nitrogen mustard and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl) - N-methyl-, and hydrochloride salt)
 Nitrogen mustard N-Oxide and hydrochloride salt (Ethanamine, 2-chloro- N-(2-chloroethyl)-N-methyl-, and hydrochloride salt)
 Nitroglycerine (1,2,3-Propanetriol, trinitrate)
 4-Nitrophenol (Phenol, 4-nitro-)
 4-Nitroquinoline-1-oxide (Quinoline, 4-nitro-1-oxide-)
 Nitrosamine, N.O.S.*
 N-Nitrosodi-n-butylamine (1-Butanamine, N-butyl-N-nitroso-)
 N-Nitrosodiethanolamine (Ethanol, 2,2'-(nitrosoimino)bis-)
 N-Nitrosodiethylamine (Ethanamine, N-ethyl-N-nitroso-)
 N-Nitrosodimethylamine (Dimethylnitrosamine)
 N-Nitroso-N-ethylurea (Carbamide, N-ethyl-N-nitroso-)
 N-Nitrosomethylethylamine (Ethanamine, N-methyl-N-nitroso-)
 N-Nitroso-N-methylurea (Carbamide, N-methyl-N-nitroso-)
 N-Nitroso-N-methylurethane (Carbamic acid, methylnitroso-, ethyl ester)
 N-Nitrosomethylvinylamine (Ethenamine, N-methyl-N-nitroso-)
 N-Nitrosomorpholine (Morpholine, N-nitroso-)
 N-Nitrosornicotine (Nicotinic acid, N-nitroso-)
 N-Nitrosopiperidine (Pyridine, hexahydro-, N-nitroso-)
 Nitrosopyrrolidine (Pyrrole, tetrahydro-, N-nitroso-)
 N-Nitrososarcosine (Sarcosine, N-nitroso-)
 5-Nitro-o-toluidine (Benzenamine, 2-methyl-5-nitro-)
 Octamethylpyrophosphoramidate (Diphosphoramidate, octamethyl-)
 Osmium tetroxide (Osmium (VIII) oxide)
 7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid (Endothal)
 Paraldehyde (1,3,5-Trioxane, 2,4,6-trimethyl-)
 Parathion (Phosphorothioic acid, 0,0-diethyl 0-(p-nitrophenyl)ester)
 Pentachlorobenzene (Benzene, pentachloro-)
 Pentachloroethane (Ethane, pentachloro-)
 Pentachloronitrobenzene (PCNB) (Benzene, pentachloronitro-)
 Pentachlorophenol (Phenol, pentachloro-)
 Phenacetin (Acetamide, N-(4-ethoxyphenyl)-)
 Phenol (Benzene, hydroxy-)
 Phenylenediamine (Benzenediamine)
 Phenylmercury acetate (Mercury, acetatophenyl-)
 N-Phenylthiourea (Thiourea, phenyl-)
 Phosgene (Carbonyl chloride)
 Phosphine (Hydrogen phosphide)
 Phosphorodithioic acid, 0,0-diethyl S-[(ethylthio)methyl] ester (Phorate)
 Phosphorothioic acid, 0,0-dimethyl 0-[p-((dimethylamino)sulfonyl)phenyl] ester (Famphur)
 Phthalic acid esters, N.O.S.* (Benzene, 1, 2-dicarboxylic acid, esters, N.O.S.*)
 Phthalic anhydride (1,2-Benzenedicarboxylic acid anhydride)
 2-Picoline (Pyridine, 2-methyl-)
 Polychlorinated biphenyl, N.O.S.*
 Potassium cyanide
 Potassium silver cyanide (Argentate(1-), dicyano-, potassium)
 Pronamide (3,5-Dichloro-N-(1,1-dimethyl-2-propynyl)benzamide)
 1,3-Propylene sulfone (1,2-Oxathiolane, 2,2-dioxide)
 n-Propylamine (1-Propanamine)
 Propylthiouracil (Undecamethylenediamine, N,N'-bis(2-chlorobenzyl)-, dihydrochloride)
 2-Propyn-1-ol (Propargyl alcohol)
 Pyridine
 Radium -226 and -228
 Reserpine (Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[3,4,5-trimethoxybenzoyl]oxy]-, methyl ester)
 Resorcinol (1,3-Benzenediol)
 Saccharin and salts (1,2-Benzisothiazolin-3-one, 1,1-dioxide, and salts)
 Saffrole (Benzene, 1,2-methylenedioxy-4-allyl-)
 Selenious acid (Selenium dioxide)
 Selenium and compounds, N.O.S.*

Hazardous Constituents

Selenium sulfide (Sulfur selenide)
 Selenourea (Carbamimidoseleonic acid)
 Silver and compounds, N.O.S.*
 Silver cyanide
 Sodium cyanide
 Streptozotocin (D-Glucopyranose, 2-deoxy-2-(3-methyl-3-nitro-soureido)-)
 Strontium sulfide
 Strychnine and salts (Strychnidin-10-one, and salts)
 1,2,4,5-Tetrachlorobenzene (Benzene, 1,2,4,5-tetrachloro-)
 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD) (Dibenzo-p-dioxin, 2,3,7,8-tetrachloro-)
 Tetrachloroethane, N.O.S.* (Ethane, tetrachloro-, N.O.S.*)
 1,1,1,2-Tetrachloroethane (Ethane, 1,1,1,2-tetrachloro-)
 1,1,2,2-Tetrachloroethane (Ethane, 1,1,2,2-tetrachloro-)
 Tetrachloroethane (Ethane, 1,1,2,2-tetrachloro-)
 Tetrachloromethane (Carbon tetrachloride)
 2,3,4,6-Tetrachlorophenol (Phenol, 2,3,4,6-tetrachloro-)
 Tetraethylthiopyrophosphate (Dithiopyrophosphoric acid, tetraethyl-ester)
 Tetraethyl lead (Plumbane, tetraethyl-)
 Tetraethylpyrophosphate (Pyrophosphoric acid, tetraethyl ester)
 Tetranitromethane (Methane, tetranitro-)
 Thallium and compounds, N.O.S.*
 Thallous oxide (Thallium (III) oxide)
 Thallium (I) acetate (Acetic acid, thallium (I) salt)
 Thallium (I) carbonate (Carbonic acid, dithallium (I) salt)
 Thallium (I) chloride
 Thallium (I) nitrate (Nitric acid, thallium (I) salt)
 Thallium selenite
 Thallium (I) sulfate (Sulfuric acid, thallium (I) salt)
 Thioacetamide (Ethanethioamide)
 Thiosemicarbazide (Hydrazinecarbothioamide)
 Thiourea (Carbamide thio-)
 Thiuram (Bis(dimethylthiocarbamoyl) disulfide)
 Thorium and compounds, N.O.S.*, when producing thorium by-product material
 Toluene (Benzene, methyl-)
 Toluenediamine (Diaminotoluene)
 o-Toluidine hydrochloride (Benzenamine, 2-methyl-, hydrochloride)
 Toluene diisocyanate (Benzene, 1,3-diisocyanatomethyl-)
 Toxaphene (Camphene, octachloro-)
 Tribromomethane (Bromoform)
 1,2,4-Trichlorobenzene (Benzene, 1,2,4-trichloro-)
 1,1,1-Trichloroethane (Methyl chloroform)
 1,1,2-Trichloroethane (Ethane, 1,1,2-trichloro-)
 Trichloroethene (Trichloroethylene)
 Trichloromethanethiol (Methanethiol, trichloro-)
 Trichloromonofluoromethane (Methane, trichlorofluoro-)
 2,4,5-Trichlorophenol (Phenol, 2,4,5-trichloro-)
 2,4,6-Trichlorophenol (Phenol, 2,4,6-trichloro-)
 2,4,5-Trichlorophenoxyacetic acid (2,4,5-T) (Acetic acid, 2,4,5-trichlorophenoxy-)
 2,4,5-Trichlorophenoxypropionic acid (2,4,5-TP) (Silvex) (Propionic acid, 2-(2,4,5-trichlorophenoxy)-)
 Trichloropropane, N.O.S.* (Propane, trichloro-, N.O.S.*)
 1,2,3-Trichloropropane (Propane, 1,2,3-trichloro-)
 0,0,0-Triethyl phosphorothioate (Phosphorothioic acid, 0,0,0-triethyl ester)
 sym-Trinitrobenzene (Benzene, 1,3,5-trinitro-)
 Tris(1-aziridinyl) phosphine sulfide (Phosphine sulfide, tris(1-aziridinyl)-)
 Tris(2,3-dibromopropyl) phosphate (1-Propanol, 2,3-dibromo-, phosphate)
 Trypan blue (2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl (1,1'-biphenyl)-4,4'-diyl)bis(azo)]bis(5-amino-4-hydroxy-, tetrasodium salt)
 Uracil mustard (Uracil 5-[bis(2-chloroethyl)amino]-)
 Uranium and compounds, N.O.S.*
 Vanadic acid, ammonium salt (ammonium vanadate)
 Vanadium pentoxide (Vanadium (V) oxide)
 Vinyl chloride (Ethene, chloro-)
 Zinc cyanide
 Zinc phosphide

The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this list.

Chapter 402-61 WAC
LICENSING REQUIREMENTS FOR LAND DISPOSAL OF RADIOACTIVE WASTE

WAC

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GENERAL PROVISIONS

NEW SECTION

WAC 402-61-010 PURPOSE AND SCOPE. (1) The regulations in this chapter establish procedures, criteria, and terms and conditions upon which the department issues licenses for land disposal of low-level radioactive wastes received from other persons. (Applicability of the requirements in this chapter to department licenses for waste disposal facilities in effect on the effective date of this regulation will be determined on a case-by-case basis and implemented through terms and conditions of the license or by orders issued by the department.) The requirements of this chapter are in addition to, and not in substitution for, other applicable requirements of these regulations or other state regulations.

(2) The regulations in this chapter do not apply to disposal of by-product material as defined in WAC 402-12-050 (6)(b) or disposal of waste as provided in WAC 402-24-050, 402-24-140, or 402-24-150.

(3) This chapter establishes procedural requirements and performance objectives applicable to any method of land disposal. It establishes specific technical requirements for near-surface disposal of radioactive waste which involves disposal in the uppermost portion of the earth.

NEW SECTION

WAC 402-61-020 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Active maintenance" means any significant activity needed during the period of institutional control to maintain a reasonable assurance that the performance objectives of WAC 402-61-180 and 402-61-190 are met. Such active maintenance includes ongoing activities such as the pumping and treatment of water from a disposal unit or one-time measures such as replacement of a disposal unit cover. Active maintenance does not include custodial activities such as repair of fencing, repair or replacement of monitoring equipment, revegetation, minor additions to soil cover, minor repair of disposal unit covers, and general disposal site upkeep such as mowing grass.

(2) "Buffer zone" means a portion of the disposal site that is controlled by the licensee or by the United States Department of Energy and that lies under the disposal units and between the disposal units and the boundary of the site.

(3) "Chelating agent" means amine polycarboxylic acids, hydroxy-carboxylic acids, gluconic acid, and polycarboxylic acids.

(4) "Commencement of construction" means any clearing of land, excavation, or other substantial action that would adversely affect the environment of a land disposal facility. The term does not mean disposal site

exploration, necessary roads for disposal site exploration, borings to determine foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the disposal site or the protection of environmental values.

(5) "Custodial agency" means an agency of the government designated to act on behalf of the government owner of the disposal site.

(6) "Disposal" means the isolation of wastes from the biosphere inhabited by man and his food chains by emplacement in a land disposal facility.

(7) "Disposal site" means that portion of a land disposal facility which is used for disposal of waste. It consists of disposal units and a buffer zone.

(8) "Disposal unit" means a discrete portion of the disposal site into which waste is placed for disposal. For near-surface disposal, the unit is usually a trench.

(9) "Engineered barrier" means a man-made structure or device that is intended to improve the land disposal facility's ability to meet the performance objectives in this chapter.

(10) "Explosive material" means any chemical compound, mixture, or device which produces a substantial instantaneous release of gas and heat spontaneously or by contact with sparks or flame.

(11) "Hazardous waste" means those wastes designated as hazardous by United States Environmental Protection Agency regulations in 40 CFR Part 261.

(12) "Hydrogeologic unit" means any soil or rock unit or zone which by virtue of its porosity or permeability, or lack thereof, has a distinct influence on the storage or movement of groundwater.

(13) "Inadvertent intruder" means a person who might occupy the disposal site after closure and engage in normal activities, such as agriculture, dwelling construction, or other pursuits in which an individual might be unknowingly exposed to radiation from the waste.

(14) "Intruder barrier" means a sufficient depth of cover over the waste that inhibits contact with waste and helps to ensure that radiation exposures to an inadvertent intruder will meet the performance objectives set forth in this chapter or engineered structures that provide equivalent protection to the inadvertent intruder.

(15) "Land disposal facility" means the land, buildings, and equipment which are intended to be used for the disposal of wastes into the subsurface of the land.

(16) "Monitoring" means observing and making measurements to provide data to evaluate the performance and characteristics of the disposal site.

(17) "Near-surface disposal facility" means a land disposal facility in which waste is disposed within approximately the upper thirty meters of the earth's surface.

(18) "Pyrophoric liquid" means any liquid that ignites spontaneously in dry or moist air at or below 130°F (54.4°C).

(19) "Pyrophoric solid" means any solid material, other than one classed as an explosive, which under normal conditions, is liable to cause fires through friction, 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 transportation, handling, or disposal hazard. Included are spontaneously combustible and water-reactive materials.

(20) "Site closure and stabilization" means those actions that are taken upon completion of operations that prepare the disposal site for custodial care and that assure that the disposal site will remain stable and will not need ongoing active maintenance.

(21) "Stability" means structural stability.

(22) "Surveillance" means monitoring and observation of the disposal site for purposes of visual detection of need for maintenance, custodial care, evidence of intrusion, and compliance with other license and regulatory requirements.

(23) "Waste" means those low-level radioactive wastes that are acceptable for disposal in a land disposal facility. For the purposes of this definition, low-level waste has the same meaning as in the Low-Level Radioactive Waste Policy Act, Public Law 96-573, that is, radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in section 11 e.(2) of the Atomic Energy Act (uranium or thorium tailings and waste).

NEW SECTION

WAC 402-61-030 LICENSE REQUIRED. (1) No person may receive, possess, or dispose of waste received from other persons at a land disposal facility unless authorized by a license issued by the department pursuant to this chapter, and chapter 402-22 WAC.

(2) Each person shall file an application with the department pursuant to chapter 402-22 WAC and obtain a license as provided in this chapter before commencement of construction of a land disposal facility. Failure to comply with this requirement may be grounds for denial of a license.

NEW SECTION

WAC 402-61-040 CONTENT OF APPLICATION. In addition to the requirements set forth in chapter 402-22 WAC, an application to receive from others, possess, and dispose of wastes shall consist of general information, specific technical information, institutional information, and financial information as set forth in WAC 402-61-050 through 402-61-090.

NEW SECTION

WAC 402-61-050 GENERAL INFORMATION. The general information shall include each of the following:

(1) Identity of the applicant including:

(a) The full name, address, telephone number, and description of the business or occupation of the applicant;

(b) If the applicant is a partnership, the name and address of each partner and the principal location where the partnership does business;

(c) If the applicant is a corporation or an unincorporated association, (i) the state where it is incorporated or

organized and the principal location where it does business, and (ii) the names and addresses of its directors and principal officers; and

(d) If the applicant is acting as an agent or representative of another person in filing the application, all information required under this subsection must be supplied with respect to the other person.

(2) Qualifications of the applicant:

(a) The organizational structure of the applicant, both offsite and onsite, including a description of lines of authority and assignments of responsibilities, whether in the form of administrative directives, contract provisions, or otherwise;

(b) The technical qualifications, including training and experience, of the applicant and members of the applicant's staff to engage in the proposed activities. Minimum training and experience requirements for personnel filling key positions described in (a) of this subsection must be provided.

(c) A description of the applicant's personnel training program; and

(d) The plan to maintain an adequate complement of trained personnel to carry out waste receipt, handling, and disposal operations in a safe manner.

(3) A description of:

(a) The location of the proposed disposal site;

(b) The general character of the proposed activities;

(c) The types and quantities of waste to be received, possessed, and disposed of;

(d) Plans for use of the land disposal facility for purposes other than disposal of wastes; and

(e) The proposed facilities and equipment.

(4) Proposed schedules for construction, receipt of waste, and first emplacement of waste at the proposed land disposal facility.

NEW SECTION

WAC 402-61-060 SPECIFIC TECHNICAL INFORMATION. The specific technical information shall include the following information needed for demonstration that the performance objectives and the applicable technical requirements of this chapter will be met. The specific technical information shall be in the form of an environmental report which the department can use to independently evaluate the project under the provisions of the State Environmental Policy Act (SEPA):

(1) A description of the natural and demographic disposal site characteristics as determined by disposal site selection and characterization activities. The description shall include geologic, geochemical, geotechnical, hydrologic, ecologic, archaeologic, meteorologic, climatologic, and biotic features of the disposal site and vicinity.

(2) A description of the design features of the land disposal facility and the disposal units. For near-surface disposal, the description shall include those design features related to infiltration of water; integrity of covers for disposal units; structural stability of backfill, wastes, and covers; contact of wastes with standing water; disposal site drainage; disposal site closure and stabilization; elimination to the extent practicable of long-term disposal site maintenance; inadvertent intrusion; occupational exposures; disposal site monitoring; and adequacy

of the size of the buffer zone for monitoring and potential mitigative measures.

(3) A description of the principal design criteria and their relationship to the performance objectives.

(4) A description of the design basis natural events or phenomena and their relationship to the principal design criteria.

(5) A description of codes and standards which the applicant has applied to the design and which will apply to construction of the land disposal facilities.

(6) A description of the construction and operation of the land disposal facility. The description shall include as a minimum the methods of construction of disposal units; waste emplacement; the procedures for and areas of waste segregation; types of intruder barriers; onsite traffic and drainage systems; survey control program; methods and areas of waste storage; and methods to control surface water and groundwater access to the wastes. The description shall also include a description of the methods to be employed in the handling and disposal of wastes containing chelating agents or other nonradiological substances that might affect meeting the performance objectives of this chapter.

(7) A description of the disposal site closure plan, including those design features which are intended to facilitate disposal site closure and to eliminate the need for ongoing active maintenance.

(8) An identification of the known natural resources at the disposal site, whose exploitation could result in inadvertent intrusion into the wastes after removal of active institutional control.

(9) A description of the kind, amount, classification, and specifications of the radioactive material proposed to be received, possessed, and disposed of at the land disposal facility.

(10) A description of the quality control program for the determination of natural disposal site characteristics and for quality control during the design, construction, operation, and closure of the land disposal facility and the receipt, handling, and emplacement of waste. Audits and managerial controls must be included.

(11) A description of the radiation safety program for control and monitoring of radioactive effluents to ensure compliance with the performance objective in WAC 402-61-180 and occupational radiation exposure to ensure compliance with the requirements of chapter 402-24 WAC and to control contamination of personnel, vehicles, equipment, buildings, and the disposal site. Both routine operations and accidents shall be addressed. The program description must include procedures, instrumentation, facilities, and equipment.

(12) A description of the environmental monitoring program to provide data to evaluate potential health and environmental impacts and the plan for taking corrective measures if migration is indicated.

(13) A description of the administrative procedures that the applicant will apply to control activities at the land disposal facility.

NEW SECTION

WAC 402-61-070 TECHNICAL ANALYSES. The specific technical information shall also include the

following analyses needed to demonstrate that the performance objectives of this chapter will be met:

(1) Pathways analyzed in demonstrating protection of the general population from releases of radioactivity shall include air, soil, groundwater, surface water, plant uptake, and exhumation by burrowing animals. The analyses shall clearly identify and differentiate between the roles performed by the natural disposal site characteristics and design features in isolating and segregating the wastes. The analyses shall clearly demonstrate that there is reasonable assurance that the exposures to humans from the release of radioactivity will not exceed the limits set forth in WAC 402-61-180.

(2) Analyses of the protection of individuals from inadvertent intrusion shall include demonstration that there is reasonable assurance the waste classification and segregation requirements will be met and that adequate barriers to inadvertent intrusion will be provided.

(3) Analyses of the protection of individuals during operations shall include assessments of expected exposures due to routine operations and likely accidents during handling, storage, and disposal of waste. The analyses shall provide reasonable assurance that exposures will be controlled to meet the requirements of chapter 402-24 WAC.

(4) Analyses of the long-term stability of the disposal site and the need for ongoing active maintenance after closure shall be based upon analyses of active natural processes such as erosion, mass wasting, slope failure, settlement of wastes and backfill, infiltration through covers over disposal areas and adjacent soils, and surface drainage of the disposal site. The analyses shall provide reasonable assurance that there will not be a need for ongoing active maintenance of the disposal site following closure.

NEW SECTION

WAC 402-61-080 INSTITUTIONAL INFORMATION. The institutional information submitted by the applicant shall include:

(1) A certification by the federal or state agency which owns the disposal site that the federal or state agency is prepared to accept transfer of the license when the provisions of WAC 402-61-150 are met and will assume responsibility for institutional control after site closure and postclosure observation and maintenance.

(2) Where the proposed disposal site is on land not owned by the federal or state government, the applicant shall submit evidence that arrangements have been made for assumption of ownership in fee by the federal or state agency before the department issues a license.

NEW SECTION

WAC 402-61-090 FINANCIAL INFORMATION. The financial information shall be sufficient to demonstrate that the financial qualifications of the applicant are adequate to carry out the activities for which the license is sought and meet other financial assurance requirements of this chapter.

NEW SECTION

WAC 402-61-100 REQUIREMENTS FOR ISSUANCE OF A LICENSE. A license for the receipt, possession, and disposal of waste containing or contaminated with radioactive material will be issued by the department upon finding that:

(1) The issuance of the license will not constitute an unreasonable risk to the health and safety of the public;

(2) The applicant is qualified by reason of training and experience to carry out the disposal operations requested in a manner that protects health and minimizes danger to life or property;

(3) The applicant's proposed disposal site, disposal design, land disposal facility operations, including equipment, facilities, and procedures, disposal site closure, and postclosure institutional control are adequate to protect the public health and safety in that they provide reasonable assurance that the general population will be protected from releases of radioactivity as specified in the performance objective in WAC 402-61-180.

(4) The applicant's proposed disposal site, disposal site design, land disposal facility operations, including equipment, facilities, and procedures, disposal site closure, and postclosure institutional control are adequate to protect the public health and safety in that they will provide reasonable assurance that individual inadvertent intruders are protected in accordance with the performance objective in WAC 402-61-190.

(5) The applicant's proposed land disposal facility operations, including equipment, facilities, and procedures, are adequate to protect the public health and safety in that they will provide reasonable assurance that the standards for radiation protection set out in chapter 402-24 WAC will be met;

(6) The applicant's proposed disposal site, disposal site design, land disposal facility operations, disposal site closure, and postclosure institutional control are adequate to protect the public health and safety in that they will provide reasonable assurance that long-term stability of the disposed waste and the disposal site will be achieved and will eliminate to the extent practicable the need for ongoing active maintenance of the disposal site following closure;

(7) The applicant's demonstration provides reasonable assurance that the applicable technical requirements of this chapter will be met;

(8) The applicant's proposal for institutional control provides reasonable assurance that such control will be provided for the length of time found necessary to ensure the findings in subsections (3) through (6) of this section and that the institutional control meets the requirements of WAC 402-61-270.

(9) The financial or surety arrangements meet the requirements of this chapter.

(10) The provisions of the State Environmental Policy Act have been met.

NEW SECTION

WAC 402-61-110 CONDITIONS OF LICENSES. (1) A license issued under this chapter, or any right thereunder, may be transferred, assigned, or in any

manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, only if the department finds, after securing full information, that the transfer is in accordance with the provisions of the act and gives its consent in writing in the form of a license amendment.

(2) The licensee shall submit written statements under oath upon request of the department, at any time before termination of the license, to enable the department to determine whether the license should be modified, suspended, or revoked.

(3) The license will be terminated only on the full implementation of the final closure plan as approved by the department, including postclosure observation and maintenance.

(4) The licensee shall be subject to the provisions of the act, now or hereafter in effect, and to all rules, regulations, and orders of the department. The terms and conditions of the license are subject to amendment, revision, or modification, by reason of amendments to, or by reason of rules, regulations, and orders issued in accordance with the terms of the act.

(5) Each person licensed by the department pursuant to the regulations in this chapter shall confine possession and use of materials to the locations and purposes authorized in the license.

(6) The licensee shall not dispose of waste until the department has inspected the land disposal facility and has found it to be in conformance with the description, design, and construction described in the application for a license.

(7) The department may incorporate in any license at the time of issuance, or thereafter, by appropriate rule, regulation, or order, additional requirements and conditions with respect to the licensee's receipt, possession, and disposal of waste as it deems appropriate or necessary in order to:

(a) Protect health or to minimize danger to life or property;

(b) Require reports and the keeping of records, and to provide for inspections of activities under the license that may be necessary or appropriate to effectuate the purposes of the act and regulations thereunder.

(8) The authority to dispose of wastes expires on the date stated in the license. Any expiration date on a license applies only to the above ground activities and to the authority to dispose of waste. Failure to renew the license shall not relieve the licensee of responsibility for implementing site closure, postclosure observation, and transfer of the license to the site owner.

NEW SECTION

WAC 402-61-120 APPLICATION FOR RENEWAL OR CLOSURE. (1) An application for renewal must be filed at least ninety days prior to license expiration.

(2) An application for closure under WAC 402-61-130 must be filed at least one year prior to proposed closure.

(3) Applications for renewal of a license must be filed in accordance with WAC 402-61-040 through 402-61-090. Applications for closure must be filed in accordance

with WAC 402-61-130. Information contained in previous applications, statements, or reports filed with the department under the license may be incorporated by reference if the references are clear, specific, and remain pertinent.

(4) In any case in which a licensee has filed an application in proper form for renewal of a license, the license shall not expire until the department has taken final action on the application for renewal.

(5) In determining whether a license will be renewed, the department will apply the criteria set forth in WAC 402-61-100.

NEW SECTION

WAC 402-61-130 CONTENTS OF APPLICATION FOR SITE CLOSURE AND STABILIZATION. (1) Prior to final closure of the disposal site, or as otherwise directed by the department, the applicant shall submit an application to amend the license for closure. This closure application shall include a final revision and specific details of the disposal site closure plan included as part of the license application submitted under WAC 402-61-060(7) that includes each of the following:

(a) Any additional geologic, hydrologic, or other data pertinent to the long-term containment of emplaced wastes obtained during the operational period.

(b) The results of tests, experiments, or any other analyses relating to backfill of excavated areas, closure and sealing, waste migration and interaction with emplacement media, or any other tests, experiments, or analysis pertinent to the long-term containment of emplaced waste within the disposal site.

(c) Any proposed revision of plans for:

(i) Decontamination and/or dismantlement of surface facilities;

(ii) Backfilling of excavated areas; or

(iii) Stabilization of the disposal site for postclosure care.

(d) Any significant new information regarding the environmental impact of closure activities and long-term performance of the disposal site.

(2) Upon review and consideration of an application to amend the license for closure submitted in accordance with subsection (1) of this section the department shall issue an amendment authorizing closure if there is reasonable assurance that the long-term performance objectives of this chapter will be met.

NEW SECTION

WAC 402-61-140 POSTCLOSURE OBSERVATION AND MAINTENANCE. The licensee shall observe, monitor, and carry out necessary maintenance and repairs at the disposal site until the site closure is complete and the license is transferred by the department in accordance with WAC 402-61-150. Responsibility for the disposal site must be maintained by the licensee for five years. A shorter or longer time period for postclosure observation and maintenance may be established and approved as part of the site closure plan, based on site-specific conditions.

NEW SECTION

WAC 402-61-150 TRANSFER OF LICENSE. Following closure and the period of postclosure observation and maintenance, the licensee may apply for an amendment to transfer the license to the disposal site owner. The license shall be transferred when the department finds:

(1) That the closure of the disposal site has been made in conformance with the licensee's disposal site closure plan, as amended and approved as part of the license;

(2) That reasonable assurance has been provided by the licensee that the performance objectives of this chapter are met;

(3) That any funds and necessary records for care will be transferred to the disposal site owner;

(4) That the postclosure monitoring program is operational for implementation by the disposal site owner; and

(5) That the federal or state agency which will assume responsibility for institutional control of the disposal site is prepared to assume responsibility and ensure that the institutional requirements found necessary under WAC 402-61-100(8) will be met.

NEW SECTION

WAC 402-61-160 TERMINATION OF LICENSE. (1) Following any period of institutional control needed to meet the requirements found necessary under WAC 402-61-100, the licensee may apply for an amendment to terminate the license.

(2) This application will be reviewed in accordance with the provisions of chapter 402-22 WAC.

(3) A license shall be terminated only when the department finds:

(a) That the institutional control requirements found necessary under WAC 402-61-100(8) have been met;

(b) That any additional requirements resulting from new information developed during the institutional control period have been met; and

(c) That permanent monuments or markers warning against intrusion have been installed.

NEW SECTION

WAC 402-61-170 GENERAL REQUIREMENT. Land disposal facilities shall be sited, designed, operated, closed, and controlled after closure so that reasonable assurance exists that exposures to individuals are within the requirements established in the performance objectives in WAC 402-61-180 through 402-61-210.

NEW SECTION

WAC 402-61-180 PROTECTION OF THE GENERAL POPULATION FROM RELEASES OF RADIOACTIVITY. Concentrations of radioactive material which may be released to the general environment in groundwater, surface water, air, soil, plants, or animals shall not result in an annual dose exceeding an equivalent of twenty-five millirems (0.25 mSv) to the whole body, seventy-five millirems (0.75 mSv) to the

thyroid, and twenty-five millirems (0.25 mSv) to any other organ of any member of the public. Reasonable effort should be made to maintain releases of radioactivity in effluents to the general environment as low as is reasonably achievable.

NEW SECTION

WAC 402-61-190 PROTECTION OF INDIVIDUALS FROM INADVERTENT INTRUSION. Design, operation, and closure of the land disposal facility shall ensure protection of any individual inadvertently intruding into the disposal site and occupying the site or contacting the waste at any time after active institutional controls over the disposal site are removed.

NEW SECTION

WAC 402-61-200 PROTECTION OF INDIVIDUALS DURING OPERATIONS. After the effective date of these regulations, operations at the land disposal facility shall be conducted in compliance with the standards for radiation protection set out in chapter 402-24 WAC, except for releases of radioactivity in effluents from the land disposal facility, which shall be governed by WAC 402-61-180. Every reasonable effort should be made to maintain radiation exposures as low as is reasonably achievable.

NEW SECTION

WAC 402-61-210 STABILITY OF THE DISPOSAL SITE AFTER CLOSURE. The disposal facility shall be sited, designed, used, operated, and closed to achieve long-term stability of the disposal site and to eliminate, to the extent practicable, the need for ongoing active maintenance of the disposal site following closure so that only surveillance, monitoring, or minor custodial care is required.

NEW SECTION

WAC 402-61-220 DISPOSAL SITE SUITABILITY REQUIREMENTS FOR LAND DISPOSAL. (1) Disposal site suitability for near-surface disposal. The primary emphasis in disposal site suitability is given to isolation of wastes, and to disposal site features that ensure that the long-term performance objectives are met.

(a) The disposal site shall be capable of being characterized, modeled, analyzed, and monitored.

(b) Within the region where the facility is to be located, a disposal site should be selected so that projected population growth and future developments are not likely to affect the ability of the disposal facility to meet the performance objectives of this chapter.

(c) Areas shall be avoided having known natural resources which, if exploited, would result in failure to meet the performance objectives of this chapter.

(d) The disposal site shall be generally well drained and free of areas of flooding or frequent ponding. Waste disposal shall not take place in a one hundred-year flood plain, coastal high-hazard area or wetland, as defined in Executive Order 11988, "Flood Plain Management Guidelines."

(e) Upstream drainage areas shall be minimized to decrease the amount of runoff which could erode or inundate waste disposal units.

(f) The disposal site shall provide sufficient depth to the water table that groundwater intrusion, perennial or otherwise, into the waste will not occur. The department will consider an exception to this requirement to allow disposal below the water table if it can be conclusively shown that disposal site characteristics will result in molecular diffusion being the predominant means of radionuclide movement and the rate of movement will result in the performance objectives being met. In no case will waste disposal be permitted in the zone of fluctuation of the water table.

(g) The hydrogeologic unit used for disposal shall not discharge groundwater to the surface, except for groundwater monitoring operations.

(h) Areas shall be avoided where tectonic processes such as faulting, folding, seismic activity, or vulcanism may occur with such frequency and extent to significantly affect the ability of the disposal site to meet the performance objectives of this chapter or may preclude defensible modeling and prediction of long-term impacts.

(i) Areas shall be avoided where surface geologic processes such as mass wasting, erosion, slumping, landsliding, or weathering occur with such frequency and extent to significantly affect the ability of the disposal site to meet the performance objectives of this chapter, or may preclude defensible modeling and prediction of long-term impacts.

(j) An existing disposal site may be located where nearby facilities or activities could adversely impact the ability of the site to meet the performance objectives of this chapter or significantly mask the environmental monitoring program, provided an extensive environmental monitoring program exists which is designed to differentiate, to the maximum extent practicable, between contributions from the disposal site and other nearby facilities.

(2) (Reserved.)

NEW SECTION

WAC 402-61-230 DISPOSAL SITE DESIGN FOR LAND DISPOSAL. (1) Disposal site design for near-surface disposal.

(a) Site design features shall be directed toward long-term isolation and avoidance of the need for continuing active maintenance after site closure.

(b) The disposal site design and operation shall be compatible with the disposal site closure and stabilization plan and lead to disposal site closure that provides reasonable assurance that the performance objectives will be met.

(c) The disposal site shall be designed to complement and improve, where appropriate, the ability of the disposal site's natural characteristics to assure that the performance objectives will be met.

(d) Covers shall be designed to minimize to the extent practicable water infiltration, to direct percolating or

surface water away from the disposed waste, and to resist degradation by surface geologic processes and biotic activity.

(e) Surface features shall direct surface water drainage away from disposal units at velocities and gradients which will not result in erosion that will require ongoing active maintenance in the future.

(f) The disposal site shall be designed to minimize to the extent practicable the contact of water with waste during storage, the contact of standing water with waste during disposal, and the contact of percolating or standing water with wastes after disposal.

(2) (Reserved.)

NEW SECTION

WAC 402-61-240 LAND DISPOSAL FACILITY OPERATION AND DISPOSAL SITE CLOSURE. (1) Near-surface disposal facility operation and disposal site closure.

(a) Wastes designated as Class A pursuant to chapter 402-24 WAC shall be segregated from other wastes by placing in disposal units which are sufficiently separated from disposal units for the other waste classes so that any interaction between Class A wastes and other wastes will not result in the failure to meet the performance objectives of this chapter. This segregation is not necessary for Class A wastes if they meet the stability requirements in chapter 402-24 WAC.

(b) Wastes designated as Class C pursuant to chapter 402-24 WAC shall be disposed of so that the top of the waste is a minimum of five meters below the top surface of the cover or must be disposed of with intruder barriers that are designed to protect against an inadvertent intrusion for at least five hundred years.

(c) Except as provided in (l) of this subsection, only waste classified as Class A, B, or C shall be acceptable for near-surface disposal. All waste shall be disposed of in accordance with the requirements of (d) through (k) of this subsection.

(d) Wastes shall be emplaced in a manner that maintains the package integrity during emplacement, minimizes the void spaces between packages, and permits the void spaces to be filled.

(e) Void spaces between waste packages shall be filled with earth or other material to reduce future subsidence within the fill.

(f) Waste shall be placed and covered in a manner that limits the radiation dose rate at the surface of the cover to levels that at a minimum will permit the licensee to comply with all provisions of chapter 402-24 WAC at the time the license is transferred pursuant to WAC 402-61-150.

(g) The boundaries and locations of each disposal unit shall be accurately located and mapped by means of a land survey. Near-surface disposal units shall be marked in such a way that the boundaries of each unit can be easily defined. Three permanent survey marker control points, referenced to United States Geological Survey (USGS) or National Geodetic Survey (NGS) survey control stations, shall be established on the site to facilitate surveys. The USGS or NGS control stations shall

provide horizontal and vertical controls as checked against USGS or NGS record files.

(h) A buffer zone of land shall be maintained between any buried waste and the disposal site boundary and beneath the disposed waste. The buffer zone shall be of adequate dimensions to carry out environmental monitoring activities specified in WAC 402-61-250(4) and take mitigative measures if needed.

(i) Closure and stabilization measures as set forth in the approved site closure plan shall be carried out as each disposal unit is filled and covered.

(j) Active waste disposal operations shall not have an adverse effect on completed closure and stabilization measures.

(k) Only wastes containing or contaminated with radioactive material shall be disposed of at the disposal site.

(l) Proposals for disposal of waste that is not generally acceptable for near-surface disposal because the waste form and disposal methods must be different and, in general, more stringent than those specified for Class C waste, may be submitted to the department for approval.

(2) (Reserved.)

NEW SECTION

WAC 402-61-250 ENVIRONMENTAL MONITORING. (1) At the time a new license application is submitted, the applicant shall have conducted a preoperational monitoring program to provide basic environmental data on the disposal site characteristics. The applicant shall obtain information about the ecology, meteorology, climate, hydrology, geology, geochemistry, and seismology of the disposal site. For those characteristics that are subject to seasonal variation, data must cover at least a twelve-month period.

(2) During the land disposal facility site construction and operation, the licensee shall maintain an environmental monitoring program. Measurements and observations must be made and recorded to provide data to evaluate the potential health and environmental impacts during both the construction and the operation of the facility and to enable the evaluation of long-term effects and the need for mitigative measures. The monitoring system must be capable of providing early warning of releases of waste from the disposal site before they leave the site boundary.

(3) After the disposal site is closed, the licensee responsible for postoperational surveillance of the disposal site shall maintain a monitoring system based on the operating history and the closure and stabilization of the disposal site. The monitoring system must be capable of providing early warning of releases of waste from the disposal site before they leave the site boundary.

(4) The licensee shall have plans for taking corrective measures if the environmental monitoring program detects migration of waste which would indicate that the performance objectives may not be met.

NEW SECTION

WAC 402-61-260 ALTERNATIVE REQUIREMENTS FOR DESIGN AND OPERATIONS. The

department may, upon request or on its own initiative, authorize provisions other than those set forth in WAC 402-61-220 through 402-61-250 for the segregation and disposal of waste and for the design and operation of a land disposal facility on a specific basis, if it finds reasonable assurance of compliance with the performance objectives of this chapter.

NEW SECTION

WAC 402-61-270 INSTITUTIONAL REQUIREMENTS. (1) Land ownership. Disposal of waste received from other persons may be permitted only on land owned in fee by the federal or state government.

(2) Institutional control. The land owner or custodial agency shall conduct an institutional control program to physically control access to the disposal site following transfer of control of the disposal site from the disposal site operator. The institutional control program shall also include, but not be limited to, conducting an environmental monitoring program at the disposal site, periodic surveillance, minor custodial care, and other requirements as determined by the department; and administration of funds to cover the costs for these activities. The period of institutional controls will be determined by the department, but controls may not be relied upon for more than one hundred years following transfer of institutional control of the disposal site to the owner.

NEW SECTION

WAC 402-61-280 ALTERNATIVE REQUIREMENTS FOR WASTE CLASSIFICATION AND CHARACTERISTICS. The department may, upon request or on its own initiative, authorize other provisions for the classification and characteristics of waste on a specific basis, if, after evaluation of the specific characteristics of the waste, disposal site, and method of disposal, it finds reasonable assurance of compliance with the performance objectives specified in this chapter.

NEW SECTION

WAC 402-61-290 APPLICANT QUALIFICATIONS AND ASSURANCES. Each applicant shall show that it either possesses the necessary funds or has reasonable assurance of obtaining the necessary funds, or by a combination of the two, to cover the estimated costs of conducting all licensed activities over the planned operating life of the project, including costs of construction and disposal.

NEW SECTION

WAC 402-61-300 FUNDING FOR DISPOSAL SITE CLOSURE AND STABILIZATION. (1) The applicant shall provide assurances prior to the commencement of operations that sufficient funds will be available to carry out disposal site closure and stabilization, including: (a) Decontamination or dismantlement of land disposal facility structures; and (b) closure and stabilization of the disposal site so that following transfer of the disposal site to the site owner, the need for

ongoing active maintenance is eliminated to the extent practicable and only minor custodial care, surveillance and monitoring are required. These assurances shall be based on department-approved cost estimates reflecting the department-approved plan for disposal site closure and stabilization. The applicant's cost estimates must take into account total costs that would be incurred if an independent contractor were hired to perform the closure and stabilization work.

(2) In order to avoid unnecessary duplication and expense, the department will accept financial sureties that have been consolidated with earmarked financial or surety arrangements established to meet requirements of federal or other state agencies for such decontamination, closure, and stabilization. The department will accept these arrangements only if they are considered adequate to satisfy the requirements of this section and that the portion of the surety which covers the closure of the disposal site is clearly identified and committed for use in accomplishing these activities.

(3) The licensee's financial or surety arrangement shall be submitted annually for review by the department to assure that sufficient funds will be available for completion of the closure plan.

(4) The amount of the licensee's financial or surety arrangement shall change in accordance with changes in the predicted costs of closure and stabilization. Factors affecting closure and stabilization cost estimates include inflation, increases in the amount of disturbed land, changes in engineering plans, closure and stabilization that has already been accomplished, and any other conditions affecting costs. The financial or surety arrangement shall be sufficient at all times to cover the costs of closure and stabilization of the disposal units that are expected to be used before the next license renewal.

(5) The financial or surety arrangement shall be written for a specified period of time and shall be automatically renewed unless the person who issues the surety notifies the department, the beneficiary (the site owner), and the principal (the licensee) not less than ninety days prior to the renewal date of its intention not to renew. In such a situation, the licensee must submit a replacement surety within thirty days after notification of cancellation. If the licensee fails to provide a replacement surety acceptable to the department, the beneficiary may collect on the original surety.

(6) Proof of forfeiture shall not be necessary to collect the surety so that, in the event that the licensee could not provide an acceptable replacement surety within the required time, the surety shall be automatically collected prior to its expiration. The conditions described above shall be clearly stated on any surety instrument.

(7) Financial or surety arrangements generally acceptable to the department include surety bonds, cash deposits, certificates of deposit, deposits of government securities, escrow accounts, irrevocable letters or lines of credit, trust funds, and combinations of the above or such other types of arrangements as may be approved by the department. Self-insurance, or any arrangement which essentially constitutes self-insurance, will not satisfy the surety requirement for private sector applicants.

(8) The licensee's financial or surety arrangement shall remain in effect until the closure and stabilization program has been completed and approved by the department, and the license has been transferred to the site owner.

NEW SECTION

WAC 402-61-310 FINANCIAL ASSURANCES FOR INSTITUTIONAL CONTROLS. (1) Prior to the issuance of the license, the applicant shall provide for departmental approval, a binding arrangement, between the applicant and the disposal site owner that ensures that sufficient funds will be available to cover the costs of monitoring and any required maintenance during the institutional control period. The binding arrangement shall be reviewed annually by the department to ensure that changes in inflation, technology, and disposal facility operations are reflected in the arrangements.

(2) Subsequent changes to the binding arrangement specified in subsection (1) of this section relevant to institutional control shall be submitted to the department for prior approval.

NEW SECTION

WAC 402-61-320 MAINTENANCE OF RECORDS, REPORTS, AND TRANSFERS. (1) Each licensee shall maintain any records and make any reports in connection with the licensed activities as may be required by the conditions of the license or by the rules, regulations, and orders of the department.

(2) Records which are required by these regulations or by license conditions shall be maintained for a period specified by the appropriate regulations or by license condition. If a retention period is not otherwise specified, these records must be maintained and transferred to the officials specified in subsection (4) of this section as a condition of license termination unless the department otherwise authorizes their disposition.

(3) Records which shall be maintained pursuant to this chapter may be the original or a reproduced copy or microfilm if this reproduced copy or microfilm is capable of producing copy that is clear and legible at the end of the required retention period.

(4) Notwithstanding subsections (1) through (3) of this section, copies of records of the location and the quantity of wastes contained in the disposal site must be transferred upon license termination to the chief executive of the nearest municipality, the chief executive of the county in which the facility is located, the county zoning board or land development and planning agency, the state governor, the United States Department of Energy, and other state, local, and federal governmental agencies as designated by the department at the time of license termination.

(5) Following receipt and acceptance of a shipment of waste, the licensee shall record the date of disposal of the waste, the location of the disposal site, the condition of the waste packages as received, any discrepancies between materials listed on the manifest and those received, and any evidence of leaking or damaged packages or radiation or contamination levels in excess of limits

specified in United States Department of Transportation and state of Washington regulations. The licensee shall briefly describe any repackaging operations of any of the waste packages included in the shipment, plus any other information required by the department as a license condition.

(6) Each licensee authorized to dispose of waste received from other persons shall file a copy of its financial report or a certified financial statement annually with the department in order to update the information base for determining financial qualifications.

(7)(a) Each licensee authorized to dispose of waste received from other persons, pursuant to this chapter, shall submit annual reports to the department. Reports shall be submitted by the end of the first calendar quarter of each year for the preceding year.

(b) The reports shall include:

(i) Specification of the quantity of each of the principal contaminants released to unrestricted areas in liquid and in airborne effluents during the preceding year;

(ii) The results of the environmental monitoring program;

(iii) A summary of licensee disposal unit survey and maintenance activities;

(iv) A summary, by waste class, of activities and quantities of radionuclides disposed of;

(v) Any instances in which observed site characteristics were significantly different from those described in the application for a license; and

(vi) Any other information the department may require.

(c) If the quantities of waste released during the reporting period, monitoring results, or maintenance performed are significantly different from those predicted, the report must cover this specifically.

NEW SECTION

WAC 402-61-330 TESTS ON LAND DISPOSAL FACILITIES. Each licensee shall perform, or permit the department to perform, any tests the department deems appropriate or necessary for the administration of the regulations in this chapter, including but not limited to, tests of:

- (1) Wastes;
 - (2) Facilities used for the receipt, storage, treatment, handling, or disposal of wastes;
 - (3) Radiation detection and monitoring instruments;
- or
- (4) Other equipment and devices used in connection with the receipt, possession, handling, treatment, storage, or disposal of waste.

NEW SECTION

WAC 402-61-340 AGENCY INSPECTIONS OF LAND DISPOSAL FACILITIES. (1) Each licensee shall afford to the department at all reasonable times opportunity to inspect waste not yet disposed of, and the premises, equipment, operations, and facilities in which wastes are received, possessed, handled, treated, stored, or disposed.

(2) Each licensee shall make available to the department for inspection, upon reasonable notice, records kept by it pursuant to these regulations. Authorized representatives of the department may copy and take away copies of, for the department's use, any record required to be kept pursuant to these regulations.

Chapter 402-62 WAC
**REQUIREMENTS FOR USERS OF THE
 WASHINGTON COMMERCIAL LOW-LEVEL
 WASTE DISPOSAL SITE**

WAC	
402-62-010	Purpose and scope.
402-62-020	Definitions.
402-62-030	Site use permit.
402-62-040	Waste shipment certification.
402-62-050	Classification of radioactive waste for near-surface disposal.
402-62-060	Acceptable radioactive waste forms and packaging.
402-62-070	Labeling.
402-62-080	Variances.
402-62-090	Transfer for disposal and manifests.

NEW SECTION

WAC 402-62-010 PURPOSE AND SCOPE. This chapter provides rules governing generators and brokers of low-level radioactive waste seeking to dispose of such waste at any commercial disposal facility in the state of Washington. These rules are in addition to applicable requirements of the United States Nuclear Regulatory Commission (NRC), the United States Department of Transportation (DOT), and other requirements of Title 402 WAC, the requirements of the department of ecology, Title 173 WAC, and conditions of the license issued to the disposal site operator(s).

NEW SECTION

WAC 402-62-020 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Low-level radioactive waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in section 11e.(2) of the Atomic Energy Act.

(2) "Broker" means a person who performs one or more of the following functions for a low-level radioactive waste generator:

- (a) Arranges for transportation of the low-level radioactive waste;
- (b) Collects and/or consolidates shipments of such low-level radioactive waste;
- (c) Processes such low-level radioactive waste in some manner; provided it shall not mean a carrier whose sole function is to transport such low-level radioactive waste.

(3) "Shipper" or "consignor" means the last licensee to possess the low-level radioactive waste prior to transportation to the low-level radioactive waste disposal site, normally the generator when no broker is involved; otherwise, the broker.

(4) "Generator" means the last person who puts radioactive material to practical use, and who then declares it to be no longer of use or value.

(5) "Motor vehicle" means any vehicle, truck, tractor, semi-trailer, or trailer (or any permitted combination of these), driven by mechanical power and used upon the highways to carry property.

(6) "Motor common carrier" means a person holding itself out to the general public to provide motor vehicle transportation for compensation over regular or irregular routes, or both.

(7) "Motor contract carrier" means a person other than a common carrier providing motor vehicle transportation of property for compensation under continuing agreements with one or more persons.

(8) "Motor private carrier" means a person, other than a motor carrier, transporting property by motor vehicle when the person is the owner, lessee, or bailee of the property being transported; and the property is being transported for sale, lease, rent, or bailment, or to further a commercial enterprise.

(9) "Motor carrier" means a motor common carrier and a motor contract carrier.

(10) "Shipment" means the total low-level radioactive waste material transported in one motor vehicle.

NEW SECTION

WAC 402-62-030 SITE USE PERMIT. (1) Each generator and each broker of low-level radioactive waste shall possess a valid and unencumbered site use permit prior to the shipment of such waste to, or the disposal of such waste at any commercial disposal facility in the state of Washington and shall have complied with the permit requirements of the department of ecology.

(2) Suspension or revocation of permit.

(a) The failure of one or more packages in a shipment of waste to be in compliance with one or more of the requirements of the license issued to the commercial low-level radioactive waste disposal site operator, Title 402 WAC, the United States Nuclear Regulatory Commission, the United States Department of Transportation, or conditions of the disposal site operator's radioactive materials license may cause the suspension of the site use permit of the responsible generator and/or broker.

(b) The site use permit of a generator and/or broker may be suspended or revoked if any other licensed commercial low-level radioactive waste disposal site in the United States has refused to accept waste from that generator or broker.

(c) A suspended site use permit may be reinstated provided the generator and/or broker submits a quality assurance procedure designed to correct previous problems and to achieve compliance with all applicable requirements.

(3) Brokered shipments.

(a) It is the broker's responsibility to assure that a generator of waste has a valid unencumbered site use permit prior to shipment of waste for disposal.

(b) A broker, as consignor, assumes coresponsibility with a generator for all aspects of that generator's waste

until it can be documented to the department's satisfaction that the broker's sphere of responsibility was limited.

NEW SECTION

WAC 402-62-040 WASTE SHIPMENT CERTIFICATION. (1) A low-level radioactive waste shipment certification, Form RHF-31, must accompany each shipment of radioactive waste to a licensed low-level radioactive waste burial site. All three sections of the form must be completed. The certification shall be submitted at the disposal site to the department of social and health services or its designee, and must be judged to be properly executed prior to the acceptance of the waste by the site operator. If a broker is involved, the broker's and carrier's sections must bear original signatures. The generator's signature need not be an original signature. If a broker is acting as the processor and or packager of the waste, the broker may act as the agent of the generator and may sign the certification statement for the generator, provided the name and site use permit number of the original generator are identified. If no broker is involved, the generator shall so signify by entry in the broker's section of the form that no broker was involved, e.g., "no broker," and the generator and carrier's section must bear original signatures.

(2) In the case of brokered shipments from more than a single generator, information on each generator's certification shall include data clearly identifying, without reference to other documentation, each package transferred from that generator to the broker. The data shall be compatible with package identifications on the shipment manifest (RSR) from the broker, and with identification markings on the packages.

NEW SECTION

WAC 402-62-050 CLASSIFICATION OF RADIOACTIVE WASTE FOR NEAR-SURFACE DISPOSAL. (1) Considerations. Determination of the classification of waste involves two considerations. First, consideration must be given to the concentration of long-lived radionuclides (and their shorter-lived precursors) whose potential hazard will persist long after such precautions as institutional controls, improved waste form, and deeper disposal have ceased to be effective. These precautions delay the time when long-lived radionuclides could cause exposures. In addition, the magnitude of the potential dose is limited by the concentration and availability of the radionuclide at the time of exposure. Second, consideration must be given to the concentration of shorter-lived radionuclides for which requirements on institutional controls, waste form, and disposal methods are effective.

(2) Classes of waste. (a) Class A waste is waste that is usually segregated from other waste classes at the disposal site. The physical form and characteristics of Class A waste must meet the minimum requirements set forth in WAC 402-62-060(1). If Class A waste also meets the stability requirements set forth in WAC 402-62-060(2), it is not necessary to segregate the waste for disposal.

(b) Class B waste is waste that must meet more rigorous requirements on waste form to ensure stability after disposal. The physical form and characteristics of Class B waste must meet both the minimum and stability requirements set forth in WAC 402-62-060.

(c) Class C waste is waste that not only must meet more rigorous requirements on waste form to ensure stability but also requires additional measures at the disposal facility to protect against inadvertent intrusion. The physical form and characteristics of Class C waste must meet both the minimum and stability requirements set forth in WAC 402-62-060.

(3) Classification determined by long-lived radionuclides. If the waste contains only radionuclides listed in Table 1, classification shall be determined as follows:

(a) If the concentration does not exceed 0.1 times the value in Table 1, the waste is Class A.

(b) If the concentration exceeds 0.1 times the value in Table 1, the waste is Class C.

(c) If the concentration exceeds the value in Table 1, the waste is not generally acceptable for near-surface disposal.

(d) For waste containing mixtures of radionuclides listed in Table 1, the total concentration shall be determined by the sum of fractions rule described in subsection (7) of this section.

Table 1

Radionuclide	Concentration Curies/Cubic Meter
C-14	8
C-14 in activated metal	80
Ni-59 in activated metal	220
Nb-94 in activated metal	0.2
Tc-99	3
I-129	0.08
Alpha emitting transuranic radionuclides with half-life greater than five years	100 ¹
Pu-241	3,500 ¹
Cm-242	20,000 ¹
Ra-226	100 ¹

¹ Units are nanocuries per gram, to convert to becquerels (Bq) per gram multiply by 37, to convert from curies to gigabecquerels (GBq) multiply by 37. Specific approval of the department is required for disposal of these radionuclides if their concentration is greater than ten percent of the Table 1 value.

(4) Classification determined by short-lived radionuclides. If the waste does not contain any of the radionuclides listed in Table 1, classification shall be determined based on the concentrations shown in Table 2. If a nuclide is not listed in Table 2, it does not need to be considered in determining the waste class.

(a) If the concentration does not exceed the value of Column 1, the waste is Class A.

(b) If the concentration exceeds the value in Column 1, but does not exceed the value in Column 2, the waste is Class B.

(c) If the concentration exceeds the value in Column 2, but does not exceed the value in Column 3, the waste is Class C.

(d) If the concentration exceeds the value in Column 3, the waste is not generally acceptable for near-surface disposal.

(e) For wastes containing mixtures of the radionuclides listed in Table 2, the total concentration shall be determined by the sum of fractions rule described in subsection (7) of this section.

Table 2

Radionuclide	Concentration, Curies/Cubic Meter		
	Column 1	Column 2	Column 3
Total of all radionuclides with less than 5-year half-life	700	(*)	(*)
H-3	40	(*)	(*)
Ni-63	3.5	70	700
Ni-63 in activated metal	35	700	7,000
Sr-90	0.04	150	7,000
Cs-137	1	44	4,600

(*) There are no limits established for these radionuclides in Class B or C wastes. Practical consideration such as the effects of external radiation and internal heat generation on transportation, handling, and disposal will limit the concentrations for these wastes. These wastes shall be Class B unless the concentrations of other radionuclides in Table 2 determine the waste to be Class C independent of these radionuclides. Specific approval of the department is required prior to packaging of Class B tritium waste.

(5) Classification determined by both long-lived and short-lived radionuclides. If the waste contains a mixture of radionuclides, some of which are listed in Table 1, and some of which are listed in Table 2, classification shall be determined as follows:

(a) If the concentration of a radionuclide listed in Table 1 is less than 0.1 times the value listed in Table 1, the class shall be that determined by the concentration of radionuclides listed in Table 2.

(b) If the concentration of a radionuclide listed in Table 1 exceeds 0.1 times the value listed in Table 1, the waste shall be Class C, provided the concentration of radionuclides listed in Table 2 does not exceed the value shown in Column 3 of Table 2.

(6) Classification of waste with radionuclides other than those listed in Tables 1 and 2. If the waste does not contain any radionuclides listed in either Table 1 or 2, it is Class A.

(7) The sum of the fractions rule for mixtures of radionuclides. For determining classification for waste that contains a mixture of radionuclides, it is necessary to determine the sum of fractions by dividing each radionuclide's concentration by the appropriate limit and adding the resulting values. The appropriate limits must all be taken from the same column of the same table. The sum of the fractions for the column must be less than 1.0 if the waste class is to be determined by that column. Example: A waste contains Sr-90 in a concentration of 50 Ci/m³ and Cs-137 in a concentration of 22 Ci/m³. Since the concentrations both exceed the values in Column 1, Table 2, they must be compared to Column 2 values. For Sr-90 fraction, 50/150 = 0.33; for Cs-137 fraction, 22/44 = 0.5; the sum of the fractions = 0.83. Since the sum is less than 1.0, the waste is Class B.

(8) Determination of concentration in wastes. The concentration of a radionuclide may be determined by indirect methods such as use of scaling factors which relate to the inferred concentration of one radionuclide to another that is measured, or radionuclide material accountability, if there is reasonable assurance that the indirect methods can be correlated with actual measurement. The concentration of a radionuclide may be averaged over the volume of the waste, or weight of the waste if the units are expressed as nanocuries per gram. Guidance on determining waste concentrations in "NRC Low-level Waste Licensing Branch Technical Position on Radioactive Waste Classification," May 1983.

NEW SECTION

WAC 402-62-060 ACCEPTABLE RADIOACTIVE WASTE FORMS AND PACKAGING. (1) Packaging.

(a) Wastes shall be packaged in conformance with the conditions of the license issued to the site operator to which the waste will be shipped. Where the conditions of the site license are more restrictive than the provisions of these regulations, the site license condition shall govern. As a minimum, radioactive waste must be packaged in such a manner that waste containers received at the facility do not show:

- (i) Significant deformation;
- (ii) Loss or dispersal of contents;
- (iii) An increase in the external radiation levels recorded on the manifest, within instrument tolerances; or
- (iv) Significant containment degradation due to rust or other chemical actions.

(b) Wastes shall not be packaged for disposal in cardboard or fiberboard. Wood boxes are prohibited after February 28, 1987.

(c) A process control program shall be used which validates the following:

- (i) Liquid waste shall be packaged in sufficient approved absorbent material to absorb twice the volume of the liquid, solidified using an approved solidification agent, or stabilized using an approved stabilization agent.
- (ii) Solid wastes containing liquid shall contain as little free-standing and noncorrosive liquid as is reasonably

achievable, but in no case shall the liquid exceed one percent of the volume.

(d) Waste shall not be readily capable of detonation or of explosive decomposition or reaction at normal pressures and temperatures, or of explosive reaction with water.

(e) Waste shall not contain, or be capable of generating quantities of toxic gases, vapors, or fumes harmful to persons transporting, handling, or disposing of the waste. This does not apply to radioactive gaseous waste packaged in accordance with (g) of this subsection.

(f) Pyrophoric materials contained in wastes shall be treated, prepared, and packaged to be nonflammable.

(g) Waste in gaseous form must be packaged at a pressure that does not exceed 1.5 atmospheres at 20°C. Total activity shall not exceed 100 curies (3.7×10^{12} Bqs) per container. Class A gaseous waste shall be contained within United States department of transportation specification cylinders. Specific approval of the department is required if the gaseous waste is Class B or C.

(h) Wastes containing hazardous, biological, pathogenic, or infectious material shall be treated to reduce the maximum extent practicable the potential hazard from the nonradiological materials. Void spaces within the waste and between the waste and its package shall be reduced to the extent practicable. Wastes subject to regulation under Resource Conservation and Recovery Act (RCRA) are not allowed at the disposal site.

(i) Radioactive consumer products, the use and disposal of which is exempt from licensing control, may be received without regard to concentration limits of WAC 402-62-050 Table 2 provided the entire unit is received and is packaged with sufficient sorbent material so as to preclude breakage and rupture of its contents. This subsection allows the disposal of such consumer products as intact household or industrial smoke detector units containing Americium-241 foils and radium or radioactive materials incorporated into self-luminous devices and electron tubes.

(2) The following requirements are intended to provide stability of the waste. Stability is intended to ensure that the waste does not degrade and affect overall stability of the site through slumping, collapse, or other failure of the disposal unit and thereby lead to water infiltration. Stability is also a factor in limiting exposure to an inadvertent intruder, since it provides a recognizable and nondispersible waste form.

(a) Classes B, C, and A stable waste shall have structural stability. A structurally stable waste form will generally maintain its physical dimensions and its form, under the expected disposal conditions such as weight of overburden and compaction equipment, the presence of moisture, and microbial activity, and internal factors such as radiation effects and chemical changes. Structural stability can be provided by the waste form itself, processing the waste to a stable form, or placing the waste in a disposal container or structure that provides stability after disposal.

(b) Notwithstanding the provisions in subsection (1)(c) and (d) of this section, liquid waste, or waste containing liquid, shall be converted into a form that

contains as little free-standing and noncorrosive liquid as is reasonably achievable, but in no case shall the liquid exceed one percent of the volume of the waste when the waste is in a disposal container designed to ensure stability, or 0.5 percent of the volume of the waste for waste processed to a stable form.

(c) Void spaces within all waste packages shall be avoided to the maximum extent practicable. In addition, stable wastes shall be managed so that designed void spaces within packages represent no more than fifteen percent of the package volume.

NEW SECTION

WAC 402-62-070 LABELING. The classification marking required by WAC 402-62-050 is in addition to any markings or labeling required by the United States Nuclear Regulatory Commission or the United States Department of Transportation and shall consist of lettering one-half inch high or greater in a durable contrasting color with the background surrounding the lettering. The classification marking shall be visible on the same side as the radioactive marking or label and in close proximity (within six inches). Waste packages marked "Radioactive," "Limited Quantity" or "Radioactive LSA" need only one classification marking whereas waste packages labeled White I, Yellow II, or Yellow III shall have classification markings in close proximity (within six inches) to each label.

NEW SECTION

WAC 402-62-080 VARIANCES. It is inevitable that a small portion of wastes cannot be treated to fully comply with the waste form requirements of this chapter consistent with the ALARA philosophy of chapter 402-10 WAC. A waste disposal site operator may apply to the department for a variance provided:

- (1) The variance requested is not for a continuing process or waste stream;
- (2) An equivalent or greater degree of protection is provided by the proposed alternative; and
- (3) All reasonable methods of complying with the existing requirement have been considered.

NEW SECTION

WAC 402-62-090 TRANSFER FOR DISPOSAL AND MANIFESTS. (1) Each shipment of waste to a licensed land disposal facility shall be accompanied by a shipment manifest that contains the name, address, and telephone number of the person generating the waste. The manifest shall also include the name, address, and telephone number of the person transporting the waste to the land disposal facility. The manifest shall also indicate as completely as practicable: A physical description of the waste; the waste volume; radionuclide identity and quantity; the total radioactivity; and the principal chemical form. The solidification agent shall be specified. Wastes containing more than 0.1 percent chelating agents by weight shall be identified and the weight percentage of the chelating agent estimated. Wastes classified as Class A, Class B, or Class C in WAC 402-62-

050 shall be clearly identified as such in the manifest. The total quantity of the radionuclides H-3, C-14, Tc-99 and I-129 must be shown.

(2) The manifest required in subsection (1) of this section may be shipping papers used to meet United States Department of Transportation or United States Environmental Protection Agency regulations or requirements of the receiver, provided all of the required information is included.

(3) Each manifest shall include a certification by the waste generator that the transported materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation according to the applicable regulations of the United States Department of Transportation and the agency. An authorized representative of the waste generator shall sign and date the manifest.

(4) Any generator licensee who transfers waste to a land disposal facility or a licensed waste collector shall comply with the following requirements. Any licensee who transfers waste to a licensed waste processor who treats or repackages waste shall comply with the requirements of (d) through (h) of this subsection. A licensee shall:

(a) Prepare all wastes so the waste is classified according to WAC 402-62-050 and meets the waste characteristics requirements in WAC 402-62-060.

(b) Label each package of waste to identify whether it is a Class A waste, Class B waste or Class C waste, in accordance with WAC 402-62-050;

(c) Conduct a quality control program to assure compliance with WAC 402-62-050 and 402-62-060; the program must include management evaluation of audits;

(d) Prepare shipping manifests to meet the requirements of subsections (1) and (3) of this section;

(e) Forward a copy of the manifest to the intended recipient, at the time of shipment; or, deliver to a broker at the time the waste is collected, obtaining acknowledgement of receipt in the form of a signed copy of the manifest from the broker;

(f) Include one copy of the manifest with the shipment;

(g) Retain a copy of the manifest with documentation of acknowledgement of receipt as the record of transfer of licensed material as required by these regulations;

(h) For any shipments or any part of a shipment for which acknowledgement of receipt has not been received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(5) Any waste broker licensee who handles prepackaged waste shall:

(a) Acknowledge receipt of the waste from the generator within one week of receipt by returning a signed copy of the manifest.

(b) Prepare a new manifest to reflect consolidated shipments; the new manifest shall serve as a listing or index for the detailed generator manifests. Copies of the generator manifests shall be a part of the new manifest.

The waste broker may prepare a new manifest without attaching the generator manifests, provided the new manifest contains for each package the information

specified in subsection (2) of this section. The broker licensee shall certify that nothing has been done to the waste which would invalidate the generator's certification.

(c) Forward a copy of the new manifest to the land disposal facility operator at the time of shipment;

(d) Include the new manifest with the shipment to the disposal site.

(e) Retain a copy of the manifest with documentation of acknowledgement of receipt as the record of transfer of licensed material as required by these regulations, and retain information from generator manifests as required by these regulations, and retain information from generator manifests until disposition is authorized by the agency; and

(f) For any shipments or any part of a shipment for which acknowledgement of receipt is not received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(6) Any licensed waste processor who treats or repackages wastes shall:

(a) Acknowledge receipt of the waste from the generator within one week of receipt by returning a signed copy of the manifest.

(b) Prepare a new manifest that meets the requirements of subsections (1), (2), and (3) of this section. Preparation of the new manifest reflects that the processor is responsible for the waste;

(c) Prepare all wastes so that the waste is classified according to WAC 402-62-050 and meets the waste characteristics requirement in WAC 402-62-060.

(d) Label each package of waste to identify whether it is Class A waste, Class B waste, or Class C waste, in accordance with WAC 402-62-050 and 402-62-070.

(e) A quality control program shall be conducted to assure compliance with WAC 402-62-050 and 402-62-060. The program shall include management evaluation of audits;

(f) Forward a copy of the new manifest to the disposal site operator or waste broker at the time of shipment, or deliver to a broker at the time the waste is collected, obtaining acknowledgement of receipt in the form of a signed copy of the manifest by the broker.

(g) Include the new manifest with the shipment;

(h) Retain copies of the original manifests and new manifests with documentation of acknowledgement of receipt as the record of transfer of licensed material required by these regulations.

(i) For any shipment or part of a shipment for which acknowledgement is not received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(7) The land disposal facility operator shall:

(a) Acknowledge receipt of the waste within one week of receipt by returning a signed copy of the manifest to the shipper. The shipper to be notified is the licensee who last possessed the waste and transferred the waste to the operator. The returned copy of the manifest shall indicate any discrepancies between materials listed on the manifest and materials received;

(b) Maintain copies of all completed manifests until the agency authorizes their disposition; and

(c) Notify the shipper (i.e., the generator or the broker) and the agency when any shipment or part of a shipment has not arrived within sixty days after the advanced manifest was received.

(8) Any shipment or part of a shipment for which acknowledgement is not received within the time set forth in this section must:

(a) Be investigated by the shipper if the shipper has not received notification of receipt within twenty days after transfer; and

(b) Be traced and reported. The investigation shall include tracing the shipment and filing a report with the agency. Each licensee who conducts a trace investigation shall file a written report with the agency within two weeks of completion of the investigation.

Chapter 402-70 WAC SCHEDULE OF FEES

WAC

402-70-010	Purpose and scope.
402-70-020	Definitions.
402-70-030	Payment of fees.
402-70-050	Method of payment.
402-70-070	Fees for licensing and compliance actions.
402-70-080	Fees for perpetual care and maintenance.
402-70-090	Failure by applicant or licensee to pay prescribed fees.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-70-010 PURPOSE AND SCOPE. This chapter establishes fees charged for licensing and inspection services rendered by the office of radiation (~~(control program)~~) protection as authorized under (~~(section 3, chapter 110, Laws of 1979 1st ex. sess)~~) RCW 70.121.030. These fees apply to owners and operators of uranium or thorium milling operations and their associated tailings or waste.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-70-020 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) (~~("Administrative amendment" means one that is routine in nature or has no health, safety or environmental significance.~~

~~(2))~~) "Application" means a completed RHF-1 or equivalent with supporting documentation requesting the department to grant authority to receive, possess, use, transfer, own or acquire radioactive materials.

~~((3))~~) (2) "Department" means the department of social and health services which has been designated as the state radiation control agency.

~~((4))~~) (3) "Inspection" means an official examination or observation by the department including but not limited to tests, surveys and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the department.

~~((5))~~ (4) "License" means a license issued by the department in accordance with the regulations adopted by the department.

~~((6))~~ "Major amendment" means one requiring evaluation of many aspects of licensed activities where the proposed action could present a potential risk to the public health and safety or which requires an environmental impact statement.

(7) "Minor amendment" means one where health, safety or environmental considerations may be easily resolved or an environmental impact statement is not required.) (5) "Perpetual care and maintenance" means further maintenance, surveillance or other care of milling or tailings impoundment sites after termination of the site operator's decommissioning responsibilities and license.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-70-030 PAYMENT OF FEES. (1) Application (~~(fees)~~): Each application (~~(for which a fee is prescribed)~~) shall be accompanied by a remittance in the full amount of the initial application fee. No application will be processed prior to payment of the full amount specified. Applications for which no remittance is received may be returned to the applicant. (~~All application fees will be charged irrespective of the department's disposition of the application or of a withdrawal of the application~~) The applicant shall pay any additional actual costs involved with processing the application, and will be billed on a calendar quarter basis. The initial application fee shall be a credit to the applicant's quarterly billings.

(2) (~~License fees: A fee to cover the cost of the independent environmental assessment plus any cost of an extensive program review not covered by the application fee will be payable upon notification by the department when the review of the project is complete. The license fee will not exceed that specified in WAC 402-70-070. The fee must be received prior to issuance of the license.~~)

(3) ~~Amendment fees: The appropriate amendment fees shall accompany the application for amendment. The department will examine the expenditures for professional manpower and appropriate support services and will, where applicable, refund any overcharges or bill the applicant for the additional amendment fee. In no event will the fee exceed that specified in WAC 402-70-070(1). The fee for administrative amendments is a fixed charged. Unilateral amendments or amendments which result from written department requests may be exempted from these fees at the discretion of the department when the amendment is issued for the convenience of the department.~~

(4) ~~Renewal fees: The renewal fee shall accompany the renewal application. Upon completion of the program review, the department will examine the expenditures for professional manpower and appropriate support services and will, where applicable, refund any overcharges.~~

(5) ~~Inspection fees: An annual fee shall be charged to cover the cost of inspections for determining compliance~~

~~with the provisions of the license including the manpower, laboratory and support services costs associated with the routine environmental monitoring undertaken. The department will examine the expenditures for professional manpower and appropriate support services and will, when applicable, refund any overcharges. In no event will the annual fee exceed that specified in WAC 402-70-070(2))~~ Operations: A charge shall be made to each uranium or thorium milling operation covering the actual expenses incurred by the department in determining compliance with the provisions of established regulations and conditions of the license. The licensee will be billed each calendar quarter until the license is terminated by the department. The quarterly bills will delineate the manpower, laboratory and support service costs associated with routine regulatory activities completed by the department.

(3) Amendment: The actual costs incurred in reviewing and processing an amendment to a license will be added to and included with the department's calendar quarter charge for routine regulatory activities.

(4) Renewal: The actual costs incurred in reviewing and processing an application for renewal will be added to and included with the department's calendar quarter charge for routine regulatory activities.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-70-050 METHOD OF PAYMENT. (1) Fee payments shall be by check, draft or money order made payable to the department of social and health services.

(2) Fees are due and payable upon submission of the application for license (~~license renewal or amendment, or upon notification by the department~~) or within thirty days of receipt of a bill for actual costs incurred per calendar quarter.

~~((3))~~ The provisions of subsection (2) of this section notwithstanding, the department may enter into an agreement with any applicant or licensee to prorate any or all fees which may be required on whatever frequency or payment schedule which may be mutually satisfactory. Such agreement may provide for adjustments in the amount of the periodic payments to compensate for actual costs to the department for program review. The agreement shall be renewed in conjunction with each license renewal.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-70-070 FEES FOR LICENSING AND COMPLIANCE ACTIONS. (1) Licenses specifically authorizing the receipt, possession or use of natural uranium and its decay daughters for the extraction of uranium or thorium compounds (~~and~~) or for the reclamation and disposal of the associated tailings or waste shall be subject to ((the following fees for the listed licensing actions)) quarterly payment of expenses incurred by the department. Expenses of the department include those activities which determine licensee's compliance with

terms and conditions of the license, review licensing requests and requirements, or maintain a uranium mill program which is compatible with the requirements of the United States Nuclear Regulatory Commission.

((a) Application fee	\$ 27,000
(b) License fee	\$ 165,000
(c) Amendment fee	
Major	\$ 10,000
Minor	\$ 800
Administrative	\$ 85
(d) Renewal fee	\$ 10,000)

~~(2) ((Licenses specifically authorizing the receipt, possession, or use of natural uranium and its decay daughters for the extraction of uranium or thorium compound and for the reclamation and disposal of the associated tailings or waste shall be subject to an annual inspection fee of ninety thousand dollars to cover the cost of monitoring for compliance with the terms and conditions of the license)) The initial application fee shall be twenty-five thousand dollars. Annual costs shall not exceed ninety thousand dollars for any licensee, except when an environmental impact statement shall be prepared in accordance with chapter 173-11 WAC in which case annual costs shall not exceed two hundred thousand dollars for any licensee.~~

NEW SECTION

WAC 402-70-080 FEES FOR PERPETUAL CARE AND MAINTENANCE. Licenses specifically authorizing the receipt, possession, or use of natural uranium and its decay daughters for the extraction of uranium or thorium compounds or for the reclamation and disposal of the associated tailings or waste shall be subject to quarterly payments of twenty cents per kilogram of uranium or thorium compound milled out of the raw ore. This payment is due thirty days after the end of each calendar quarter. A minimum charge of two hundred fifty thousand dollars (1978 dollars) accrued as specified in WAC 402-22-070 (6)(d) to cover the costs of long-term surveillance shall be paid by each mill operator to the department prior to the termination of a uranium or thorium mill license. The maximum amount paid by each licensee for perpetual care and maintenance shall not exceed one million dollars.

AMENDATORY SECTION (Amending Order 1459, filed 11/30/79, effective 1/1/80)

WAC 402-70-090 FAILURE BY APPLICANT OR LICENSEE TO PAY PRESCRIBED FEES. In any case where the department finds that an applicant or a licensee has failed to pay a prescribed fee (~~required by this chapter~~) or actual costs incurred during a calendar quarter, the department will not process any application and may suspend or revoke any license or approval involved or may issue an order with respect to licensed activities as the department determines to be appropriate or necessary in order to carry out the provisions of this chapter.

Chapter 402-80 WAC
MONITORING AND ENFORCEMENT OF AIR QUALITY AND EMISSION STANDARDS FOR RADIONUCLIDES

WAC	
402-80-010	Purpose.
402-80-020	Applicability.
402-80-030	Exemptions.
402-80-040	Definitions.
402-80-050	Standards.
402-80-060	Registration.
402-80-070	New and modified sources.
402-80-080	Monitoring and reporting.
402-80-090	Special reports.
402-80-100	Regulatory actions.

NEW SECTION

WAC 402-80-010 PURPOSE. The purpose of this chapter is to establish procedures for the monitoring, control, and reporting of airborne radionuclide emissions from specific sources to assure compliance with applicable standards.

NEW SECTION

WAC 402-80-020 APPLICABILITY. This chapter shall apply state-wide. These provisions apply to:

- (1) Facilities licensed by the department or by the United States Nuclear Regulatory Commission;
- (2) United States Department of Energy (DOE) facilities;
- (3) Non-DOE federal facilities that emit radionuclides to the air; and
- (4) Any other facilities having emissions of radionuclides to the air in amounts that can potentially cause a dose equivalent in excess of five mrem/year to the whole body or 15 mrem/year to the critical organ of any member of the public.
- (5) These provisions do not apply to facilities regulated under other state authorities, specifically:
 - (a) Uranium mill sites (chapter 402-52 WAC);
 - (b) Nuclear power reactors (chapter 463-54 WAC).

NEW SECTION

WAC 402-80-030 EXEMPTIONS. Types of facilities listed in Table I are exempt from this chapter because they either release no airborne radioactivity or because it has been determined that they would prima facie be in compliance with the standard.

TABLE I

- (1) Users of only sealed sources.
- (2) Low-energy accelerators (<200 MeV).
- (3) Reserved.

NEW SECTION

WAC 402-80-040 DEFINITIONS. As used in this chapter, these terms have the definitions set forth below.

- (1) "Best available radionuclide control technology (BARCT)" means technology which will result in a radionuclide emission limitation based on the maximum

degree of reduction for radionuclides which would be emitted from any proposed stationary source or modification of a source which the permitting authority on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques. In no event shall application of best available radionuclide technology result in emissions of radionuclides which would exceed the ambient annual standard limitation specified in this chapter.

(2) "Critical organ" means the most exposed human organ or tissue exclusive of the integumentary system (skin) and the cornea.

(3) "Department" means the department of social and health services.

(4) "Dose equivalent" means the product of absorbed dose and appropriate factors to account for differences in biological effectiveness due to the quality of radiation and its distribution in the body. Units of dose equivalent are mrem.

(5) "Radionuclide" means any nuclide that emits radiation.

(6) "Whole body" means all human organs or tissue exclusive of the integumentary system (skin) and the cornea.

NEW SECTION

WAC 402-80-050 STANDARDS. The ambient air quality standards and emission limits for radionuclides shall be those promulgated by the department of ecology in chapter 173-480 WAC. The WDOE ambient standard requires that emissions of radionuclides to the air shall not cause a dose equivalent of more than 25 mrem/year to the whole body or 75 mrem/year to a critical organ of any member of the public. Doses due to Radon-220, Radon-222, and their respective decay products are excluded from this chapter. These standards are consistent with Environmental Protection Agency Final Rules for National Emission Standards for Hazardous Air Pollutants (Standards for Radionuclides published in 40 CFR Part 61 on February 6, 1985).

NEW SECTION

WAC 402-80-060 REGISTRATION. (1) The owner or operator of each source of airborne radionuclide emissions within the following source categories (unless specifically exempted in WAC 402-80-030) shall register the source with the department:

- (a) NRC-licensed facilities;
- (b) United States Department of Energy Facilities;
- (c) Non-DOE federally owned or operated facilities;
- (d) Any other facility having emissions of radionuclides to air in amounts that cause a dose equivalent in excess of 5 mrem/year to the whole body or 15 mrem/year to the critical organ of any member of the public.

(2) State licensees under the authority of other chapters of Title 402 WAC will be deemed registered.

(3) Registration shall be on forms to be supplied by the department. Upon a determination that registration of a particular source meets department of ecology and department of social and health services regulations, the department of social and health services will issue a permit authorizing the emission source with such conditions and limitations as it deems appropriate or necessary.

(4) Fees for permit issuance and inspection services rendered by the department are covered in WAC 440-44-070. A report of closure shall be filed with the department whenever operations producing emissions are permanently ceased at any source within the above categories.

NEW SECTION

WAC 402-80-070 NEW AND MODIFIED SOURCES. (1) Construction shall not commence, on any new source that is required to register per WAC 402-80-060, until a notice of construction has been approved per WAC 402-80-050.

(2) The owner or operator of any source that is required to register per WAC 402-80-060 shall notify the department prior to replacement of radioactive emission control equipment or process equipment other than replacement for routine maintenance and repair. The department may determine that a notice of construction is required.

(3) The construction, installation or establishment of a new source subject to this chapter shall utilize best available radionuclide control technology (BARCT).

(4) Addition to, or enlargement, modification, replacement, alteration of any process or source, or replacement of radioactive emission control equipment which will significantly change potential radionuclide emissions or significantly change the dose equivalent to any member of the public will require the proposed project to utilize BARCT for emission control.

NEW SECTION

WAC 402-80-080 MONITORING AND REPORTING. (1) The department may conduct an environmental surveillance program to assure that radiation exposures to the public from airborne radionuclide emission sources are in compliance with applicable standards.

(2) As a part of the surveillance program, the department may require the operator of any facility under the jurisdiction of the department to conduct stack sampling, ambient air monitoring, or other testing as necessary and to report the results to the department. Such testing may include computer dose modeling and verification.

(3) The use of continuous monitoring equipment by the facility operator is encouraged but may not be feasible for some radionuclides. If the department determines that continuous monitoring is not a feasible or reasonable requirement, alternative monitoring and reporting procedures will be established on an individual basis. These may take the form of stack tests conducted at a frequency sufficient to establish emission levels over time and to monitor deviations in these levels.

(4) The facility operator or owner shall submit a semiannual inventory of emissions from the source upon a form, and according to instructions, issued by the department.

(5) The semiannual inventory shall specify the quantities of each of the principal radionuclides released to unrestricted areas in airborne emissions during the previous six months. This data shall be reported in a manner that will permit the department to confirm the potential annual radiation doses to the public. Reports shall be due in writing by May 1 and November 1 of each year.

(6) To determine compliance with applicable standards, radionuclide emissions shall be determined and dose equivalent to members of the public shall be calculated using EPA-approved sampling procedures, EPA codes AIRDOS-EPA and RADRISK, or other procedures, including those based on environmental measurements, that the department has determined to be suitable. In most cases, compliance will be determined by calculating the dose to members of the public at the point of maximum annual air concentration in an unrestricted area.

(7) The following is a list of approved procedures:
(to be provided later)

(8) In order to demonstrate compliance with this chapter, the department may require that a test be made of the emission source. The operator of the source may be required to provide a sampling platform and sampling ports for the department to perform an emission test. The department shall be allowed to obtain a sample from any emissions unit. The operator may observe the sampling and may obtain a sample at the same time.

NEW SECTION

WAC 402-80-090 SPECIAL REPORTS. The facility operator shall advise the department immediately of any shutdown, abnormal operation, or other change in facility operation which could result in an airborne radionuclide emissions violation of applicable standards. If requested by the department, the owner/operator shall submit a written report including known causes, corrective actions taken, and any preventative measures to be taken to minimize or eliminate the chance of recurrence. (See WAC 402-24-190).

NEW SECTION

WAC 402-80-100 REGULATORY ACTIONS. The department may take any of the following regulatory actions to enforce this chapter.

(1) Notice of violation. Whenever the department has reason to believe that any provision of this chapter has been violated, it may cause written notice to be served on the alleged violator or violators. The notice shall specify the provision of this chapter alleged to be violated and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time.

(2) Compliance orders. The department may issue a compliance order in conjunction with a notice of violation. The order shall require the recipient of the notice

of violation either to take necessary corrective action or to submit a plan for corrective action and a date when such action will be initiated.

(3) Assurance of discontinuance. The department may accept an assurance of discontinuance of any act or practice deemed in violation of this chapter. Any such assurance shall specify a time limit during which discontinuance is to be accomplished. Failure to perform the terms of any such assurance shall constitute prima facie proof of a violation of this chapter which make the alleged act or practice unlawful for the purpose of securing an injunction or other relief from the superior court.

(4) Violations. An injunction or other court order may be obtained prohibiting any violation of any provision of the act or any regulation or order issued thereunder. Any person who violates any provision of the act or any regulation or order issued thereunder may be guilty of a gross misdemeanor and upon conviction, may be punished by fine or imprisonment or both, as provided by law.

(5) Impoundment. Sources of radiation shall be subject to impoundment pursuant to WAC 402-12-140.

WSR 87-01-032

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1913—Filed December 12, 1986]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to grain fees, chapter 16-212 WAC.

This action is taken pursuant to Notice No. WSR 86-22-058 filed with the code reviser on November 5, 1986. 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 22.09 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 December 12, 1986.

By Michael V. Schwisow
Director

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-030 GENERAL PROVISIONS FOR HOURLY CHARGES.

(1) Straight time, rate per hour \$ 23.00
This hourly rate shall be applied on any job where the fee is not sufficient to provide revenue of \$23.00 per hour, per employee, and where no other hourly rate or fee is specified in the schedule of fees and charges. Whenever the lot size or workload is not of sufficient size

to generate \$23.00 per hour, per employee, an additional fee shall be assessed so that total revenue generated is equal to the \$23.00 rate: PROVIDED, That such revenue insufficiency may be established on the basis of the average hourly revenue generated at the worksite over the Monday through Sunday work week, upon written request of the applicant for service. In the absence of such request, fees shall be assessed on a daily basis.

(2) Overtime, and night shift rate per hour \$ 6.00

Whenever a service is requested before or after regularly scheduled working hours, Monday through Friday, or anytime on Saturdays, Sundays or holidays, a fee of \$6.00 per hour, per employee, shall be charged in addition to the regular inspection and weighing fees.

(a) Requests for service on Saturdays, Sundays, or holidays, or for work shifts other than 8:00 a.m. to 5:00 p.m., Monday through Friday, must be received by the inspection office no later than ~~((2:00))~~ 4:00 p.m. of the last regularly scheduled working day prior to the requested service. When the request is not received by ~~((2:00))~~ 4:00 p.m., service will be provided where personnel are available, but an additional fee of \$4.00 per hour, per employee, will be assessed for that shift.

(b) Requests for service which is beyond the scope or volume normally provided at an inspection site must be received by the inspection office no later than ~~((2:00))~~ 4:00 p.m. of the last regularly scheduled working day prior to the date of the requested service in order for the department to guarantee to have adequate staff available to perform the service.

(c) Whenever an employee is called from home after regular working hours, or on a Saturday, Sunday or holiday, a minimum of two additional hours shall be charged at the rate of \$10.00 per hour and added to other fees charged.

(d) Scheduled night shifts.

At all designated inspection points, for night shifts, Monday through Friday (usually from 6:00 p.m. to 3:00 a.m.) that are, or will be, continuous for a period of one month or longer, with only an occasional work stoppage, additional overtime fees per hour will not apply(~~PROVIDED, That the workload is sufficient in size so that inspection and weighing fees generated that shift will defray the department's cost of \$23.00 per hour, per employee. If not, an additional charge shall be assessed to equal \$23.00 per hour, per employee.~~)).

(i) The department shall be given at least seven calendar days notice, in writing, to establish a scheduled night shift. If notice is not given, a fee of \$6.00 per hour, per employee, shall be assessed until the seven day notice period has elapsed.

(ii) The department shall be given at least twenty-one calendar days' notice, in writing, of cancellation of any scheduled night shift operation. If such notice is not given, a fee of \$6.00 per hour, per employee, shall be assessed for each hour under the regular night shift schedule that would have been worked until the twenty-one day notice period has elapsed.

(3) Standby rate per hour \$ 25.00
Whenever a service is requested before or after working hours, Monday through Friday or anytime on Saturdays,

Sundays or holidays, and service cannot be performed through no fault of the department, a minimum of four hours at the standby rate of \$25.00 per hour, per employee, shall be charged. Whenever a service is requested before or after working hours or anytime on a Saturday, Sunday or holiday, and a cancellation of such request is not received by ~~((2:00))~~ 4:00 p.m. of the last regularly scheduled working day prior to the requested service, the four hour standby charge shall be applied.

(4) Guarantee of expense. When a service is requested that requires assignment of personnel at a facility where the volume of work at the established fees may not be adequate to pay the cost of providing the service, a guarantee of the expense of providing the service may be required. These facilities may enter into agreement with the department at guaranteed staffing levels and negotiated minimum hours and unit fees.

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-060 OFFICIAL INSPECTION AND/OR WEIGHING FEES UNDER THE UNITED STATES GRAIN STANDARDS ACT.

(1) Combination inspection and weighing fees. Ships, barges, unit trains and transfers of bulk grain.

- (a) From vessel to elevator, per ton \$ 0.12
- (b) Bin transfers, per ton \$ 0.12
- (c) From elevator to vessel, per ton \$ 0.12
- (d) From railcars of a unit train, sampled by diverter samplers, batch weighed and inspected under the subplot inspection plan in

units of not less than five cars, per ton..... \$ 0.12

(2) Inspection only of railroad boxcars, open hopper-type cars or covered hopper-type cars, original inspection.

(a) When sampled by United States department of agriculture approved mechanical belt, spout or leg type samplers at plants, per car \$ 14.50

(b) When sampled by United States department of agriculture approved grain trier, original and subsequent original inspections, per car \$ 23.00

(3) Inspection only of trucks, per truck \$ 14.00

(4) Reinspections of railroad boxcars, open hopper-type cars, covered hopper-type cars, ship subplot samples, barge lots, truck lots, and submitted samples.

(a) When based on an official file sample, per reinspection \$ 8.50

(b) When based on a new sample, for railcars only, per reinspection \$ 23.00

(c) When based on a new sample, for trucks only, per reinspection \$ 14.00

(5) Submitted samples, per inspection ... \$ ~~((6-25))~~ 7.00

(6) Factor analysis and/or certification.

(a) Factors added to existing certificates, or requested on ship subplot analyses, that do not affect the grade(~~(:)~~): per factor \$ 2.50

PROVIDED, That on submitted sample certificates of grade for wheat and barley, dockage to the nearest one-

tenth percent will be shown in remarks section and, for wheat, foreign material shown on the factor line, when it is not a grading factor, without additional charge.

(b) Factor certification only (maximum of two factors), per certificate \$ 3.00

(i) Additional factors added to a factor certificate, per factor \$ 2.50
(A maximum of \$6.25 will be charged for grading factors only.)

(ii) When submitted samples are not of sufficient size to provide official grade analysis, obtainable factors will be provided, upon request of the applicant, at the factor only rate.

(7) Official (NIR) protein analysis.

(a) Protein in conjunction with official inspection for grade \$ 6.25

(b) Protein only, submitted sample or re-inspection \$ 8.50

(c) Protein based on official sample, add applicable sampling charges.

(8) Inspection of sacked grain at inspection points, per cwt \$ 0.06

(9) Checkloading sacked grain, per manhour \$ 23.00

(10) Waxy corn determination, on request, per determination \$ 12.00

(11) Stowage examinations – ships, barges or vessels.

(a) Per stowage space and/or tank, per examination \$ 22.50

(b) Initial inspection, minimum charge \$112.00

(c) Subsequent inspections, minimum charge \$ 67.50

(d) Stowage examinations will be made on ships or vessels at anchor in midstream when requested.

(i) It is the responsibility of the applicant to provide safe transportation by licensed tug or water taxi to and from the vessel.

(ii) A minimum of two hours of regular time at \$23.00 per hour (one inspector) for general cargo vessels and a minimum of four hours of regular time at \$23.00 per hour (two inspectors) shall be charged for tankers in addition to the established inspection fee.

(iii) Inspections can only be made at the convenience of the grain inspection office, during daylight hours, under safe working conditions, when weather conditions permit.

(iv) Inspections can only be made within the area of the designated tidewater grain inspection office.

(v) A ship's or vessel's officer or company agent shall accompany the licensed shiphold inspector(s).

(e) A minimum of four hours per inspector at the applicable overtime rate shall also be assessed on Saturdays, Sundays, or holidays.

(12) Other stowage examinations.

(a) Sea van-type containers (when check-loading is not required) \$ 7.60

(b) Railroad cars, trucks and other containers, not in conjunction with loading, per container \$ 7.60

(13) Checktesting of diverter and mechanical samplers, per manhour \$ 23.00

(14) Ship samples.

(a) Ship composite samples.

(i) Initial set of samples to applicant (maximum of three samples) no charge

(ii) Additional samples or samples at the request of other interested parties, per sample (two sample minimum when not requested with initial set) \$ 5.00

(b) Ship samples on a subplot basis, per sample \$ 5.00

(15) Weighing services.

(a) Class X weighing services.

(i) From railroad boxcars, open or covered hopper-type cars (without inspection required) or vessels to elevator (grain only), per ton \$ 0.10

(ii) From elevator to boxcars, open or covered hopper-type cars, barges (without inspection required) or vessels (without inspection, grain only), per ton \$ 0.10

(iii) Bin transfers (grain only), per ton \$ 0.10

(iv) Trucks, per truck or weight lot \$ 7.00

(b) Class Y weighing services, per manhour \$ 23.00

(c) Checkweighing of sacked grain, per manhour \$ 23.00

(d) Scale certification/checktesting of official weighing scales.

(i) Weights and measures scale specialist, per manhour \$ 31.50

(ii) Grain inspection personnel, per manhour \$ 23.00

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-070 OFFICIAL SERVICES UNDER THE AGRICULTURAL MARKETING ACT OF 1946.

(1) Hay inspection.

(a) Complete inspection (minimum charge \$30.00), per ton \$ 1.00

(b) Factor inspection (minimum charge \$20.00), per ton \$ 1.00

(c) Submitted sample inspection, per sample \$ 5.00

(2) Inspection of beans, dry peas, lentils, and similar commodities.

(a) Inspection of bagged commodities at inspection points, per cwt \$ 0.06

(b) Bulk commodity inspection at inspection points, per ton \$ 0.28

(c) Minimum charge for bulk or bagged commodities (one hour) \$ 23.00

(d) Submitted sample inspection, per sample \$ 13.00

(3) Weighing and combination inspection/weighing services for bulk commodities.

(a) Weighing only, other than grain, per ton \$ 0.11

(b) Combination inspection/weighing of bulk commodities under federal grade

standards, state standards, or for factor determinations, per ton \$ 0.12

(c) Weigh grain by-products into portable containers including fitness examination of the container, weigh and sample the by-product (thirty ton maximum) \$ 14.00

(4) Factor analysis.

(a) Moisture only \$ 5.00

(b) Additional factors, the determination of which are not required to establish grade, or otherwise not required by regulation, added to an existing certificate, per factor . . . \$ 2.50

(c) Certification, factor only (maximum two factors), per certificate \$ 3.00

(d) Additional factors added to a factor certificate, per factor \$ 2.50 (A maximum of \$13.00 will be charged for grading factors only.)

(e) Analysis of rapeseed for official factors, per certificate \$ 13.00

(f) If official inspection is required for rapeseed, the applicable sampling only fee shall be assessed in addition to the factor analysis fee.

(5) Sampling only, bulk commodities.

(a) Trucks or containers, per carrier \$ 14.00

(b) Boxcars, open or covered hopper-type cars, per car \$ 23.00

(6) Processed commodity and defense personnel support center (DPSC) inspection fees.

(a) Per manhour, two hour minimum, rate per hour \$ 23.00

(b) In addition to the charges, if any, for sampling and other requested service, a fee will be assessed for each laboratory analysis or test identical with the amount charged by the federal grain inspection service for laboratory tests performed under authority of the Agricultural Marketing Act and for any postage or other costs of mailing not included in these fees.

(7) Sanitation inspections.

(a) Initial inspection no charge

(b) Reinspections, four hour minimum, per manhour \$ 23.00

(8) Stowage examinations under the Agricultural Marketing Act.

(a) Ships and vessels.

(i) Initial inspection, basic fee \$150.00

(ii) Subsequent inspections, basic fee \$100.00

(iii) In addition to the basic fee, there shall be levied a fee of \$23.00 per hour, per inspector.

(iv) These inspections shall be subject to the same restrictions and conditions as ship stowage examinations under the United States Grain Standards Act, as per WAC 16-212-060 (11)(d)(i) through (iv).

(b) Other stowage examinations shall be at the rate prescribed for containers listed in WAC 16-212-060(12).

(9) Aflatoxin testing fees.

(a) Black light and/or minicolumn determinations, per hour, per inspector \$ 23.00

(b) Minicolumn determination, per test \$ 15.60

(c) Thin layer chromatography fees and/or minicolumn fees, if applicable, will be assessed for laboratory analyses identical with the amount charged by the federal grain inspection service for that test.

(10) Falling numbers determinations, per determination \$ 12.00

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-082 FEES FOR SERVICES PERFORMED UNDER STATE REGULATION. (1) Inspection of cultivated buckwheat and safflower under Washington state standards shall be at the rate applicable for the same type of sample under the fees for services under the United States Grain Standards Act.

(2) Cracked corn, corn screenings, and mixed grain screenings shall be inspected and/or weighed under the tonnage rate applicable for standardized grains as per WAC 16-212-060.

(3) Unofficial (NIR) protein analysis (barley, mixed grain, etc.), per determination \$ 6.25

(4) Set of ten protein reference samples (one class) standardized with the state monitoring machine, per set \$ 25.00

(5) ~~((Unofficial (NIR) oil determination for sunflower seed, per determination \$ 12.00))~~
Rapeseed inspection under state standards.

(a) Submitted sample for factors or grade, per sample \$ 13.00

(b) When sampled by official personnel, add applicable sampling only fee.

(c) Export inspection and weighing in bulk, per ton \$ 0.12

(d) Inspection of bagged rapeseed, per cwt \$ 0.06

(e) Determination of erucic acid, glucosinolate level and oil content, per set of tests \$ 50.00

Note: This fee is applied in addition to the inspection fee for grading under state standards.

WSR 87-01-033
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 265—Filed December 12, 1986]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98507-1789, that it does adopt the annexed rules relating to:

- New WAC 356-26-140 Background inquiries—Department of Social and Health Services.
- Amd WAC 356-30-330 Reduction in force—Reasons, regulations—Procedure.
- Amd WAC 356-34-090 Protests—Requirements for applicants, examinees, and eligibles.

We, the State Personnel Board, 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 legislature has mandated that applicants for certain types of jobs in the Department of Social and Health Services undergo background inquiries. Without these rules, the background inquiries cannot take place. These rules provide a mechanism to screen out those applicants whose backgrounds are such that they pose a risk to the safety and welfare of children and the developmentally disabled.

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

This rule is promulgated pursuant to RCW 41.06.150 which directs that the State Personnel Board has authority to implement the provisions of RCW 43.20A.710 and 41.06.475.

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 December 11, 1986.

By Leonard Nord
Secretary

NEW SECTION

WAC 356-26-140 BACKGROUND INQUIRIES – DEPARTMENT OF SOCIAL AND HEALTH SERVICES. (1) Within the department of social and health services, a background inquiry shall be completed prior to an applicant's appointment to a position which is directly responsible for the supervision, care, or treatment of children or developmentally disabled persons, except as provided in subsection (4) of this section. For purposes of this section, applicants shall include employees who are notified they are scheduled for reduction in force who wish to consider options to positions covered by this section. The inquiry shall include an examination of the applicant's conviction records, pending criminal charges, and listing as a perpetrator on the department of social and health services central abuse and neglect registry. Inquiry findings shall be used solely for the purpose of determining the character, suitability, and competence of the applicant and may result in denial of employment only for positions covered by this section.

(2) The department of social and health services shall ensure that all applicants being considered for positions covered by this section are aware of the background inquiry requirement.

(3) Positions covered by this section are all positions which have either a direct or supervisory accountability for the supervision, care, or treatment of residents or clients who are either children or developmentally disabled. Positions assigned duties that provide access to

residents or clients who are either children or developmentally disabled, but which are not directly accountable for their supervision, care, or treatment are not covered by this section.

(4) A background inquiry shall be completed on the applicant prior to any permanent or nonpermanent appointment into a position covered by this section, except as waived by the secretary of the department of social and health services or designee. The inquiry shall be conducted only with the applicant's written authorization. Failure to provide written authorization shall disqualify the applicant for both appointment and referral to positions covered by this section. Employees who at the time of consideration for appointment have current probationary, trial service or permanent status in positions covered by this section are exempt from the background inquiry requirement.

(5) A background inquiry shall be completed on applicants prior to an intermittent appointment to a position covered by this section. Individuals on intermittent appointments in positions covered by this section may not exceed twelve continuous months in such an appointment unless they are cleared following a subsequent background inquiry.

(6) Inquiry findings to be considered in determining the applicant's character, suitability and competence to perform in the position shall be limited to:

(a) Conviction of a felony directly related to the position sought if the date of conviction is less than ten years ago. Such conviction will not be considered if it has been the subject of a pardon, annulment or other equivalent procedure based on a finding of innocence.

(b) Conviction of a felony directly related to the position sought, if the date of conviction is more than ten years ago but the date of prison release is less than seven years ago. Such conviction will not be considered if it has been the subject of a pardon, annulment or other equivalent procedure based on a finding of innocence.

(c) Pending felony charges directly related to the position.

For purposes of applying subsection (6)(a) through (c) of this section, the following offenses shall be considered directly related to all positions covered by this section: all crimes involving physical harm or threat of physical harm to persons; all sex related offenses; all public indecency/prostitution offenses; and all offenses identified as being against children or developmentally disabled persons.

(d) Any combination of two or more felony convictions for drug related or malicious harassment offenses if the date of conviction is less than seven years ago. Such conviction will not be considered if it has been the subject of a pardon, annulment or other equivalent procedure based on a finding of innocence.

(e) Conviction of or pending charges for a gross misdemeanor or misdemeanor involving either a minor or prostitution for which the date of conviction or jail release, whichever is more recent, is less than seven years ago.

(f) Listing as a perpetrator on the department of social and health services central abuse and neglect registry within the last six years.

(7) If the inquiry reveals information listed under subsection (6) of this section, no appointment decision shall be made prior to providing the applicant with an opportunity to present evidence to the appointing authority that the inquiry findings should have no bearing on the applicant's character, suitability and competence to perform in the position. In reviewing the inquiry findings, the appointing authority shall take into consideration the recentness and seriousness of the crime, the number of previous offenses, the likelihood of rehabilitation, as well as the vulnerability of the clients to be cared for in determining the applicant's character, suitability, and competence to perform in the position.

(8) An applicant who has been notified of inquiry findings may appeal, pursuant to WAC 356-34-090, the appointing authority's decision not to appoint him or her only after having requested and completed the review provided in subsection (7) of this section.

(9) Background inquiry information is confidential and shall be used solely for the purpose of determining the character, suitability and competence of the applicant. Misuse of background inquiry information is a criminal offense and may result in prosecution and/or disciplinary action as provided under WAC 356-34-010.

AMENDATORY SECTION (Amending Order 232, filed 9/18/85)

WAC 356-30-330 REDUCTION IN FORCE—REASONS, REGULATIONS—PROCEDURE. (1) The reasons for reduction in force actions and the minimum period of notice are:

(a) Employees may be separated in accordance with the statutes and the agencies' approved reduction in force procedures after at least fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes, ineligibility to continue in a position which has been reallocated, or when there are fewer positions than there are employees entitled to such positions either by statute or within other provisions of merit system rules.

(b) When employees have statutory and merit system rule rights to return to the classified service and the total number of employees exceeds the number of positions to be filled in the classification, those employees in excess will have the reduction in force rights prescribed in this section.

(2) The agencies shall develop a reduction in force procedure that is consistent with the following:

(a) For purposes of reduction in force (WAC 356-30-330), seniority shall be determined by the definition in WAC 356-05-390. Ties in seniority will be broken by first measuring the employees' last continuous time within their current classification; if the tie still exists, by measuring the employees' last continuous time in their current agency, and if the tie still exists, by lot.

(b) Clearly defined layoff units, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not to unduly restrict the options available to employees with greater seniority. The definition of layoff units may be a series of

progressively larger units within an agency when a valid option in lieu of separation cannot be offered to respective employees within a lesser-sized unit. Employment projects, established under the provisions of WAC 356-30-145, Project employment, are distinct layoff units, separate and exclusive of any other defined layoff unit or employment project. Seasonal career layoff units, established under the provisions of WAC 356-30-130, Seasonal career employment, are distinct layoff units, separate and exclusive of any other defined layoff unit.

(c) Options in lieu of separation by reduction in force shall be offered by an agency only when such options are in accordance with the agency's reduction in force procedure which has been approved by the director of personnel.

(d) Agency reduction in force procedures shall specify the rights and obligations for employees to accept or reject options offered in lieu of separation due to reduction in force.

(e) "Bumping" by employees with greater seniority will be limited to:

(i) The same layoff unit; and

(ii) Classification in which the "bumping" employee previously held permanent status; and

(iii) Position at the current salary range of the employee doing the bumping, or lower; and

(iv) Employee with the least seniority within the same category of full-time or part-time employment; and

(v) Competition at one progressively lower classification at a time.

(f) An employee may not exercise a bumping option in lieu of separation due to a reduction in force if there is within the agency a vacant position which satisfies all of the criteria set forth below.

The position is one which:

(i) The agency intends to fill;

(ii) Is in the current classification of the employee being offered the option, or in a classification within which the employee being offered the option previously held permanent status;

(iii) Is at a salary range no lower than the range that would have otherwise been a bumping option;

(iv) Is located within a reasonable commuting distance of the employee's permanent work location; and

(v) Is on the same or similar workshift as the one which the employee currently holds.

(g) When an employee has previously held permanent status in more than one classification at the same salary range and is eligible to bump, then the employee shall be offered the option to bump into the position occupied by the employee with the least seniority.

(h) The right to actually "bump" shall be exercised only after the employee to be "bumped" has received at least fifteen calendar days' notice of the scheduled action.

(i) Options of full-time positions will be offered first to full-time employees before part-time positions are offered. For the purpose of these offers, employees who previously accepted part-time positions due to a reduction in force action or to lessen the impact of a reduction in force shall be considered full-time employees.

(j) Seniority for part-time employees will be computed on a basic payroll hour basis within the same provision and restrictions of the general definition of seniority. When part-time employees become full-time employees, their payroll hours will be integrated on a comparable time basis as full-time employees.

(k) Permanent employees who have been scheduled for reduction in force shall have the right to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the director of personnel. This right is to be exercised according to the seniority of those desiring the same vacancy.

(l) Options of other than permanent positions as named in (m) of this subsection are to be made if no permanent position to be filled is available within a reasonable commuting distance.

(m) The reduction in force procedure shall contain the statement that, "No permanent employee shall be separated from state service through reduction in force without being offered within fifteen calendar days prior to what would be the permanent employee's effective separation those positions at the same or lesser salary range within the layoff unit for which he/she qualifies, currently being held by emergency, temporary, provisional, probationary, or intermittent employees."

(n) The salary of an employee who has accepted a lower position will be reduced to the top of the range of the lower class unless the previous salary is within the range of the new class, in which case it will remain unchanged.

(3) The agency shall submit the procedure to the director of personnel for approval.

(4) Vacancies will not be filled either by local list procedures or on a provisional, temporary, intermittent, or seasonal basis without contacting the department of personnel in an effort to fill the positions by qualified employees who have been or are scheduled for separation due to reduction in force.

(5) When a majority of the positions in a layoff unit other than in project employment is to be eliminated because of a lack of funds and/or work, permanent employees in such positions shall be offered, according to their seniority, those positions in classes in which they have held permanent status which are currently being held by emergency, temporary, provisional, or probationary employees; provided they have not rejected offers of vacant positions made by certifications from the registers. Such options shall be offered in accordance with the following requirements:

(a) Positions in the employee's own agency and within a reasonable commuting distance shall be offered first; second, in the classified service within a reasonable commuting distance; third, anywhere within the employee's own agency; and fourth, throughout the classified service.

(b) A permanent employee's right to fill a position may be exercised only within fifteen calendar days prior to the effective date of separation.

(c) Offers will be made in accordance with a procedure established by the director of personnel.

(6) In order to exercise an option to a position which may require selective criteria, the following applies. The option may be exercised only by an employee who possesses the required specialized qualifications when:

(a) The criteria were approved when the position was established, reallocated or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) When, at a subsequent time, it was determined that the position requires the performance of specialized duties that would warrant future selective certification.

(d) In the case of (c) of this subsection, the selective criteria shall not be applied for the purposes of determining reduction in force options until six months after the notification of the new duties has been made to the department of personnel.

(e) In the case of (a), (b) and (c) of this subsection, the director of personnel or designee must have determined that the specialized qualifications are still essential for the successful job performance and the qualifications could not be learned within a reasonable length of time.

(7) Options to positions which are covered by WAC 356-26-140 may be exercised only by employees who, at the time they are notified they are scheduled for reduction in force:

(a) Are exempt from a background inquiry by WAC 356-26-140(4); or

(b) Authorize a background inquiry as provided for in WAC 356-26-140 and are cleared for the option as a result of the inquiry.

AMENDATORY SECTION (Amending Order 244, filed 3/26/86, effective 5/1/86)

WAC 356-34-090 PROTESTS—REQUIREMENTS FOR APPLICANTS, EXAMINEES, AND ELIGIBLES. (1) An applicant whose application has been rejected; an examinee who feels the score or examination is unfair, in error, not applied or arrived at uniformly; ((σ)) an eligible whose name has been removed from the register; or an applicant who is not appointed following a background inquiry and review conducted pursuant to WAC 356-26-140 may request a review by the director of personnel or designee. The request must be in writing and filed at the director of personnel's office within fifteen calendar days following notification of the application rejection, examination score, ((σ)) removal from the register, or the appointing authority's decision.

(2) The director of personnel or designee shall notify the party requesting a review of the date and place of the review at least ten calendar days prior to the review. The review shall be informal and conducted by the director of personnel or designee. The director of personnel or designee may limit attendance of other interested parties if good order, justice, and fairness will be promoted. Within ten calendar days following the review and the receipt of any additional necessary information, the director of personnel or designee shall issue a written determination and send a copy to each of the participating parties.

(3) *An adversely affected party may request a hearing of the personnel board to review the determination of the director of personnel or designee. The request for a personnel board hearing must be in writing and filed at the director of personnel's office within fifteen calendar days following notification of the director's or designee's determination. A hearing before the personnel board shall be scheduled and each party shall be afforded not less than ten calendar days' notice. The personnel board will issue a written decision which will be final.*

WSR 87-01-034
NOTICE OF PUBLIC MEETINGS
SPOKANE COMMUNITY COLLEGES
 [Memorandum—December 11, 1986]

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington Community College District 17 (the Community Colleges of Spokane) during calendar year 1987 shall be held at 1:30 p.m. in the District Board Room at North 2000 Greene Street, Spokane, Washington, on the following dates:

Tuesday, January 20, 1987
 Tuesday, February 17, 1987
 Tuesday, March 17, 1987
 Tuesday, April 14, 1987
 Tuesday, May 19, 1987
 Tuesday, June 16, 1987
 Tuesday, July 21, 1987
 Tuesday, August 18, 1987
 Tuesday, September 8, 1987
 Tuesday, October 20, 1987
 Tuesday, November 17, 1987
 Tuesday, December 15, 1987

WSR 87-01-035
ADOPTED RULES
HIGHER EDUCATION FACILITIES AUTHORITY
 [Order 1—Filed December 12, 1986]

Be it resolved by the Washington Higher Education Facilities Authority, acting at Olympia, Washington, that it does adopt the annexed rules relating to amending current rules regarding authority adoption of a resolution to issue bond (WAC 253-16-070); selection of investment banking firms as underwriters or co-managers (WAC 253-16-090); and selection of bond counsel (WAC 253-16-100).

This action is taken pursuant to Notice No. WSR 86-22-023 filed with the code reviser on October 29, 1986. 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 Higher Education Facilities Authority as authorized in RCW 28B.07.040.

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

APPROVED AND ADOPTED December 11, 1986.
 By John H. Van Gorkom
 Executive Director

AMENDATORY SECTION (Amending Order 3, filed 11/27/84)

WAC 253-16-070 AUTHORITY ACTION ON APPLICATIONS. (1) The authority shall meet to review and consider the staff analysis and recommendations and the application.

(2) The authority may approve an application and adopt a resolution authorizing the issuance of bonds for the requested financing where it determines:

(a) It is necessary or advisable for the benefit of the higher education system for the authority to provide financing for the proposed project;

(b) The applicant can reasonably be expected to achieve successful completion of the higher education facilities to be financed by the authority;

(c) The proposed project and the issuance of bonds by the authority for such project are economically feasible and can be undertaken on terms economically satisfactory to the authority;

(d) The proposed higher education facility, if completed as described in the application, will carry out the purposes and policies of the act;

(e) The applicant has reasonably satisfied the requirements of the act and these regulations; and

(f) Other criteria that the authority has determined are appropriate factors in its decision-making process have been met.

(3) The authority may approve an application on a conditional basis where the criteria of subsection (2) of this section have been met and pending satisfaction of such other conditions or requirements as the authority shall determine to be reasonable and necessary in order to carry out the purposes, policies and requirements of the act and these regulations. The applicant shall be notified in writing of such conditions or requirements, which may include, but need not be limited to, the amendment of an application or proposed bond resolution in order to meet the availability of funds, changes in costs, or other purposes or circumstances which may enhance the ability of the authority or the applicant to complete the project or better serve the purposes and policies of the act. Upon the satisfaction of such additional conditions or requirements, the application shall be deemed approved pursuant to subsection (2) of this section.

(4) The authority may also deny an application; in such event, it shall notify the applicant of such action, specifying in writing the reasons for its denial.

AMENDATORY SECTION (Amending Order 3, filed 11/27/84)WAC 253-16-090 SELECTION OF INVESTMENT BANKING FIRMS AS UNDERWRITERS.

~~(1) ((The authority shall maintain an approved list of underwriters which it deems qualified to act as manager or comanager on an authority bond issue. The applicants may select an investment banking firm as senior managing underwriter for its proposed financing, from this authority maintained list. However, such selection must be approved by the authority. In every instance, the senior manager selected must be able to demonstrate a familiarity, competence and experience in the sale and structuring of higher educational facility bond financing. The applicant shall not enter into any contractual agreement with an underwriter not on the approved list until written approval has been granted by the authority.~~

~~(2) To provide balanced management knowledge and sale distribution and to assure the most realistic bond terms and interest, the authority reserves the right to name investment banking firms as comanagers of any authority bond issue(s). The authority will not name an investment banking firm or firms as a comanaging underwriter or comanaging underwriters on bond issues of less than ten million dollars unless the authority determines that special circumstances so require. On each issue aggregating more than ten million dollars the authority may name a comanager or comanagers. On each issue aggregating more than twenty million dollars the authority may name two or more comanagers. The authority will also review and approve the division of the management fee in each instance where a comanager is named. While the authority will actually select the comanagers, it will consider recommendations from the applicant as to the selection of any comanager or comanagers. In each instance, the applicant will be given a written notification fifteen days prior to the authority's actual designation of an investment banking firm or firms as a comanager on a particular bond issue.~~

~~All compensation of the senior and comanaging underwriters, members of any underwriting syndicate, and placement agents shall be contingent upon the successful issuance and payment for the obligations and shall be paid from the proceeds of the sale or through the underwriting spread. The amount of the compensation for all such parties shall be determined by the authority, after considering the recommendations of the participant.~~

~~(3) Each senior or comanager firm selected)) The authority shall create and maintain a roster of underwriters who the authority believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing the authority's bonds at the lowest possible costs in Washington state as well as nationally.~~

~~(2) Any underwriter may apply to have its name placed on the roster. Each underwriter placed on the roster must be able to demonstrate current competence and experience in the structuring and sale of higher educational facility bond financing. In addition the ((senior~~

~~manager or comanager firm)) underwriter must meet the following minimum standards:~~

~~(a) The firm must have a minimum equity capital of twenty million dollars; and~~

~~(b) The firm must currently possess the competence and ability to underwrite a higher education facility bond issue by demonstrating, among other things, that the firm or it's key underwriting personnel have either managed or comanaged two higher educational facility bond issues within the last three calendar years; or~~

~~(c) The firm has served as a credit facility for a higher education facility within the past three years; or~~

~~(d) The firm meets other criteria as the authority may adopt from time to time which establish a firms ability to prepare for issuance, underwrite and market bonds to be issued by the authority.~~

~~((In all cases the firm should be familiar with higher educational facility financing in Washington state.))~~

~~(3)(a) Whenever the authority decides that it needs the services of an underwriter, it shall provide all underwriters on the roster with a notice of its intentions and shall invite each of them to submit to the authority an itemization of its fees and other charges for providing underwriting services on the issue. The authority shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the authority shall consider the underwriter's fees and other charges and the public interest in achieving issuance of bonds on terms most favorable to the authority.~~

~~(b) The applicant may, at its option, exercise the notice and selection procedures regarding underwriters set forth in (a) of this subsection. In such circumstances the applicant shall supply the authority with written verification that it has complied with the provisions of (a) of this subsection and the applicant shall obtain the authority's prior approval of the actual selection of the underwriter.~~

~~(4)(a) To provide balanced management knowledge and sale distribution and to assure the most realistic bond terms and interest, the authority reserves the right to name investment banking firms as comanagers of any authority bond issue(s). The authority will not name an investment banking firm or firms as a comanaging underwriter or comanaging underwriters on bond issues of less than ten million dollars unless the authority determines that special circumstances so require. On each issue aggregating more than ten million dollars the authority may name a comanager or comanagers. On each issue aggregating more than twenty million dollars the authority may name two or more comanagers. The authority will also review and approve the division of the management fee in each instance where a comanager is named. While the authority will actually select the comanagers, it will consider recommendations from the applicant as to the selection of any comanager or comanagers. In each instance, the applicant will be given a written notification fifteen days prior to the authority's actual designation of an investment banking firm or firms as a comanager on a particular bond issue.~~

~~(b) For purposes of selecting comanagers on any bond issues, the authority shall maintain a roster of qualified~~

comanagers for higher education facility bond issues. Any underwriter may, at any time, apply to the authority to have the underwriter's name placed on the roster or removed from the roster. Any underwriter qualified as a senior manager pursuant to subsection (2) of this section will also be placed on the roster of comanagers. The authority may, from time to time, request updated proposals for underwriter services from firms on the comanager roster. When the authority determines the need to retain comanagers, it shall select comanagers from the roster, with the advice of the applicant, the financial advisor, and the senior underwriter on the particular issue. In selecting a comanager, the authority shall consider each of the following factors:

(i) The underwriter's success in structuring and/or marketing higher education bond issues;

(ii) Underwriter's familiarity with higher education bond issues;

(iii) The underwriter's fee schedule for services;

(iv) The underwriter's regional and/or national reputation with respect to financial and underwriting services and ability to market bonds nationally and regionally as well as in Washington;

(v) Other qualifications which the authority may establish from time to time which indicate the firm's ability to act as a comanager on an authority bond issue.

(5) All compensation of the senior and comanaging underwriters, members of any underwriting syndicate, and placement agents shall be contingent upon the successful issuance and payment for the obligations and shall be paid from the proceeds of the sale or through the underwriting spread. The amount of the compensation for all such parties shall be determined by the authority, after considering the recommendations of the participant.

(6) For private placements the applicants may select a firm as placement agent for its proposed financing, subject to review and approval by the authority. In every instance, the placement agent selected must be able to demonstrate a familiarity with, and competence and experience in, the structuring and sale of higher education facility bonds. The applicant shall notify the authority in writing of its proposed placement agent selection fifteen days prior to the date it intends to enter into a formal contractual agreement. The authority will notify the applicant of its acceptance or rejection of the applicant's placement agent selection no later than ten days after receipt of the applicant's notification. If rejected, the authority will set forth the reasons for rejection, and the applicant will then propose another placement agent subject to authority approval in the same manner. The authority shall, in its discretion, make the final determination whether an issue is a private placement.

AMENDATORY SECTION (Amending Order 3, filed 11/27/84)

WAC 253-16-100 SELECTION OF BOND COUNSEL. The authority will establish a roster of bond counsels whom the authority believes possess the requisite special expertise and professional standing to provide bond counsel opinions which would be accepted

by the underwriters, bond holders, rating agencies and other members of the financial community, and which would be in furtherance of the public interest in obtaining the lowest possible interest rates on bonds issued by the authority.

The authority will notify bond counsel firms that the authority is establishing an initial roster by publishing a notice in a publication commonly circulated among bond counsels, by sending notice to each of the bond counsel firms listed in the Washington state section of the Red Book (Bond Buyers' Directory of Municipal Bond Dealers of the United States — 1984 spring edition) and notifying the Washington State Bar Association. Interested firms will be requested to submit their qualifications for listing on the authority's initial roster, together with its proposal for serving as bond counsel, including a determination as to whether the firm believes that a test suit is necessary as a prerequisite to the issuance of any bonds.

The authority will upon receipt of these submissions establish an initial roster of bond counsel whom the authority believes possess the requisite special expertise and professional standing to provide bond counsel opinions.

Any firm or attorney wishing to be considered for the initial roster or added to the roster shall provide the background, expertise, professional standing and a listing of approving bond counsel opinions previously written to the authority for its consideration in adding the firm's or attorney's name to the roster of bond counsel.

Law firms or attorneys may submit to the authority at any time the request to be included on the roster of approved bond counsel.

Before beginning the selection process for bond counsel from the approved roster, the authority will give notice of its intention to select bond counsel. Each firm or attorney listed on the approved roster will be asked to submit a proposal, including a fee schedule for providing bond counsel services if such proposal and fee schedule would be different from that previously submitted to the authority for establishing the approved roster. The authority when making the initial selection will review the submissions, determine the relative expertise of those who wish to be selected, and will review the fee schedule and whether the firm believes that a test case or litigation is necessary prior to the issuance of the bonds. The authority has wide discretion in selecting the attorney or attorneys or bond firm it considers to be most appropriate to provide the services, but in exercise of this discretion the authority shall consider all submitted fee schedules and the public interest in achieving the issuance of bonds on terms most favorable to the authority.

~~((The authority will select initial bond counsel for up to a two-year period. Once every two calendar years the authority may select an attorney or bond firm to serve as new bond counsel, but))~~ At least once every two calendar years, the authority shall select anew an attorney or attorneys to serve as bond counsel. However, the authority may retain an attorney for longer than two years when necessary to complete work on a particular bond issue. An attorney previously selected may be selected again, but the authority will provide other attorneys or

bond counsel on the roster with an opportunity to be selected prior to this action being taken. The authority also reserves the right to appoint bond counsel with respect to only a particular bond issue or issues.

WSR 87-01-036
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
 [Memorandum—December 12, 1986]

Schedule of 1987 Regular Council Meetings

January 16	1:00 p.m.	Sea-Tac
February 13	1:00 p.m.	Sea-Tac
March 13	1:00 p.m.	Sea-Tac
April 10	1:00 p.m.	Sea-Tac
May 8	1:00 p.m.	Sea-Tac
June 12	1:00 p.m.	Sea-Tac
July 10	1:00 p.m.	Sea-Tac
August 14	1:00 p.m.	Sea-Tac
September 11	1:00 p.m.	Spokane
October 9	1:00 p.m.	Sea-Tac
November 13	1:00 p.m.	Sea-Tac
December 11	1:00 p.m.	Sea-Tac

Committee meetings will normally be scheduled concurrently from 9:00 a.m. to noon before each regular council meeting.

WSR 87-01-037
RULES OF COURT
STATE SUPREME COURT
 [December 8, 1986]

In the Matter of the Adoption
 of the Board for Judicial
 Administration Rules (BJAR)

NO. 25700-A-387
 ORDER

The Court having determined it necessary to adopt BJAR to enhance the administration of justice in Washington's courts and having determined that the referenced Rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to GR 9(i) the Rules as attached hereto are adopted and shall become effective immediately.

(b) That GR 1 is amended to reflect the adoption of these new Rules.

DATED at Olympia, Washington this 8th day of December, 1986.

Vernon R. Pearson

Robert F. Utter

James A. Andersen

Robert F. Brachtenbach

Keith M. Callow

Fred H. Dore

Wm. C. Goodloe

B. Durham

GR 1

PART I: RULES OF GENERAL APPLICATION

General Rules	GR
Code of Judicial Conduct	CJC
Discipline Rules for Judges	DRJ
<u>Board for Judicial Administration Rules</u>	<u>BJAR</u>
Rules of Professional Conduct	RPC
Admission to Practice Rules	APR
Rules for Lawyer Discipline	RLD
Judicial Information System Committee Rules	JISCR
Rules of Evidence	ER

BOARD FOR JUDICIAL ADMINISTRATION
 RULES (BJAR)

RULE 1

BOARD FOR JUDICIAL ADMINISTRATION

It is the intent of the Supreme Court that a Board for Judicial Administration be designated to develop statewide policy to enhance the administration of justice in Washington courts.

RULE 2

COMPOSITION

(a) Membership. The Board for Judicial Administration shall be representative of the judicial branch of government of the state of Washington and shall consist of the Chief Justice and Acting Chief Justice of the Supreme Court, the Presiding Chief Judge and one Chief Judge of the Court of Appeals, the President and President-Elect of the Superior Court Judges' Association, the President and President-Elect of the District and Municipal Court Judges' Association, and two nonvoting members of the Washington State Bar Association appointed by the Board of Governors.

(b) Terms of Office. Except for the nonvoting members the term of membership for the board shall be commensurate with the term of the officers designated in section (a).

(c) Operation. The Chief Justice of the Supreme Court shall be the chair of the board with the vice-chair rotating among the voting members representing the other levels of the judiciary. Meetings of the board shall be called quarterly, or as needed, at the discretion of the chair, or at the request of any member. Ad hoc committees and task forces may also be established for the purpose of conducting special studies and making recommendations to the Board for Judicial Administration.

The Board for Judicial Administration will speak on behalf of the judicial branch of government on those matters which it has unanimously approved and may state the position of the various levels of the court on matters where there is a diversity of opinion.

(d) Scope. The Board for Judicial Administration does not replace or restrict the activities of the existing judicial associations or courts. This rule shall not be construed as extending the Supreme Court's control over the other courts.

RULE 3
STAFF

Staff for the Board for Judicial Administration will be provided by the Administrator for the Courts.

WSR 87-01-038
RULES OF COURT
STATE SUPREME COURT
[December 8, 1986]

IN THE MATTER OF THE RESCISSION OF
MPR 2.5 and the AMENDMENT TO NO. 25700-A-389
MPR 6.1A ORDER

The Court having recommended the rescission of MPR 2.5 and the amendment to MPR 6.1A, and having determined that the rescission and amendment will aid in the prompt and orderly administration of justice; Now, therefore, it is hereby

ORDERED:

(That the Amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 8th day of December, 1986.

	Vernon R. Pearson
Robert F. Utter	James A. Andersen
Robert F. Brachtenbach	Keith M. Callow
Fred H. Dore	Wm. C. Goodloe
	B. Durham

MPR 2.5

[Rescinded. See RCW 71.34.]

JUVENILE COURT PROCEEDINGS

~~(a) Minors over 13 years of age involuntarily committed pursuant to RCW 72.23.070 (3)(c) shall be released from such involuntary detention at the expiration of 1 year unless a new petition is filed pursuant to RCW 72.23.070 (3)(b).~~

~~(b) The term "clearly" as used in RCW 72.23.070 shall describe the standard, "clear, cogent, and convincing."~~

~~(c) An order shall be "necessary" or in the "best interests" of a minor, as those terms are used in RCW 72.23.070, when the minor is gravely disabled or presents a likelihood of serious harm to others or himself.~~

~~(d) In the event the professional person in charge of the facility or his designee seeks to prevent the release of a voluntarily committed minor seeking release pursuant to RCW 72.23.070, the petition or written objections required to be filed by him with the juvenile court shall be the same as a petition for initial involuntary detention of minors (rule 6.1A).~~

MPR 6.1A

PETITION FOR INITIAL INVOLUNTARY
DETENTION OF MINORS

The petition for initial detention of a minor shall contain the following:

(a) The name and address of the petitioner(s) and that the petitioner(s) is (are) the parent, parents, conservator or guardian of the respondent, or that the petitioner is the juvenile court.

(b) The name, address, age, and sex of the respondent.

(c) A statement that the respondent is or is not in detention at the time the petition is filed, and, if so, the name and location of the place of detention.

(d) A statement that the respondent, as a result of mental disorder, presents a likelihood of serious harm to himself or others, or is gravely disabled.

(e) The facts upon which the allegations of the petition are based.

(f) A statement of the alternative courses of treatment which have been considered and that no alternative less restrictive than detention is in the best interest of the respondent.

(g) The name and location of the facility in which respondent will be detained and a statement that such facility is certified by the Department of Social and Health Services to provide evaluation and treatment to persons under 18 years of age suffering from mental disorders.

(h) A demand that a hearing be held to determine whether respondent shall be committed or whether an alternative less restrictive treatment exists.

(i) The petition shall be in substantially the following form:

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

In re the Detention of:	} No. _____ PETITION FOR INITIAL INVOLUNTARY DETENTION OF A MINOR
Respondent.	
	} RCW _____

(Petitioner(s)) is (are) parent, parents, conservator, guardian of (respondent), or juvenile court for _____ County. Petitioner(s)'s address is _____.

(Respondent), residing at (address) in (city or town), Washington, is a male female _____ years of age.

At the time of filing this petition, respondent is is not in detention pursuant to RCW 72.23.070 71.34. If

respondent is in detention, the name and location of the facility in which respondent is in detention are _____

Respondent, as a result of mental disorder, presents a likelihood of serious harm to him/herself, presents a likelihood of serious harm to others, is gravely disabled.

The facts upon which the allegations of this petition are based are: _____

The following alternative courses of treatment have been considered: _____

No alternative less restrictive than detention is in the best interest of the respondent.

The facility in which respondent will be detained is (name and location), certified by the Department of Social and Health Services to provide evaluation and treatment to persons under 18 years of age suffering from mental disorders.

The petitioner(s) request(s) that a hearing be held in the above named court to determine whether respondent shall be involuntarily committed pursuant to RCW 72-23 71.34 or whether there shall be an alternative less restrictive treatment.

Dated this ____ day of _____, 19__.

Petitioner

Petitioner

Sworn and Subscribed on _____

Notary Public for the
State of Washington
Residing at _____
My commission expires on _____

WSR 87-01-039
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed December 15, 1986]

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 day care centers, libraries, orphanages, homes for the aged, homes for sick or infirm, hospitals, amendatory section WAC 458-16-260;

that the agency will at 9:00 a.m., Tuesday, January 27, 1987, in the 1st Floor 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 February 2, 1987.

The authority under which these rules are proposed is RCW 84.36.865.

The specific statute these rules are intended to implement is RCW 84.36.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1987.

Dated: December 15, 1986
By: Trevor W. Thompson
Assistant Director

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: WAC 458-16-260 Daycare centers, libraries, orphanages, homes for the aged, homes for sick or infirm.

Purpose: To clarify and make uniform the criteria for granting property tax exemptions to hospitals.

Statutory Authority: RCW 84.36.865 directs the Department of Revenue to make such rules and regulations as such shall be necessary to permit effective administration of the property tax exemption laws.

Summary and Reasons for the Rule: The proposed rule identifies when nonpatient services by hospitals will cause a hospital department to lose its exempt status. This will promote equity and uniformity in the administration of the exempt property statutes for hospitals.

Drafter of the Rule, Rule Implementation and Enforcement: Richard Kirpes, 6004 South Capitol Boulevard, Tumwater, Washington 98501, (206) 753-1941.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: The department has determined that the proposed rule has no impact on small business.

AMENDATORY SECTION (Amending Order PT 85-1, filed 2/15/85)

WAC 458-16-260 DAY CARE CENTERS, LIBRARIES, ORPHANAGES, HOMES FOR THE AGED, HOMES FOR SICK OR INFIRM, HOSPITALS. Buildings, grounds, and other real and personal property to the extent used, except as provided for in RCW 84.36.805 and subsections (8) and (10) of this section, by the following institutions are exempt from taxation:

- (1) Day care centers, as defined by RCW 74.15.020;
- (2) Preschools;
- (3) Free public libraries;
- (4) Orphanages and orphan asylums;
- (5) Homes for the aged;
- (6) Homes for the sick or infirm;
- (7) Hospitals for the sick including any portion of the hospital building or other buildings used as a nurse's home or residence for hospital employees, or operated as a portion of the hospital unit.

Any portion of property owned by an organization which is used in a manner not furthering the purposes of the institution, (for example, hospital property used by a physician for private practice) must be segregated and taxed. (AGO 7-3-1935)

Property owned by an organization exempt under this rule which is irrevocably dedicated to the purposes of the organization is included in this exemption: PROVIDED, That the organization can evidence irrevocable intent to put the property to a qualifying use. The forms of proof set forth in WAC 458-16-200 may be utilized for this purpose. To be exempted, the property must be in use or under construction which is designed for use.

The superintendent or manager of the organization claiming exemption under this statute shall allow the department of revenue access to the books and records of the organization and shall make, under oath, a report to the department showing that the income and receipts

thereof, including donations to it, have been applied to the actual expenses of operating and maintaining it, or for its capital expenses and to no other purposes, also including a statement of the receipts and the disbursements of said organization.

An exemption may be granted to the real or personal property leased or rented by any organization, corporation, or association exempted under the provisions of RCW 84.36.040 and used exclusively by it: PROVIDED, That the benefit of the exemption inures to the user. Such property must be specifically identified as leased in filing for exemption.

For the purposes of this rule a "hospital" is an organization primarily engaged in providing medical, surgical, nursing and/or related health care services in the prevention, diagnosis or treatment of human disease, pain, injury, disability, deformity or physical condition, or mental illness or retardation, and the equipment and facilities used by such organization to deliver such services on an inpatient basis. This definition shall include any portion of a hospital building, or other buildings used in connection therewith, and the equipment therein, operated as a portion of the hospital unit, or used as a residence for persons engaged or employed in the operation of a hospital. Hospital departments deriving ten percent or more of their gross income from solicited and advertised nonpatient services must be segregated and taxed. Nonpatient means tests or samples that are taken at a location other than the hospital and the sample or test is brought to the hospital for final processing or reading, or pharmaceuticals provided to nonpatients.

(8) The loan or rental of this property does not subject the property to tax if (a) the rents and donations received for the use of the portion of the property are reasonable and do not exceed the maintenance and operation expenses attributable to the portion of the property loaned or rented; and (b) the property would be exempt from tax if owned by the organization to which it is loaned or rented. (RCW 84.36.805) Maintenance and operating expenses means those items of rental expense as allowed and defined in generally accepted accounting principles.

(9) Programs provided under a personal service contract will not jeopardize the exemption if the following conditions are met:

- (a) The contract is written to clearly reflect all receipts and expenses are to be administered by the exempt organization.
- (b) The financial records of the exempt organization will identify all receipts and expenses of the programs.
- (c) The program is compatible and consistent with the purposes of the exempt organization.
- (d) A summary of all receipts and expenses of the program will be provided to the department upon request.

Programs provided under a personal service contract, whereby the contractor will reimburse the organization for expenses pertaining to the program will be viewed as a rental agreement between the exempt organization and an individual or for profit user and will subject that portion of property to tax.

(10) The use of the property for fund-raising activities sponsored by the exempt organization does not subject the property to tax if the fund-raising activities are consistent with the purposes for which exemption is granted. The term "fund raising" means any revenue-raising activity limited to less than five days in length including but not limited to art auctions, use of the property by professional organizations for conferences, seminars, or other activities which enhance the reputation of the organization.

WSR 87-01-040
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed December 15, 1986]

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 458-30-500 Definitions.
- New WAC 458-30-510 Creation of district—Protest—Final assessment roll.
- New WAC 458-30-520 Notification of district—Certification by assessor—Estimate by district.
- New WAC 458-30-530 Notification of owner.
- New WAC 458-30-540 Waiver.

- New WAC 458-30-550 Exemption—Removal.
- New WAC 458-30-560 Partial assessment—Computation.
- New WAC 458-30-570 Connction subsequent to final assessment roll—Interest penalty—Connction charge.
- New WAC 458-30-580 Rate of inflation—When published—Calculation.
- New WAC 458-30-590 Rates of inflation;

that the agency will at 10:00 a.m., Tuesday, January 27, 1987, in the 1st Floor 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 February 2, 1987.

The authority under which these rules are proposed is RCW 84.34.360.

The specific statute these rules are intended to implement is RCW 84.34.300 through 84.34.380.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1987.

Dated: December 15, 1986
 By: Trevor W. Thompson
 Assistant Director

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: WAC 458-30-500 through 458-30-590 providing for the deferral of special assessments on land classified as farm and agricultural land under chapter 84.34 RCW.

Purpose: To set up the procedures for being granted the deferral and the amount of payback when the land is removed from classification.

Statutory Authority: RCW 84.34.360 requires the Department of Revenue to adopt rules to implement RCW 84.34.300 through 84.34.380.

Summary and Reasons for the Rule: These rules provide for how the special assessments are deferred, the actions of local governments and county assessors and how assessments are to be calculated when portions of the land are connected to the improvements made by the special assessment. These rules are required by RCW 84.34.360.

Drafter of the Rule, Rule Implementation and Enforcement: Trevor W. Thompson, 6004 South Capitol Boulevard, Tumwater, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: The department has determined that the proposed rule has no impact on small business.

NEW SECTION

WAC 458-30-500 DEFINITIONS. (1) "Farm and agricultural land" means that land classified by the assessor, prior to creation of the district, as farm and agricultural under chapter 84.34 RCW.

(2) "Local government" means any city, town, county, sewer district, water district, public utility district, port district, irrigation district, flood control district, or any other municipal corporation, quasi-municipal corporation, or other political subdivision authorized to levy special benefit assessments for sanitary and/or storm sewerage systems, domestic water supply and/or distribution systems, or road construction or improvement purposes.

(3) "District" means any local improvement district, utility local improvement district, local utility district, road improvement district or any similar unit created by a local government for the purpose of levying special benefit assessments against property specially benefited by improvements relating to such districts.

(4) "Owner" means the party or parties having the fee interest in land, except that where land is subject to real estate contract, "owner" means the contract vendee.

(5) The term "average rate of inflation" means the annual rate of inflation as adopted each year by the department of revenue according to WAC 458-30-580 averaged over the period of time as provided in WAC 458-30-550 and 458-30-570.

(6) "Special benefits assessments" means special assessments levied or capable of being levied in any local improvement district or otherwise levied or capable of being levied by a local government to pay for all or part of the costs of a local improvement and which may be levied only for the special benefits to be realized by property by reason of that local improvement.

(7) "Connection charge" or "charge for connection" is the charge required to be paid to the district for connection to the service as opposed to the assessment based upon the benefits derived.

NEW SECTION

WAC 458-30-510 CREATION OF DISTRICT—PROTEST—FINAL ASSESSMENT ROLL. RCW 84.34.320 requires local government officials to take certain steps upon "creation" of a district. This section defines when a district shall be deemed to have been "created."

(1) For districts outside of cities, a district shall be considered created upon its actual adoption at the required hearing.

(2) For districts within cities, creation shall occur thirty days after the passage of the ordinance ordering the improvement, thereby allowing the protest period set forth in RCW 35.43.180.

(3) For districts within cities, a protest may be filed with the city or town council within thirty days from the date of passage of the ordinance ordering the improvement and the creation of the district can be divested by property owners within said district whose combined payments for its creation shall be equal to or exceed sixty percent of the cost of the improvement. For all other districts the creation of the district can be divested by the opposition of property owners within said district whose combined ownership of property is equal to or greater than forty percent of the area included in the district.

(4) For those districts which have annual assessment roll hearings on capital assessments, the final assessment roll will be said to be "adopted" upon confirmation of the roll at the hearing in the first year.

NEW SECTION

WAC 458-30-520 NOTIFICATION OF DISTRICT—CERTIFICATION BY ASSESSOR—ESTIMATE BY DISTRICT. (1) Immediately upon creation of a district the local government shall notify the county assessor and legislative authority of the county in which the district is located of said creation.

(2) Upon notification of the creation of a district, the county assessor shall certify in writing to the district the status of land within the created district which is classified as farm and agricultural land.

(a) If there is no farm and agricultural land within the district, the county assessor shall certify this to the district.

(b) If there is land within the district classified as farm and agricultural, the county assessor shall certify which land is classified as such by providing parcel numbers and legal descriptions of such property.

(c) If any owner of land within the created district has timely filed, as of January 1st, an application for current use assessment as farm and agricultural land and no action has been taken on it, the county assessor will indicate to the district the status of that pending application and take immediate action to render a decision for its approval or denial. The county assessor shall also indicate to the district that any decision he shall make is appealable under RCW 84.34.035 and that the classification as farm and agricultural land would become effective as of the initial filing date, January 1.

(d) If the legislature extends the filing date for applying for classification as farm and agricultural land, those applications approved will receive their status as of January 1 of the filing year.

(3) The district, upon receipt of the assessor's certification above, shall notify the assessor and the legislative authority of:

(a) The extent to which classified lands may be subject to a partial assessment for connection of improvements to the service provided. Said estimate will be based upon WAC 458-30-560.

(b) The confirmation and approval of the special benefit assessment roll. Said confirmation shall include the lands exempted from assessment and the amounts which would have been levied if the land had not been exempt.

NEW SECTION

WAC 458-30-530 NOTIFICATION OF OWNER. The county assessor, upon receiving notice of the creation of such a district, shall notify the owner of the farm and agricultural lands as shown on the current assessment rolls. Such notification shall be made on forms approved by the department of revenue and shall contain the following:

(1) Notice of the creation of the district.

(2) Notice of the exemption of that land from special benefit assessments.

(3) Notice that the farm and agricultural land will become subject to the special benefit assessments if the owner waives the exemption by filing a notarized document with the governing body of the local government creating the district before the confirmation of the final special benefit assessment roll.

(4) Notice of potential liability if the exemption is not waived and the land is subsequently removed from the farm and agricultural land status.

(5) The portion of his land measured as his benefited "residence" as provided in WAC 458-30-560 will be assessed for benefits received.

(6) If the owner connects to the system, he shall be liable for the connection charge.

(7) If the owner connects to the system at a time later than when the district is initially created and assessed, he will be liable for the amounts as calculated in WAC 458-30-570.

(8) The property owner shall have the right of appeal as is guaranteed any other property owner within the district.

NEW SECTION

WAC 458-30-540 WAIVER. (1) The owner of the land exempted from special benefit assessments may waive that exemption by filing a notarized statement to that effect with the local government creating the district. Said statement must be filed prior to confirmation of the final special benefit assessment roll.

(2) A copy of said waiver shall be filed by the local government with the county assessor and the county legislative authority, but the failure of such filing shall not affect the waiver.

NEW SECTION

WAC 458-30-550 EXEMPTION—REMOVAL. (1) If the owner of land classified as farm and agricultural land wishes to remain exempt and pay no assessment for the improvements made by creation of the district, it shall require no further action on his part. The status of his property will not change and it will not be included on the assessment roll.

(2) If the owner of such exempt land chooses to remain exempt and then at some future date his land is removed or withdrawn from classification as farm and agricultural, he will be subject to immediate payment of those prior years' assessments in the following manner:

(a) If the bonds used to fund the improvement have not been completely retired at the time his land is removed from classification, he will be liable for:

(i) The amount of special benefit assessment, plus;

(ii) Interest on that amount, compounded annually at a rate equal to the average rate of inflation from the time the initial notice is filed by the governmental entity which created the district to the time the owner withdraws such land from the exemption category.

(b) If the bonds used to fund the improvement in the district have been completely retired when his land is removed from classification, he shall immediately become liable for:

(i) The amount of the special benefit assessment that would have been paid if not exempted, plus;

(ii) Interest on that amount compounded annually at a rate equal to the average rate of inflation from the time the initial notice is filed to the time the bonds used to fund the improvement have been retired, plus;

(iii) Interest on the total amount of (i) and (ii) at a simple per annum rate equal to the average rate of inflation from the time the bonds used to fund the improvement have been retired to the time the owner withdraws such land from the exemption category.

(3) If property is withdrawn from farm and agricultural classification and has been partially assessed for connection to a sewer and/or water system, credit for the amount paid shall be given when computing the liability for withdrawal.

NEW SECTION

WAC 458-30-560 PARTIAL ASSESSMENT—COMPUTATION. A portion of land classified as farm and agricultural land (and therefore usually exempt from special benefit assessments) shall be subject to special benefit assessment if it is actually connected to the domestic water system or sewerage facilities or for access to a road improvement. The amount of special benefit assessment shall be calculated in one of the following manners, whichever complies with the method used by the district for assessing and is more equitable. The district shall use whichever method results in the least cost to each property owner, regardless of the owner's property holdings and/or exempt status. The district shall provide the owner of such property with a written estimate of the partial assessment as determined from the following methods:

(1) Sanitary and/or storm sewerage service or domestic water service.

(a) Square foot method: If the assessment for the special benefit assessment is determined on a square footage basis, the assessable portion of the exempt land shall be determined as follows:

Calculate the square footage of the residential area, i.e., the "main dwelling." This area shall include all those facilities normally found on a residential lot such as a garage or carport, driveway, front and back yards, etc. Also included in the area shall be any buildings or facilities which are directly benefited by actual connection to the improvement. (For example: A dairy barn connected to a sewer or water system.)

(b) Front foot method: If the method of assessment for the special benefit assessment is determined on a front footage basis, the assessable portion of the exempt land shall be determined in one of the following manners:

(i) Calculate the square footage for the residential area in the same manner as the square foot method. The measurement of the entire "residence," including other buildings connected, in square feet shall then be converted into an area of a perfect square. The calculated square will then be used as the unit to be charged for special benefit assessment. One side of the square will be used as front footage.

(ii) Take the average front footage of all nonexempt properties within the district and use that figure to assess the portion of otherwise exempt property for the special benefit assessment, i.e., add up all the nonexempt front footage relevant to the improvement and divide by the number of nonexempt properties within the district.

(c) Zone-termini method: If the method of assessment for the special benefit assessment is determined on a zone-termini basis, the assessable portion of the exempt land shall be determined in one of the following manners:

(i) Convert the square foot area of the residence to a square as in front foot method. Use this square as the zone for assessing the portion of otherwise exempt property for the special benefit assessment.

(ii) Take the average width and depth (length) of all nonexempt properties within the district and use this average to create a rectangular unit as the zone for assessing the portion of otherwise exempt property for the special benefit assessment. Example: (A) Add up all nonexempt front footage relevant to the improvement and divide by the number of nonexempt properties within the district. This will be the measurement of the width of the zone. (B) Add up the depths (lengths) of all nonexempt properties within the district and divide by the number of nonexempt properties within the district. This will be the measurement of the depth of the zone.

(d) Equivalent residential unit method (ERU): The ERU method shall be used in the same manner as it is used on all other properties within the district. The value to be determined based on the amount of benefit derived or, when appropriate, the degree of contribution to the service, such as drainage or sewer. This amount shall be measured for all uses of property, i.e., if a dairy barn uses a greater amount of water

or contributes a greater amount of sewerage than the normal residential unit, it shall be classified as more than one ERU and shall be charged a proportionately greater amount.

(e) Combined methods: In districts which make assessments using a combination of two or more methods (i.e., an assessment based on a front footage charge plus \$.02 per square foot), the procedures for determining the assessable portion of previously exempt property shall be the same as those outlined above.

(2) Road construction and/or improvements. If the property is provided access to the constructed or improved road, the assessment will be based upon the percentage of current use value to true and fair value as evidenced by the last property tax assessment roll as equalized by the county board of equalization to what the assessment would have been if the owner had waived the exemption, i.e., if the current use value is forty-five percent of its true and fair value, then the assessable portion shall be forty-five percent of the amount it would have been had the owner waived the exemption.

NEW SECTION

WAC 458-30-570 CONNECTION SUBSEQUENT TO FINAL ASSESSMENT ROLL—INTEREST PENALTY—CONNECTION CHARGE. (1) If at some date after the assessment roll has been approved the owner of property exempt from special benefit assessments under current use farm and agricultural classification wishes to connect to water and/or sewer systems and/or road improvements provided by special benefit assessment, he will be liable for the foregone assessments as determined in the following manner:

(a) If the bonds used to fund the improvement have not been completely retired, he will be assessed an amount equal to the sum of:

(i) The annual payments which he would have been charged had he connected to the system when the initial assessment was made up to the time the owner connects to the improvement as determined by WAC 458-30-560, plus;

(ii) Interest on that amount, compounded annually at a rate equal to the average rate of inflation from the time the initial assessment for the district was made to the time the owner connects to the system.

In addition to this amount, he shall make the annual payment required for all years following the connection until the bonds are completely retired.

(b) If the bonds used to fund the improvement in the district have been completely retired when he connects to the system, he shall be assessed an amount equal to the sum of:

(i) The annual payments which he would have been charged had he connected to the system when the initial assessment was made up to the time the owner connects to the system as determined by WAC 458-30-560, plus;

(ii) Interest on that amount compounded annually at a rate equal to the average rate of inflation from the time the initial assessment for the district was made to the time the owner connects to the system, plus;

(iii) Interest on the total amount of (i) and (ii) at a simple per annum rate equal to the average rate of inflation from the time the bonds used to fund the improvement have been retired to the time the owner connects to the system.

(2) In addition to assessments in subsection (1) of this section, he will also be liable for the cost of connection.

NEW SECTION

WAC 458-30-580 RATE OF INFLATION—WHEN PUBLISHED—CALCULATION. For computing the interest charge used for withdrawal from classification as farm and agricultural land, as required by WAC 458-30-550, and for connection to a system or improvement subsequent to its creation by a district, as provided in WAC 458-30-570, the department of revenue will publish each year an annual rate of inflation. The rate will be published by December 31st of each year and will apply to all withdrawals or connections which occur in the following year. An owner will become liable for the interest penalties from the time of creation of the district to the time of withdrawal or connection. If more than one year is involved, the rates of inflation published by the department of revenue for all years involved shall be averaged together to find the average annual rate of inflation to be used in calculating the assessment for withdrawal or connection. The interest penalty shall take effect on the date the action which warrants the charge as provided for in WAC 458-30-550 and 458-30-570 is taken. Penalties for withdrawal or connection will be calculated for only those years and months in which the property was classified as

exempt, i.e., if a property was withdrawn July 1, 1983, and the district was created in January 1980, the charge would be calculated using the inflation rates given for 1980, 1981, 1982, and 1983. In the year of withdrawal or connection the charge would be made for only six months, January-July, those months in which the property was classified as exempt.

NEW SECTION

WAC 458-30-590 RATES OF INFLATION. The rates of inflation to be used for calculating the interest as required by WAC 458-30-550 and 458-30-570 are as follows:

1976	5.7	1980	10.7	1984	3.8
1977	6.5	1981	9.2	1985	3.5
1978	7.3	1982	5.7	1986	2.1
1979	9.2	1983	4.1		

WSR 87-01-041
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed December 15, 1986]

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 Historic property—Procedures for special valuation of historic properties, new chapter 458-15 WAC;

that the agency will at 11:00 a.m., Tuesday, January 27, 1987, in the 1st Floor 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 February 2, 1987.

The authority under which these rules are proposed is RCW 84.08.010(2) and 84.08.070.

The specific statute these rules are intended to implement is chapter 84.26 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1987.

Dated: December 15, 1986
 By: Trevor W. Thompson
 Assistant Director

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: Chapter 458-15 WAC, Historic property.

Purpose: To implement the provisions of chapter 84.26 RCW concerning special valuation for improvements to historic property.

Statutory Authority: These rules are promulgated by the Department of Revenue under its general rule-making authority under RCW 84.08.010(2) and 84.08.070.

Summary and Reasons for the Rule: These rules provide for applying for special valuation for historic properties, duties of the county assessor, how property is removed from special valuation, the additional taxes on

special valuation when it is removed and the appeal process. These rules are necessary to ensure equity for properties receiving the special valuation.

Drafter of the Rule, Rule Implementation and Enforcement: Trevor W. Thompson, 6004 South Capitol Boulevard, Tumwater, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: The department has determined that the proposed rule has no impact on small business.

Chapter 458-15 WAC
HISTORIC PROPERTY

WAC

458-15-005	Purpose.
458-15-010	Authority.
458-15-015	Definitions.
458-15-020	Application.
458-15-030	Multiple applications.
458-15-040	Application fee.
458-15-050	Qualifications.
458-15-060	Processing of the agreement.
458-15-070	Disqualification or removal.
458-15-080	Disqualification or removal—Effective date.
458-15-090	Additional tax.
458-15-100	Appeals.
458-15-110	Exemption of portion of historic property.
458-15-120	Revaluation and new construction.

NEW SECTION

WAC 458-15-005 PURPOSE. The purpose of these rules is to implement the provisions of chapter 84.26 RCW relating to the administration of the act. These rules are to be used in conjunction with chapter 254-20 WAC as adopted by the advisory council on historic preservation.

NEW SECTION

WAC 458-15-010 AUTHORITY. These rules are promulgated by the department under RCW 84.08.010(2).

NEW SECTION

WAC 458-15-015 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Act" means chapter 84.26 RCW.
- (2) "Additional tax" means those additional taxes, interest, and penalties specified in RCW 84.26.090.
- (3) "Agreement" means an instrument executed by an applicant and the local review board.
- (4) "Applicant" means the owner(s) of record of property who submit(s) an application for special valuation.
- (5) "Assessed value" means the true and fair value of the property for which each special valuation is sought.
- (6) "Board" or "local review board" means any appointed committee designated by local ordinance to make determinations concerning the eligibility of historic properties for special valuation and to approve or deny applications therefor.
- (7) "Cost" means the actual cost of rehabilitation, which cost shall be at least twenty-five percent of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation.
- (8) "County recording authority" means the county auditor or the county recording authority which records real property transactions.
- (9) "Department" means the department of revenue.
- (10) "Disqualification" means the loss of eligibility of a property to receive special valuation. Disqualification is effective on the date determined under WAC 458-15-080.

(11) "Eligible historic property" means a property determined by the board to be:

- (a) Within a class approved by the local legislative authority; and
- (b) Eligible for special valuation.

(12) "Historic property" means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is:

(a) Listed in a local register of historic places created by comprehensive ordinance, certified by the secretary of the interior as provided in P.L. 96-515; or

(b) Listed in the national register of historic places.

(13) "Special valuation" means the determination of the assessed value of the historic property subtracting, for up to ten years, such cost as is approved by the local review board: PROVIDED, That the special valuation shall not be less than zero.

(14) "Local legislative authority" means the municipal government within incorporated cities and the county government in unincorporated areas.

(15) "Rehabilitation" is the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its architectural and cultural values. (See WAC 458-15-050.)

(16) "State review board" means the advisory council on historic preservation established under chapter 27.34 RCW, or any successor agency designated by the state to act as the state historic preservation review board under federal law.

NEW SECTION

WAC 458-15-020 APPLICATION. (1) An owner of property desiring special valuation under this chapter shall apply to the assessor of the county where the property is located upon forms prescribed by the department of revenue and supplied by the county assessor.

(2) Applications shall be filed by October 1 of the calendar year preceding the first assessment year for which the classification is to begin.

(3) Upon receipt of the application the assessor shall verify:

- (a) The assessed valuation reflected on the assessment roll twenty-four months prior to filing the application;
- (b) The owner of the property; and
- (c) Legal description and parcel or tax account number.

(4) Within ten days after the filing of the application with the county assessor the application for classification shall be forwarded to the respective local review board for approval or denial.

NEW SECTION

WAC 458-15-030 MULTIPLE APPLICATIONS. In the event an owner has an eligible historic property on which rehabilitation is completed in more than one phase the following conditions shall apply:

(1) The cost of such phase must be at least twenty-five percent of the assessed value at the time such phase of the rehabilitation began.

(2) The board shall make such examination of the financial records of the owner as necessary to make certain that no costs are approved which were in fact expended on any other rehabilitation phase of the same eligible historic property. Only such costs which are not duplicate shall be approved by the board.

In the event that subsection (1) of this section is not met, the board shall not approve any costs.

NEW SECTION

WAC 458-15-040 APPLICATION FEE. The assessor may charge such fees as are necessary for the processing and recording of the certification and agreement for special valuation of historic property. These fees shall be payable to the county auditor or the recording authority of the county. If the application is denied, the application fees shall be returned to the applicant. The application fees shall not be returned if the property owner fails to return the agreement.

NEW SECTION

WAC 458-15-050 QUALIFICATIONS. Four criteria must be met for special valuation under this act. The property must:

- (1) Be an historic property;
- (2) Fall within a class of historic property determined eligible for special valuation by the local legislative authority under an ordinance or administrative rule;

(3) Be rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within twenty-four months prior to the application for special valuation; and

(4) Be protected by an agreement between the owner and the local review board as described in RCW 84.26.050(2).

NEW SECTION

WAC 458-15-060 PROCESSING OF THE AGREEMENT. Upon receipt from the board of certification that the property is an eligible historic property and the agreement between the applicant and the board, the assessor shall:

(1) Record the original agreement, the certification and the application with the county auditor or the county recording authority.

(2) Enter upon the assessment rolls for the subsequent year the special valuation as defined in WAC 458-15-015(13).

(3) The assessor shall calculate and enter on the rolls a special value each year. The property shall receive the special valuation until:

- (a) Ten assessment years have elapsed; or
 - (b) The special valuation is lost through disqualification or removal.
- (4) Retain copies of all documents.

NEW SECTION

WAC 458-15-070 DISQUALIFICATION OR REMOVAL. When property has been classified as eligible historic property, it shall remain so classified and be granted the special valuation until the property is disqualified or removed by the assessor upon:

(1) Expiration of the ten-year special valuation period;

(2) Notice by the owner to remove the special valuation;

(3) Sale or transfer to an ownership making it exempt from taxation;

(4) Sale or transfer of the property through the exercise of the power of eminent domain;

(5) Sale or transfer to a new owner; and

- (a) The property no longer qualifies as historic property; or
- (b) The new owner does not sign the notice of compliance contained on the real estate excise tax affidavit;

(6) Determination by the local review board that the property no longer qualifies as historic property; or

(7) Determination that the owner has failed to comply with the conditions established under RCW 84.26.050, chapter 254-20 WAC or the agreement.

NEW SECTION

WAC 458-15-080 DISQUALIFICATION OR REMOVAL—EFFECTIVE DATE. The disqualification from special valuation shall be effective on the date the event that led to the disqualification occurs.

(1) If the owner gives notice to discontinue the special valuation, the owner shall specify in the notice to remove the effective date of disqualification.

(2) In case of sale or transfer, the date of disqualification shall be the date of the instrument of conveyance.

(3) If removal is based on a board decision, the effective date of disqualification shall be as specified by the board. The board shall determine the effective date of disqualification to be the date of any disqualifying change in the property or the owner's noncompliance with conditions established under RCW 84.26.050. If the board does not specify the date of such an occurrence, then the date of the board order shall be the effective date of disqualification.

(4) After the board has sent notice to the owner that it has determined that property is disqualified or after property has been sold and no notice of compliance has been signed, the owner shall not be deemed able to act in the good faith belief that the property is qualified. Until such time, if the owner was acting in the good faith belief that the property remained qualified, the effective date of the disqualification shall be suspended during the pendency of that good faith belief. When an owner raises a good faith belief at a board proceeding, the board may enter a finding as to when the owner's good faith belief ceased.

NEW SECTION

WAC 458-15-090 ADDITIONAL TAX. An additional tax shall be levied upon the disqualification or removal from the special valuation provided for by chapter 84.26 RCW as follows:

(1) No additional tax shall be levied prior to the assessor notifying the owner by mail, return receipt requested, that the property is no longer qualified for special valuation.

(2) Except as provided for in subsection (3) of this section, an additional tax shall be due which is the sum of the following:

(a) The cost shall be multiplied by the levy rate for each year the property received the special valuation.

(b) For the year of disqualification or removal, the cost multiplied by the levy rate shall be multiplied by a fraction, the numerator of which is the number of days in the current year and the denominator of which shall be the number of days in the current year the property received the special valuation.

(c) Interest at the statutory rate on delinquent property taxes shall be added for each year of special valuation from April 30th of that year to the effective date of disqualification or removal.

(d) A penalty in the amount of twelve percent of the sum of (a), (b) and (c) of this subsection.

(3) No additional tax shall be due if the disqualification or removal resulted solely from:

(a) Sale or transfer of the property to an ownership making it exempt from taxation;

(b) Alteration or destruction through no fault of the owner; or

(c) A taking through the exercise of the power of eminent domain.

(4) The additional tax shall become a lien on the property which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the property may become charged or liable.

(5) The additional tax shall be due and payable in full within thirty days after the tax statement is rendered by the county treasurer and shall be delinquent and subject to the delinquent property tax rate after that date. Such additional tax when collected shall be distributed by the county treasurer in the same manner in which current taxes applicable to the subject property are distributed.

NEW SECTION

WAC 458-15-100 APPEALS. (1) The owner may appeal a determination of eligibility of special valuation by a local review board to superior court under RCW 34.04.130 or to the legislative authority if local ordinances so provide.

(2) Disqualification, removal or the valuation of the property may be appealed to the county board of equalization within thirty days of being notified of the disqualification, removal or valuation, or July 15th of the current year, whichever is later.

NEW SECTION

WAC 458-15-110 EXEMPTION OF PORTION OF HISTORIC PROPERTY. When a portion of a historic property is exempt under chapter 84.36 RCW and rehabilitation was completed on the entire building, only the cost of rehabilitation attributable to that portion of the property that is not exempt shall be used for the special valuation. If the cost of rehabilitation for the nonexempt portion is not readily discernible, the allocation of the cost may be made on a square foot basis.

NEW SECTION

WAC 458-15-120 REVALUATION AND NEW CONSTRUCTION. (1) The assessor shall continue to revalue the historic property on the regular revaluation cycle, deducting the cost therefrom to determine the taxable value.

(2) While rehabilitation and improvement is being accomplished, the assessor shall assess the property as required by the new construction assessment dates contained in RCW 36.21.080.

WSR 87-01-042
PROPOSED RULES
ENERGY FACILITY SITE
EVALUATION COUNCIL
 [Filed December 15, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Energy Facility Site

Evaluation Council intends to adopt, amend, or repeal rules concerning:

- Amd WAC 463-42-075 General—Assurances.
- Amd WAC 463-42-455 Physical environment—Impact of construction and operation on vegetation, animal life, and aquatic life.
- Amd WAC 463-42-465 Physical environment—Description of measures taken to protect vegetation, animal life, and aquatic life.
- Amd WAC 463-42-515 Physical environment—Safety where public access allowed.
- New WAC 463-42-655 Physical environment—Site restoration plan.
- New WAC 463-42-665 Site restoration plan—Terminated projects.
- New WAC 463-42-675 Site preservation plan—Suspended projects.
- New WAC 463-54-080 Site preservation or restoration plan.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 22, 1986.

The authority under which these rules are proposed is RCW 80.50.040(1).

The specific statute these rules are intended to implement is RCW 80.50.040 (4), (11) and (13).

This notice is connected to and continues the matter in Notice No. WSR 86-21-012 filed with the code reviser's office on October 3, 1986.

Dated: December 15, 1986
 By: Bill Fitch
 Executive Secretary

WSR 87-01-043
PROPOSED RULES
SPOKANE COMMUNITY COLLEGES
 [Filed December 15, 1986]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Washington Community College District 17 intends to adopt, amend, or repeal rules concerning reduction in force for classified personnel, chapter 132Q-08 WAC;

that the institution will at 1:30 p.m., Tuesday, February 17, 1987, in the District Office Board Room, North 2000 Greene Street, Spokane, WA 99207, 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 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before January 15, 1987.

Dated: December 9, 1986
 By: C. Nelson Grote
 Chief Executive Officer

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 28B.50.140. Repeal chapter 132Q-08 WAC, Reduction in force for classified personnel.

The purpose for repealed chapter 132Q-08 WAC is to eliminate conflict with Higher Education Personnel Board rules.

Statutory Authority: RCW 28B.50.140.

Person Responsible for Drafting, Implementation and Enforcement of this Rule: Dr. C. Nelson Grote, Chief Executive Officer, Washington Community College District 17 (the Community Colleges of Spokane), North 2000 Greene Street, Spokane, WA 99207.

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

REPEALER

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

- | | |
|--------------------|--|
| 1. WAC 132Q-08-010 | Purpose of rules. |
| 2. WAC 132Q-08-020 | Definitions. |
| 3. WAC 132Q-08-030 | Initial procedures for reduction in force. |
| 4. WAC 132Q-08-040 | Initial order of layoff. |
| 5. WAC 132Q-08-050 | Options in lieu of layoff. |
| 6. WAC 132Q-08-060 | Procedures for establishing order of layoff and notice requirements. |
| 7. WAC 132Q-08-070 | Distribution of layoff notice. |
| 8. WAC 132Q-08-080 | Reemployment rights of laid off employees. |

WSR 87-01-044

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 86-196—Filed December 15, 1986]

I, Judith Merchant, acting director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Judith Merchant, 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 Areas 10C, 10D and Cedar River restrictions protect Lake Washington sockeye. Restrictions in Skagit River protect spawning salmon stocks. Restrictions in Samish River provide protection for natural chum returning to Samish River.

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 December 15, 1986.

By Ray Ryan
for Judith Merchant
Acting Director

NEW SECTION

WAC 220-28-624 PUGET SOUND COMMERCIAL SALMON FISHERY RESTRICTIONS. *Effective immediately, it is unlawful for treaty Indian fishermen to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas in accordance with the following restrictions:*

**Area 10C and Cedar River – Effective through December 31, closed to all commercial fishing.*

**Area 10D – Effective through December 31, closed to all commercial fishing in that portion within 250 yards of the eastern and northern shoreline of Lake Sammamish between the Sammamish River and Issaquah Creek.*

**Samish River – Effective through January 15, 1987, closed to all commercial fishing.*

**Skagit River (upstream of the Baker River) – Effective through December 31, closed to all commercial fishing.*

REPEALER

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

WAC 220-28-623 PUGET SOUND COMMERCIAL SALMON FISHERY RESTRICTIONS ORDER NO. 86-192

WSR 87-01-045

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 86-197—Filed December 15, 1986]

I, Judith Merchant, acting director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Judith Merchant, 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 all Puget Sound catch reporting areas closed to prevent overharvest.

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

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

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

APPROVED AND ADOPTED December 15, 1986.

By Ray Ryan
for Judith Merchant
Acting Director

NEW SECTION

WAC 220-47-729 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 PM December 15, 1986 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 PM December 15, 1986.

WAC 220-47-728 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY ORDER NO. 86-194

WSR 87-01-046

ADOPTED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

(Apprenticeship and Training Council)

[Order 86-43—Filed December 15, 1986]

Be it resolved by the Washington State Apprenticeship and Training Council, acting at the Sheraton Hotel and Towers, 1400 Sixth Avenue, Seattle, WA, that it does adopt the annexed rules relating to chapter 296-04 WAC. The amendment establishes a new council procedure for identifying the objective wage in standards of apprenticeship. WAC 296-04-270 (2)(c) is amended to allow a multi-employer sponsoring group to use the arithmetic average of journeyman wage rates to calculate wage scales required by RCW 49.04.050(5).

This action is taken pursuant to Notice No. WSR 86-20-061 filed with the code reviser on September 30, 1986. 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 49.04.050 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 December 12, 1986.

By James B. Kerlee
Chairman

AMENDATORY SECTION (Amending Order 80-2, filed 2/8/80)

WAC 296-04-270 APPRENTICESHIP AGREEMENTS—TYPES—STANDARDS—REGISTRATION, REVIEW, CANCELLATION, REREGISTRATION—CERTIFICATE OF COMPLETION. (1) The following apprenticeship agreements shall be recognized pursuant to RCW 49.04.060:

(a) A written agreement between an association of employers and an organization of employees describing the conditions of training for apprentices.

(b) A written statement of an employer or a written agreement between an employer and an employee organization describing the conditions of training apprentices. The former agreement shall be recognized only if there is no bona fide employee organization in the plant affected by the agreement.

(c) A written agreement between an employer and an individual apprentice describing the conditions of apprenticeship.

(2) Apprenticeship agreements shall conform to the following standards:

(a) Committee programs, plant programs, and on-the-job training programs must contain the provisions required by RCW 49.04.050 and, in addition, shall contain:

(i) Provision for nondiscrimination in the selection of apprentices in substantially the following form:

Each sponsor of an apprenticeship program shall include in its standards the following equal opportunity pledge: "The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, color, religion, national origin, or sex. The sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Washington state apprenticeship and training council and Title 29, Part 30 of the Code of Federal Regulations."

(ii) Provision that there shall be no discrimination on the basis of race, color, creed, sex, or national origin after selection during all phases of employment during apprenticeship.

(iii) Provision that adequate records of the selection process must be kept for a period of at least five years and will be made available to the council or its designated representative on request. Such records must include a brief summary of any interviews and the conclusions reached on each of the specific factors which are part of the total judgment concerning each applicant.

(iv) Provision for local committee rules and regulations consistent with these rules and the applicable apprenticeship agreement.

(b) Any proposed standards for apprenticeship must be substantially similar to any standards for apprenticeship already approved by the council for the industry, craft or trade in question to the end that there is general

statewide uniformity of such standards in each industry, trade or craft.

(c) ~~The statement of the progressively increasing scale of wages ((f))₂ RCW 49.04.050(5)((f))₂ shall provide ((that the entry level wage for all apprentices shall be at least a percentage of the journeymen scale set by the applicable collective bargaining agreement or at least a percentage of the prevailing wage for the craft for the area set by the United States Department of Labor pursuant to the Davis-Bacon Act (40 U.S.C. Sec. 276) where no collective bargaining agreement is in effect. In the event an apprenticeship program is proposed for an area already served by an apprenticeship program, the new program's wage scale shall be identical to or greater than that of an existing program. In the event an apprenticeship program is proposed for a craft or area in which there is no collective bargaining agreement, no Davis-Bacon Act prevailing wage, and no existing apprenticeship program, the applicant shall request the statistician of the department of labor and industries set a prevailing wage for the specific area and craft to be incorporated into the proposed agreement)) for a set percentage of a specified journeyman wage. In no event shall the specified journeyman wage from which the apprentice's percentages are computed fall below eighty percent of the established prevailing basic wage computed by the industrial statistician of the department of labor and industries pursuant to chapter 39.12 RCW. Where the department of labor and industries has not computed such a prevailing basic wage, the prevailing basic wage for the craft for the area set by the United States Department of Labor pursuant to the Davis-Bacon Act, 40 USC §276, may be used.~~

(d) A sample apprenticeship agreement which the council approves is available on request from the supervisor.

(3) Registration, review, cancellation, reregistration.

(a) All individual agreements shall be registered with the supervisor and subject to his approval.

(b) The supervisor and his staff, in the performance of their field work, shall conduct a systematic review of all plant and committee programs and shall take appropriate action, including recommendation of cancellation, when they find that any program is not being operated according to these rules and regulations or according to its applicable standards.

(c) When any program is found to be operating in a manner inconsistent with or contrary to these rules and regulations or its established plant or committee program, the supervisor shall notify the offending committee, person, firm or agency of the violation. If the supervisor does not receive notice, within 60 days, of action taken to correct such violations, the supervisor may take whatever action he deems necessary, including recommendation of cancellation of the apprenticeship or training program and agreement to the council.

(d) If the supervisor deems it necessary to recommend cancellation of an apprenticeship or training program, he shall do so in writing to each council member, stating in detail the reasons for his recommendation. A copy of said recommendation shall be mailed to the last known address of each member of the committee administering

said program, or to those persons responsible for said program, together with notice that the council shall consider the recommendation at its next regularly scheduled meeting more than 30 days subsequent to the date of the recommendation and that all interested persons may present evidence or testimony regarding said recommendation. The council shall decide the question before it upon majority vote of the members present and voting and shall notify all interested parties of its decision, together with the reasons for it, in writing.

(e) The cancellation of any program or agreement shall automatically effect a cancellation of any agreement registered thereunder, provided that any organization or firm not responsible for the violations causing the cancellation may petition the council for approval of such cancelled agreement or program as a new program.

(f) Certificates of completion shall be issued at the request of the appropriate committee. An affidavit of the secretary of the committee concerned shall accompany the request, which affidavit shall state that the apprentice has successfully completed the apprenticeship program of that committee, and that he has been an active, registered participant of that committee's program for at least six months.

WSR 87-01-047

NOTICE OF PUBLIC MEETINGS HIGHLINE COMMUNITY COLLEGE

[Memorandum—December 15, 1986]

By formal action of the Community College District 9 board of trustees at their December 11, 1986, meeting, the date of the January 1987 board meeting was changed from January 8, 1987, to January 15, 1987. The time and location of the meeting remain the same.

WSR 87-01-048

NOTICE OF PUBLIC MEETINGS WHATCOM COMMUNITY COLLEGE

[Memorandum—December 12, 1986]

The Whatcom Community College District 21 board of trustees will hold its January 1987 regular board meeting on the 20th rather than the 13th. Time and place remain unchanged.

WSR 87-01-049

NOTICE OF PUBLIC MEETINGS EDMONDS COMMUNITY COLLEGE

[Memorandum—December 16, 1986]

Board of Trustees Meeting
Lynnwood Hall, Room 424
December 18, 1986
Thursday, 5:00 p.m.

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 87-01-050
ADOPTED RULES
DEPARTMENT OF REVENUE
 [Order ET 86-19—Filed December 16, 1986]

I, Matthew J. Coyle, deputy director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to use tax, amendatory section WAC 458-20-178.

This action is taken pursuant to Notice Nos. WSR 86-16-064, 86-19-067, 86-21-083 and 86-23-033 filed with the code reviser on August 5, 1986, September 16, 1986, October 16, 1986, and November 17, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 82.32.300.

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 December 16, 1986.

By Matthew J. Coyle
 Deputy Director

AMENDATORY SECTION (Amending Order ET 71-1, filed 7/22/71)

WAC 458-20-178 USE TAX. (1) NATURE OF THE TAX. The use tax supplements the retail sales tax by imposing a tax of like amount upon the use within this state as a consumer of any article of tangible personal property purchased at retail or acquired by lease, gift, repossession, or bailment, or extracted, produced or manufactured by the person so using the same, where the user, donor or bailor has not paid retail sales tax under chapter 82.08 RCW with respect to the ~~((sale to him of the))~~ property used.

(2) In general, the use tax applies upon the use of any tangible personal property, the sale or acquisition of which has not been subjected to the Washington retail sales tax. Conversely, it does not apply upon the use of any property if the sale to the present user or to ~~((his))~~ the present user's donor or bailor has been subjected to the Washington retail sales tax, and such tax has been paid thereon. Thus, these two methods of taxation stand as complements to each other in the state revenue plan, and taken together, provide a uniform tax upon the sale or use of all tangible personal property, irrespective of where it may have been purchased or how acquired.

(3) WHEN TAX LIABILITY ARISES. Tax liability imposed under the use tax arises at the time the property purchased, received as a gift, acquired by bailment, or extracted or produced or manufactured by the person using the same is first put to use in this state. The terms "use," "used," "using," or "put to use" include any act by which ~~((the taxpayer))~~ a person takes or assumes dominion or control over the article and shall include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within the state. Tax liability arises as to that use only which first occurs within the state and no additional liability arises with respect to any subsequent use of the same article by the same person. As to lessees of tangible personal property who have not paid the retail sales tax to their lessors, liability for use tax arises as of the time rental payments fall due and is measured by the amount of such rental payments.

(4) PERSONS LIABLE FOR THE TAX. ~~((As has been indicated,))~~ The person liable for the tax is the purchaser, the extractor or manufacturer who commercially uses the articles ~~((produced by himself))~~ extracted or manufactured, the bailor or donor and the bailee or donee if the tax is not paid by the bailor or donor, and the lessee (to the extent of the amount of rental payments to a lessor who has not collected the retail sales tax). A lessor who leases equipment with an operator is deemed a user and is liable for the tax on the full value of the equipment.

~~((It should be noted also that))~~ (5) The law provides that the term "sale at retail" means, among other things, every sale of tangible personal property to persons taxable under the classifications of public road construction, government contracting, and service and other business activities of the business and occupation tax. Hence, persons engaged in such businesses are liable for the payment of the use tax with respect to the use of materials purchased by them for the performance of those activities, when the Washington retail sales tax has not been paid on the purchase thereof, even though title to such property may ~~((later))~~ be transferred to another either as personal or as real property. ~~((It will be noted also that))~~ Persons engaged in the types of businesses referred to in this paragraph are expressly included within the statutory definition of the word "consumer." (See RCW 82.04.190.) Also liable for tax is any person who distributes or displays or causes to be distributed or displayed any article of tangible personal property ~~((except newspapers))~~, the primary purpose of which is to promote the sale of products and services except newspapers and except printed materials over which the person has taken no direct dominion and control. (See RCW 82.12.010(5).)

(6) LESSORS AND LESSEES. Any use tax liability with respect to leased tangible personal property will be that of the lessee and is limited to the amount of rental payments paid or due the lessor. However, when boats, motor vehicles, equipment and similar property are rented under conditions whereby the lessor itself supplies an operator or crew, the lessor itself is ~~((a))~~ the user and the use tax is applicable to the value of the property so used.

(7) EXEMPTIONS. Persons who purchase, produce, manufacture, or acquire by lease or gift tangible personal property for their own use or consumption in this state, are liable for the payment of the use tax, except as to the following uses which are exempt under RCW ~~((82.12.030))~~ 82.12.0251 through 82.12.034 of the law:

~~((1))~~ Any of the following uses:

(a) The use of tangible personal property brought into the state of Washington by a nonresident thereof for ~~((his))~~ use or enjoyment while temporarily within the state, unless such property is used in conducting a nontransitory business activity within the state; or

(b) The use by a nonresident of a motor vehicle or trailer which is currently registered or licensed under the laws of the state of ~~((his))~~ the nonresident's residence ~~((and is not used in this state more than three months))~~ and which is not required to be registered or licensed under the laws of this state, including motor vehicles or trailers exempt pursuant to a declaration issued by the department of licensing under RCW 46.85.060; or

(c) The use of household goods, personal effects, and private automobiles by a bona fide resident of this state or nonresident members of the armed forces who are stationed in this state pursuant to military orders, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than ~~((thirty))~~ ninety days prior to the time ~~((he))~~ such person entered this state.

~~((2))~~ (i) USE BY A NONRESIDENT. The exemptions set forth in (a) and (b) of this subsection, do not extend to the use of articles by a person residing in this state irrespective of whether or not such person claims a legal domicile elsewhere or intends to leave this state at some future time, nor do they extend to the use of property brought into this state by a nonresident for the purpose of conducting herein a nontransitory business activity.

(ii) The term "nontransitory business activity" means and includes the business of extracting, manufacturing, selling tangible and intangible property, printing, publishing, and performing contracts for the constructing or improving of real or personal property. It does not include the business of conducting a circus or other form of amusement when the personnel and property of such business regularly moves from one state into another, nor does it include casual or incidental business done by a nonresident lawyer, doctor or accountant.

(d) The use of any article of tangible personal property purchased at retail or acquired by lease, by bailment or by gift if the sale thereof to or the use thereof by the present user or ~~((his))~~ its bailor or donor has already been subjected to ~~((tax under the))~~ retail sales tax or use tax and such tax has been paid by the present user or by ~~((his))~~ its bailor or donor; or in respect to the use of property acquired by bailment when tax has been paid by the bailee or any previous bailee, based on reasonable rental value as provided by RCW 82.12.060, equal to the amount of tax multiplied by the value of the article used at the time of first use, at the tax rate then applicable, or in respect to the use by a bailee of property acquired prior to June 9, 1961, by a previous bailee from the same bailor for use in the same general activity.

~~((3))~~ (e) The use of any article of tangible personal property the sale of which is specifically taxable under the public utility tax.

~~((4))~~ (a) (f) In respect to the use of any airplane, locomotive, railroad car, or water craft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and;

~~((b))~~ (g) In respect to the use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or water craft, and in respect to the use by a nonresident of this state of any motor vehicle or trailer used exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state; also in respect to the use by a nonresident of this state of any motor vehicle or trailer so registered and licensed and used within this state for a period not exceeding fifteen consecutive days when the user has furnished the department of revenue with a written statement containing the following information:

~~((1))~~ (i) Name of registered owner.

~~((2))~~ (ii) Name of the foreign state in which motor vehicle or trailer is registered.

~~((3))~~ (iii) License number.

~~((4))~~ (iv) Make and model.

~~((5))~~ (v) Purpose of use in Washington.

~~((6))~~ (vi) Date of first use in Washington.

~~((7))~~ (vii) Date last used in Washington.

(h) For reasons ~~((valid to))~~ approved by the department of revenue, fifteen additional days may be granted consecutive to the original period of use. Application for such additional use must be made in writing in advance of the expiration of the original period of use and must set out the justification for and the reason why such additional time should be allowed.

(i) This exemption is not available to persons performing construction or service contracts in this state but is limited to casual or isolated use by a nonresident for servicing of ~~((his))~~ its own facilities.

(j) For the purpose of this exemption the term "nonresident" shall include a user who has one or more places of business in this state as well as in one or more other states, but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained, and operated from the user's place of business in another state, and;

~~((c))~~ (k) In respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce. Also in respect to use by subcontractors to such interstate carriers, (i.e., persons operating their own vehicles under leases with operator) and;

~~((d))~~ (l) In respect to the use of any motor vehicle or trailer while being operated under the authority of a

~~((one-transit))~~ trip permit issued by the department of motor vehicles pursuant to RCW ~~((46.16.100))~~ 46.16.160 and moving upon the highways from the point of delivery in this state to a point outside this state, and;

~~((e))~~ (m) In respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state. Also in respect to use by subcontractors to such interstate carriers (i.e., persons operating their own vehicles under leases with operator).

~~((5))~~ (n) The use of any article of tangible personal property which the state is prohibited from taxing under the constitution of the state or under the constitution or laws of the United States;

~~((6))~~ (o) The use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes, and special fuel purchased in this state upon which a refund is obtained as provided in RCW 82.38.180(2), and motor vehicle and special fuel ~~((taxable under chapter 82.36 RCW. PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the department of motor vehicles))~~ if:

(i) The fuel is used for the purpose of public transportation and the purchaser is entitled to a refund or an exemption under RCW 82.36.275 or 82.38.080(9); or

(ii) The fuel is purchased by a private, nonprofit transportation provider certified under chapter 81.66 RCW and the purchaser is entitled to a refund or an exemption under RCW 82.36.285 or 82.38.080(8); or

(iii) The fuel is taxable under chapter 82.36 or 82.38 RCW: PROVIDED, That the use of motor vehicle and special fuel upon which a refund of the applicable fuel tax is obtained shall not be exempt under this subsection, and the director of licensing shall deduct from the amount of such tax to be refunded the amount of use tax due ~~((under this chapter.))~~ and remit the same each month to the department of revenue.

~~((7))~~ (p) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or a complete operating integral section thereof by the state or a political subdivision thereof in conducting any business defined in RCW 82.16.010 (1) through (11).

~~((8))~~ (q) The use of tangible personal property (including household goods) which has been used in conducting a farm activity, but only when that property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise.

~~((9))~~ (r) The use of tangible personal property by corporations which have been incorporated under any act of the Congress of the United States of America and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities, and to devise and carry on measures

for preventing the same. (The Red Cross is the only existing organization that qualifies for this exemption.)

~~((10))~~ (s) The use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association, ~~((the use of semen in the artificial insemination of livestock.))~~ and in respect to the use of cattle and milk cows used on the farm.

~~((11))~~ (t) The use of poultry in the production for sale of poultry or poultry products.

~~((12))~~ (u) The use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same.

~~((13))~~ (v) The use of motor vehicles, equipped with dual controls, which are loaned to accredited schools and used in connection with their driver training programs.

~~((14))~~ (w) The use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to sales or use tax.

~~((15))~~ (x) The use by residents of this state of motor vehicles and trailers acquired outside this state and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption does not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of such person from the armed services. This exemption is not permitted to persons called to active duty for training periods of less than six months.

~~((16))~~ (y) The use of sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is ~~((17))~~ (a) either stockpiled in said pit or quarry for placement or is placed on the street, road, place or highway of the county or city by the county or city itself (i.e., by its own employees), or ~~((2))~~ (b) sold by the county or city to a county or a city at actual cost for placement on a publicly owned street, road, place, or highway. This exemption shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as here indicated.

~~((17))~~ (z) The use of form lumber by any person engaged in the construction, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

~~((18))~~ (aa) The use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

~~((19))~~ (bb) The use of tangible personal property held for sale and displayed in single trade shows for a period not in excess of thirty days, the primary purpose of which is to promote the sale of products or services.

~~((20))~~ (cc) The use of pollen.

(dd) The use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(ee) The use of prescription drugs, including the use by the state or a political subdivision or municipal corporation thereof of drugs to be dispensed to patients by prescription without charge.

(ff) The use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers.

(gg) The use of insulin, prosthetic devices, or orthotic devices prescribed for an individual by a chiropractor, osteopath, or physician, ostomic items, medically prescribed oxygen, and hearing aids which are prescribed or are dispensed and fitted by a licensee under chapter 18-.35 RCW.

(hh) The use of food products for human consumption (see WAC 458-20-244), including the use of livestock for personal consumption as food.

(ii) The use of ferry vessels of the state of Washington or of local governmental units in the state of Washington in transporting pedestrian or vehicular traffic within and outside the territorial waters of the state. Also, the use of tangible personal property which becomes a component part of any such ferry vessel.

(jj) Alcohol that is sold in this state for use solely as fuel in motor vehicles, farm implements and machines, or implements of husbandry. This exemption expires December 31, 1986.

(kk) The use of vans used regularly as ride sharing vehicles, as defined in RCW 46.74.010(3), by not less than seven persons, including passengers and driver, if the vans are exempt under the motor vehicle excise tax for thirty-six consecutive months beginning within thirty days of application for exemption under the use tax. This exemption expires January 1, 1988.

(ll) The use of used mobile homes as defined in RCW 82.45.032 and the use of mobile homes acquired by renting or leasing for more than thirty days, except for short term transient lodging.

(mm) The use of special fuel purchased in this state upon which a refund of special fuel tax is obtained as provided in RCW 82.38.180(2), by reason of such fuel having been purchased for use by interstate commerce carriers outside this state. Also, the use of motor vehicle fuel or special fuel by private, nonprofit transportation providers who are entitled to fuel tax refund or exemption under chapter 82.36 or 82.38 RCW.

(nn) The lease of irrigation equipment if:

(i) The irrigation equipment was purchased by the lessor for the purpose of irrigating land controlled by the lessor;

(ii) The lessor has paid tax under RCW 82.08.020 or 82.12.020 in respect to irrigation equipment;

(iii) The irrigation equipment is attached to the land in whole or in part; and

(iv) The irrigation equipment is leased to the lessee as an incidental part of the lease of the underlying land to the lessee and is used solely on such land.

(oo) The use of computers, computer components, computer accessories, or computer software irrevocably donated to any public or private school or college, as defined in chapter 84.36 RCW, in this state.

(pp) The use of semen in the artificial insemination of livestock.

(qq) The use of feed by persons for the cultivating or raising for sale of fish entirely within confined rearing areas on the persons own land or on land in which the person has a present right of possession.

(rr) The use by artistic or cultural organizations of:

(i) Objects of art;

(ii) Objects of cultural value;

(iii) Objects to be used in the creation of a work of art, other than tools; or

(iv) Objects to be used in displaying art objects or presenting artistic or cultural exhibitions or performances.

(ss) The use of used floating homes as defined in RCW 82.45.032 upon which sales tax or use tax has once been paid.

(tt) The use of feed, seed, fertilizer, and spray materials by persons raising agricultural or horticultural products for sale at wholesale including the use of feed in feeding animals at public livestock markets.

(uu) The use of prepared meals or food products used in prepared meals provided to senior citizens, disabled persons, or low income persons by not-for-profit organizations organized under chapter 24.03 or 24.12 RCW.

(vv) The use of property to produce ferrosilicon for further use in the production of magnesium for sale, where such property directly reacts chemically, with ingredients of the ferrosilicon.

(ww) In respect to lease payments by a seller/lessee to a purchaser/lessor after April 3, 1986, under a sale/leaseback agreement covering property used by the seller/lessee primarily in the business of canning, preserving, freezing, or dehydrating fresh fruits, vegetables, and fish; nor in respect to the purchase amount paid by the lessee pursuant to an option to purchase such property at the end of the lease term: PROVIDED, That the seller/lessee paid the retail sales tax or use tax at the time of its original acquisition of the property.

(8) In addition to the exemptions listed earlier, the use tax does not apply to the value of tangible personal property traded in on the purchase of tangible personal property of like kind used in this state. (See WAC 458-20-247.) Also, the use tax does not apply to the use of precious metal bullion or monetized bullion acquired under such conditions that the retail sales tax would not apply to such things in this state. (See WAC 458-20-248.)

(9) See WAC 458-20-24001 and 458-20-24002 for provisions for certain use tax deferrals on materials, labor, and services rendered in the construction of qualified buildings, machinery, and equipment used in new manufacturing and research/development facilities.

(10) RCW ((82.08.030(1))) 82.08.0251 provides expressly that the exemption therein with respect to casual sales shall not be construed as exempting from the use tax the use of any article of tangible personal property acquired through a casual sale. Thus, while casual sales made by persons who are not registered with the department of revenue are exempt from the retail sales tax (for the obvious reason that the procedure for collection of that tax is impractical in those cases), the use of property acquired through such sales is not exempt from the use tax, except as provided in RCW ((82.12.030)) 82.12.0251 through 82.12.034.

(11) See also WAC 458-20-106 regarding the use tax on the use of articles purchased at a casual sale.

~~((USE BY A NONRESIDENT. The exemption set forth in subdivision "1" above, does not extend to the use of articles by a person residing in and regularly employed in this state irrespective of whether or not such person claims a legal domicile elsewhere or intends to leave this state at some future time, nor does it extend to the use of property brought into this state by a nonresident for the purpose of conducting herein a nontransitory business activity.~~

~~The term "nontransitory business activity" means and includes the business of extracting, manufacturing, selling property, printing, publishing, and performing contracts for the constructing or improving of real or personal property. It does not include the business of conducting a circus or other form of amusement when the personnel and property of such business regularly moves from one state into another, nor does it include casual or incidental business done by a nonresident lawyer, doctor or accountant.))~~

(12) CREDIT. When property purchased elsewhere is brought into this state for use or consumption the use tax will apply upon the use thereof, but a credit is allowed for the amount of sales or use tax paid by the user or ((his)) its bailor or donor on such property to any other state((;)) or political subdivision thereof, ((or)) the District of Columbia, or any foreign country, prior to the use of the property in this state.

~~((COMPUTATION OF TAX))~~ (13) VALUE OF THE ARTICLE USED. The tax is levied and collected on an amount equal to the value of the article used by the taxpayer. The term "value of the article used" is defined by the law as being the total of the consideration paid or given by the purchaser to the seller for the article used plus any additional amounts paid by the purchaser as tariff or duty with respect to the importation of the article used. In case the article used was extracted or produced or manufactured by the person using the same or was acquired by gift or was sold under conditions where the purchase price did not represent the true value thereof, the value of the article used must be determined as nearly as possible according to the retail selling price, at the place of use, of similar products of like quality, quantity and character. In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places

of use of similar products of like quality and character. In case the articles used are acquired by lease or rental, use tax liability is measured by the amount of rental payments to a lessor who has not collected the retail sales tax.

(14) In the case of an article manufactured or produced for purposes of serving as a prototype for the development of a new or improved product, the value of the article used shall be determined by: (a) The retail selling price of such new or improved product when first offered for sale; or (b) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale. See: RCW 82.04-450, WAC 458-20-112.

(15) In the case of articles owned by a user engaged in business outside the state which are brought into the state for no more than ninety days in any period of three hundred sixty-five consecutive days and which are temporarily used for business purposes by the person in this state, the value of the article used shall be an amount representing a reasonable rental for the use of the articles, unless the person has paid tax under this chapter or chapter 82.08 RCW upon the full value of the article used.

(16) RETURNS AND REGISTRATION. Persons subject to the payment of the use tax, and who are not required to register or report under the provisions of chapters 82.04, 82.08, 82.16, or 82.28 RCW, are not required to secure a certificate of registration as provided under WAC 458-20-101. As to such persons, returns must be filed with the department of revenue on or before the fifteenth day of the month succeeding the end of the period in which the tax accrued. Forms and instructions for making returns will be furnished upon request made to the department at Olympia or to any of its branch offices.

(17) See WAC 458-20-221 for liability of certain selling agents for collection of use tax.

WSR 87-01-051

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed December 16, 1986]

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

that the agency will at 9:30 a.m., Tuesday, January 27, 1987, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98501, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 66.08.030 (2)(1).

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1987.

Dated: December 15, 1986

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

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

Description of Purpose: Add wording which would allow for more than one price stamping on beer and wine products in conformance with normal business practices. This would allow for changing prices caused by post offs, errors and changes due to competition.

Statutory Authority: RCW 66.08.030 (2)(1).

Statutes Implemented by the Rule: RCW 66.08.010.

Summary of Rule: The current rule allows wholesalers or their employees to price goods of their own brands. The board has interpreted this to mean these goods may be priced one time only (Board Resolution No. 205).

Reasons Supporting Proposed Action: The Washington State Beer and Wine Wholesalers Association has petitioned the board to amend the rule and change the board's interpretation as expressed in Resolution No. 205. The association believes that due to the nature of price changes resulting from post offs, errors and competition, adoption of the proposed amendment would provide a more expedient and effective method in providing the public with notice of the most recent price. The change proposed would allow for price changes more than once when such a change would be in conformance with normal and standard business practice.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Jan Britt, Supervisor, Manufacturers, Importers and Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6273.

Person or Organization Proposing Rule: This rule amendment was proposed as a result of a petition filed by the Washington Beer and Wine Wholesalers Association, Vernon L. Lindskog, Attorney for Petitioner, P.O. Box 1319, Olympia, WA 98507.

Agency Comments: None.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: There will be no negative cost impact for this rule.

AMENDATORY SECTION (Amending Order 181, Resolution No. 190, filed 4/9/86)

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

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

(3) No manufacturer, wholesaler, or importer, or his employee, shall directly or indirectly solicit, give or offer to, or receive from any retail

licensee, any employee thereof, or an applicant for a license, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever; nor shall any retail licensee, employee thereof, or an applicant for a license, directly or indirectly, solicit, receive from, or give or offer to any manufacturer, wholesaler or importer, or his employee, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever, except such services as are authorized in this regulation. It shall be a violation of this section for:

(a) Any retail licensee who has paid for beer or wine with a check which was dishonored upon presentation to thereafter refuse to make good on the check by immediate payment in cash.

(b) Any retail licensee to purchase beer and/or wine from any source after having received notice that a previous check given in payment for beer and/or wine has been dishonored until that dishonored check has been made good in cash.

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

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

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

(c) Provide price cards and may also price goods of his own brands in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

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

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

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

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

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

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

(8) Any manufacturer, wholesaler or importer who sells what is commonly referred to as heavy equipment and fixtures, such as counters, back bars, stools, chairs, tables, sinks, refrigerators or cooling boxes and similar articles, shall immediately after making any such sales have on file and available for inspection in accordance with WAC 314-20-050 a copy of the invoice covering each such sale, which invoice shall contain a complete description of the articles sold, the purchase price of each unit sold together with the total amount of the sale, transportation costs and services rendered in connection with the installation of such articles. Such invoice shall list the date of such sale and affirm that full cash payment for such articles was received from the retailer as provided in subsection (5) of this ((regulation)) section.

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

NOTE: WAC 314-12-140 is not intended to be a relaxation in any respect of section 90 of the Liquor Act (RCW 66.28.010). As a word of caution to persons desiring to avail themselves of the opportunity to sell to retail licensees fixtures, equipment

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

WSR 87-01-052
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed December 16, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Advertising by retail licensees, offering for sale or selling beer, wine or spirituous liquor at less than cost—Prohibited—Exceptions, amending WAC 314-52-114;

that the agency will at 9:30 a.m., Thursday, January 29, 1987, in the Offices of the Liquor Control Board, Capital Plaza Building, 5th Floor, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 66.08.030.

The specific statute these rules are intended to implement is RCW 66.08.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 29, 1987.

Dated: December 15, 1986

By: L. H. Pedersen
 Chairman

STATEMENT OF PURPOSE

Title: WAC 314-52-114 Advertising by retail licensees, offering for sale or selling beer, wine or spirituous liquor at less than cost—Prohibited—Exceptions.

Description of Purpose: To authorize retail licensees to lower prices to meet those of a competitor who has in turn set prices for the sale of beer or wine at less than ten percent above the cost of acquisition.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.08.060.

Summary of Rule: The amendment to this rule deletes the requirement that a good faith lowering of price(s) to meet a competitor's price(s) can only occur where such action is to meet a "legal price."

Reason Supporting Proposed Action: The rule in its present form permits "good faith" lowering of prices to meet only the competition of legal prices. This can presently occur where, for example, the retailer has purchased beer and wine at a certain price, has kept it in reserve and thereafter markets it at a price ten percent or more over his cost of acquisition at a time when other retailers cost of acquisition for the same product have risen. Currently, there is a retail chain licensee who is allegedly in violation of the board's cost plus ten percent minimum markup rule, and intends to continue this practice based upon a contention that the board's rule is invalid. While the violation of the rule is being handled in the usual course (see chapter 314-04 WAC) and may result in judicial review, such process will take considerable time. To preclude a retail licensee from gaining a competitive advantage by violating the board's rule (selling beer or wine at a price less than ten percent over acquisition cost) this amendment will authorize other licensees in the same trade area to meet such lower prices, if they choose to do so. On December 9, 1986, the board adopted, as an emergency rule the same amendment as is herein proposed, and such emergency rule will remain in effect for ninety days.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Gary Gilbert, Supervisor, Enforcement Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6270; and Jan Britt, Supervisor, Manufacturers/Importers/Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6282.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: This change, although unsettling the effectiveness of the ten percent minimum markup over acquisition cost rule for retailers, will provide for interim fairness to all licensees until the validity of the board's rule is established or affirmed.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: Cost impact of the amended rule for both large and small businesses is estimated to be nil.

AMENDATORY SECTION (Amending Order 173, Resolution No. 182, filed 8/5/86)

WAC 314-52-114 ADVERTISING BY RETAIL LICENSEES, OFFERING FOR SALE, OR SELLING BEER, WINE OR SPIRITUOUS LIQUOR AT LESS THAN COST—PROHIBITED—EXCEPTIONS. (1) Beer, wine, or spirituous liquor shall not be advertised, offered for sale or sold by retail licensees at less than acquisition cost plus ten percent of acquisition cost.

(2) The provisions of this section shall not apply to any sale made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such article or product and in the case of the sale of seasonal goods or to the bona fide sale of perishable goods to prevent loss to the vendor by spoilage or depreciation: PROVIDED, Notice is given to the public thereof;

(b) When the goods are damaged or deteriorated in quality, and notice is given to the public thereof;

(c) By an officer acting under the orders of any court;

(d) In an endeavor made in good faith to meet the ((legal)) prices of a competitor selling the same article or product in the same locality or trade area and in the ordinary channels of trade.

WSR 87-01-053
PROPOSED RULES
HOSPITAL COMMISSION

[Filed December 16, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Hospital Commission intends to adopt, amend, or repeal rules for reporting hospital patient discharge information, amending chapter 261-50 WAC;

that the agency will at 10:00 a.m., Thursday, January 22, 1987, in the Vance Airport Inn, Seattle, 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 70.39.180.

The specific statute these rules are intended to implement is chapter 70.39 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 12, 1987.

Dated: December 16, 1986

By: Maurice A. Click
 Executive Director

STATEMENT OF PURPOSE

Title and Number of Rule Changes: Chapter 261-50 WAC, Rules for reporting hospital patient discharge information.

Statutory Authority: RCW 70.39.180.

Summary of the Rule: Housekeeping changes to delete those portions of chapter 261-50 WAC which are not in effect after December 31, 1986. Revise WAC 261-50-030, Reporting of UB-82 data set information to: Delete references to the format for submitting data elements. The format has been incorporated in the *Procedure Manual for Submitting Discharge Data*; reflect changes necessary for submittal of discharge data under the new CHARS; and modify the patient identifier to conform more closely with the requirements of the Department of Social and Health Services and the Department of Labor and Industries and to make a more reliable data element. Revise WAC 261-50-050, Time deadline for submission of data to require all hospitals to submit data within 45 days following the end of each calendar month.

Reasons Supporting the Proposed Rule: The commission is required to collect and maintain discharge data for all hospitals in the state. In so doing, the commission is to conform as closely as possible to the requirements of Medicare and Medicaid. These amendments are necessary to successfully implement a system that conforms more closely to these requirements; to provide more timely data submission; and to provide the commission with more reliable data for carrying out its mission.

Persons Responsible for Drafting, Implementation and Enforcement of the Rule Changes: Maurice A. Click, Executive Director; and Robert H. Robinson, Ph.D.,

Associate Director, Washington State Hospital Commission, Mailstop FJ-21, Olympia, Washington 98504, (206) 753-1990.

These rules are not necessary to comply with a federal law or a federal or state court decision.

Pursuant to RCW 19.85.040, the Hospital Commission submits the following small business economic impact statement. This chapter previously provided for an alternative media (hardcopy) on which smaller hospitals could submit the required patient discharge information. The submittal instructions contained in the *Procedure Manual for Submitting Discharge Data* require all hospitals to submit the required data on diskette or tape. Although this change will impact small hospitals, the Hospital Commission, the Department of Social and Health Services, and the Department of Labor and Industries are providing hospitals with a software package at no cost which will allow small hospitals to submit data to these agencies on diskette. Hospital Commission staff believe this change will have minimal impact on small hospitals.

AMENDATORY SECTION (Amending Order 86-03, Resolution No. 86-03, filed 7/1/86)

WAC 261-50-030 REPORTING OF UB-82 DATA SET INFORMATION. (1) Effective with all hospital patient discharges on or after July 1, 1984, hospitals shall collect and report the following UB-82 data set elements to the commission: ((References to: "Len" means location on the UB-82 billing form; "Type" means (A)lpha; (N)umeric, or (D)ate; "Just" means justification, either (R)ight or (L)eft; "Size" means size of the field in bytes:))

(a) ((Len=3)) Patient Control Number ((Type=A Just=L Size=17))

Patient's unique alpha-numeric number assigned by the hospital to facilitate retrieval of individual patient records and posting of payments. This number should be constructed to allow prompt hospital access to the patient's discharge record for data verification. ((Example: "235198-001" or "345873."))

(b) ((Len=4)) Type of Bill ((Type=A Size=3))

This three-digit code requires 1 digit each, in the following sequence form: Type of facility, Bill Classification, Frequency.

Digit #1 must be "1" to indicate a hospital.

Digit #2 must be a "1" or a "2" to indicate an inpatient.

Digit #3 must be one of the following:

1 - Admit through discharge claim

((2 - Interim - first claim

3 - Interim - continuing claim

4 - Interim - last claim

5 - Late charge(s) only

6 - Adjustment of prior claim

7 - Replacement of prior claim

8 - Void/Cancel of a prior claim

Example: "111" or "114.")

(c) ((Len=7)) Medicare Provider Number ((Type=A Just=L Size=6))

This is the number assigned to the provider by Medicare. ((Example: "020888." Note: Dashes are excluded. On hardcopy of the UB-82 billing form, the dash may be included. Example: "02-0888."))

(d) ((Len=10)) Patient Identifier ((Type=A Just=L Size=10

This field may be developed manually and entered in location 10 on the UB-82 for hardcopy submittal (basic service hospitals). For magnetic tape or diskette submittal, programming will be required to generate the composite variable and place it in the required record layout.) The patient identifier shall be composed of the first two letters of the patient's last name, the first two letters of the patient's first name, or one or two initials if no first name is available, and the patient's birthdate.

(e) ((Len=11)) Zipcode ((Type=A Just=L Size=9))

Patient's five or nine digit zipcode. ((If 9 digits are used the zipcode is provided in xxxxxxxx format (no hyphen). Example: "98102" or "981023452." On hardcopy of the UB-82 billing form, this value may

be indicated with a hyphen.) In the case of a foreign country, enter the first nine characters of the name.

(f) ((Lcn=12)) Birthdate ((Type=N Size=6))
The patient's date of birth in MMDDYY format. ((Example: "062424" or "122292.") Note: If the patient is over 100 years old at the date of admission, then "17" must be the value in the "Condition Code #1" field. ((On hardcopy of the UB-82 billing form, this value may be indicated in MM-DD-YY format.))

(g) ((Lcn=13)) Sex ((Type=A Size=1))
Patient's sex in M/F format. ((Example: "M" or "F.")
(h) ((Lcn=15)) Admission Date ((Type=D Size=6))
Admission Date in MMDDYY format. ((Example: "030284" or "120883." On hardcopy of the UB-82 billing form, this value may be indicated with hyphens. Example: "12-08-83.")

(i) ((Lcn=17)) Type of Admission ((Type=A Size=1))
This field is filled with one of the following codes:
1 Emergency
2 Urgent
3 Elective
4 Newborn
5 Other
(Example: "1" or "3.")

(j) ((Lcn=18)) Source of Admission ((Type=A Size=1))
This field is completed with one of the following codes:
1 Physician referral
2 Clinic referral
3 HMO referral
4 Transfer from another hospital
5 Transfer from a SNF
6 Transfer from another HCF
7 Emergency room
8 Court/law enforcement
9 Other
(Example: "1" or "4.")

(k) ((Lcn=21)) Patient Status ((Type=A Size=2))
Patient discharge disposition in one of the following codes:
01 Discharged home
02 Discharged to another short-term general hospital
03 Discharged to SNF
04 Discharged to an ICF
05 Discharged to another type institution
06 Discharged to home under care of HHA
07 Left against medical advice
20 Expired
(30 Still patient
(Example: "01," "02" or "06.")

(l) ((Lcn=22)) Statement Covers Period ((Type=D Size=12))
This is the beginning and ending dates for which the UB-82 covers. ((This should be provided in the following format: MMDDYYMMDDYY. Example: "080183081083" or "122283122583." On hardcopy of the UB-82 billing form, dashes may be included in the dates. Example: "08-01-83-08-10-83.")
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(m) ((Lcn=35)) Condition Code #1 ((Type=A Size=2))
If a patient is equal to or over 100 years old at the time of admission, the value "17" must be the value of this field.
(n) ((Lcn=51)) Revenue Code ((Type=N Just=R Size=3))
The Medicare required revenue code (as defined in the UB-82 Procedures Manual), which identifies a specific accommodation, ancillary service or billing calculation. Effective January 1, 1987.

(o) ((Lcn=52)) Units of Service ((Type=N Just=R Size=3))
The Medicare required units of service (as defined in the UB-82 Procedures Manual) which provide a quantitative measure of services rendered by revenue category to or for the patient. Where no units of service are required by Medicare, the units of service may be those used by the hospital. Effective January 1, 1987.

(p) ((Lcn=53)) Total Charges by Revenue Code Category ((Type=N Just=R Size=9))
Total charges pertaining to the related revenue code. ((Reported in xxxxxxxx format, where the last two digits are cents and no decimal point is shown.)) Effective January 1, 1987.

(q) ((Lcn=53 Total Charges Type=N Just=R Size=9))
Total Charges for Revenue Code 001 in xxxxxxxx format, where the last two digits are cents and no decimal point is shown. Example: "367287" or "1223398."

(r) (Lcn=57A)) Payer Identification #1 ((Type=A Just=L Size=3

Data should be entered in the following format "XXXXXXX..." where XXX equals a required 3-digit numeric identification code, and xxx equals a supporting written description (not required.) Enter the three-digit code that identifies the primary payer. The required code options include:

- 001 for Medicare
- 002 for Medicaid
- 004 for health maintenance organizations
- 006 for commercial insurance
- 008 for labor and industries
- 009 for self pay
- 610 for health care service contractors, e.g., Blue Cross, county medical bureaus, Washington Physicians Service
- 625 for other sponsored patients, e.g., CHAMPUS, Indian health
- 630 charity care, as defined in WAC 261-14-020(5)

((Examples: "001," or "002." Note: The first three digits of this field must be filled.

(s) (Lcn=57B)) (r) Payer Identification #2 ((Type=A Just=L Size=3))

Same requirements as in Payer Identification #1. This field should only be completed when a secondary payer has been identified.

((t) (Lcn=77)) (s) Principal Diagnosis Code ((Type=A Just=L Size=6))

ICD9-CM Code describing the principal diagnosis (the condition established after study to be chiefly responsible or causing the hospitalization) that exists at time of admission. ((Example: "0539," or "23452." Note: Leading zeros are included and decimals are excluded.

(u) (Lcn=78)) (t) Diagnosis #2 Code ((Type=A Just=L Size=6))
ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. ((Example: "0539," or "23452." Note: Leading zeros are included and decimals are excluded.

(v) (Lcn=79)) (u) Diagnosis #3 Code ((Type=A Just=L Size=6))
ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. ((Example: "0539," or "23452." Note: Leading zeros are included and decimals are excluded.

(w) (Lcn=80)) (v) Diagnosis #4 Code ((Type=A Just=L Size=6))
ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. ((Example: "0539," or "23452." Note: Leading zeros are included and decimals are excluded.

(x) (Lcn=81)) (w) Diagnosis #5 Code ((Type=A Just=L Size=6))
ICD9-CM Code of secondary diagnosis corresponding to additional diagnosis that co-exist at the time of admission, or develop subsequently, and which have an effect on the treatment received or the length of stay. ((Example: "0539," or "23452." Note: Leading zeros are included and decimals are excluded.

(y) (Lcn=84)) (x) Principal Procedure Code ((Type=A Just=L Size=5))

The ICD9-CM Code that identifies the principal procedure performed during the patient admission. ((Example: "100" or "0101." Note: Leading zeros are included and decimals are excluded.

(z) (Lcn=85)) (y) Procedure #2 Code ((Type=A Just=L Size=5))
Secondary procedure code identifying procedures, other than the principal procedure, performed during the admission. ((Note: Leading zeros are included and decimals are excluded.

(aa) (Lcn=86)) (z) Procedure #3 Code ((Type=A Just=L Size=5))
Secondary procedure code identifying procedures, other than the principal procedure, performed during the admission. ((Note: Leading zeros are included and decimals are excluded.

(bb) (Lcn=92)) (aa) Attending Physician ID ((Type=A Just=L Size=22))

The Medicaid assigned number of the licensed physician who would normally be expected to certify and recertify the medical necessity of the services rendered and/or who has primary responsibility for the patient's medical care and treatment. For physicians who do not have a Medicaid number assigned, the state license number should be used. Effective January 1, 1987.

((cc) (Lcn=93)) (bb) Other Physician ID ((Type=A Just=L Size=22))

The Medicaid assigned number of the licensed physician who performed the principal procedure. For physicians who do not have a Medicaid number, the state license number should be used. If no principal procedure was performed, this field should be left blank. Effective January 1, 1987.

(2) ~~((The patient identifier reported pursuant to WAC 261-50-030 (1)(d) shall be composed of the last two letters of the patient's last name, the last two letters of the patient's first name, or one or two initials if no first name is available, and the patient's birthdate in MMDDYY format, i.e., 060650, and shall be entered in field 4 on the record layout and in location 10 on the UB-82 billing form. For example, John Doe, born on January 2, 1948, would be coded: 0EHN010248. This data element is required for all hospital patient discharges on or after January 1, 1985. In situations where no first name or initials are available, e.g. a newborn without a first name, the last two letters of the patient's last name shall be followed by 2 blank spaces, followed by the patient's birthdate.~~

~~((3))~~ It shall be the responsibility of each hospital to ensure that data reported pursuant to WAC 261-50-030(1) is provided for all patient discharges. Each patient discharge must carry a separate, unique patient control number on a separate UB-82 record. For example, a mother and her newborn require separate UB-82s, each with a separate, unique patient control number.

AMENDATORY SECTION (Amending Order 86-03, Resolution No. 86-03, filed 7/1/86)

WAC 261-50-040 ACCEPTABLE MEDIA FOR SUBMISSION OF DATA. ~~((The following is effective through December 31, 1986. For purposes of the data collected and reported pursuant to WAC 261-50-030, hospitals may submit such data on the following media:~~

~~(1) Hardcopy of the UB-82 billing form or a form prescribed by the commission for all patient discharges from hospitals which are classified as "basic service" hospitals;~~

~~(2) Magnetic floppy diskette (5 1/4 inch) formatted in PC-DOS 2.0 or Microsoft Disk Operating System (MS-DOS) version 2.0, with a record length of 256 bytes and external identification specifying:~~

~~(a) Hospital name;~~

~~(b) Patient discharge period (MMDDYY to MMDDYY);~~

~~(c) The number of 256 byte records each diskette contains.~~

~~(3) Magnetic tape with the following physical specifications as well as external identification setting forth such specifications:~~

~~(a) 1600 bytes per inch;~~

~~(b) EBCDIC data representation codes;~~

~~(c) Block length 6400, (25 records of 256 bytes);~~

~~(d) Unlabeled;~~

~~(e) Nine track;~~

~~(f) Hospital name;~~

~~(g) Patient discharge period (MMDDYY to MMDDYY);~~

The following is effective January 1, 1987. For purposes of the data collected and reported pursuant to WAC 261-50-030, hospitals shall submit such data in such form as prescribed by the commission in the Procedure Manual for Submitting Discharge Data.

AMENDATORY SECTION (Amending Order 84-06, Resolution No. 84-06, filed 10/1/84)

WAC 261-50-050 TIME DEADLINE FOR SUBMISSION OF DATA. Data collected by hospitals pursuant to WAC 261-50-030 shall be submitted to the commission or its designee ~~((by the following dates:~~

~~(1) For data submitted on hardcopy in accordance with the provisions of WAC 261-50-040(1), within forty-five days following the end of each calendar month;~~

~~(2) Otherwise,)) within forty-five days following the end of ((every three-month)) each calendar ((period)) month commencing with ((July 1, 1984)) January 1, 1987.~~

AMENDATORY SECTION (Amending Order 84-06, Resolution No. 84-06, filed 10/1/84)

WAC 261-50-060 EDITS TO DATA. The commission or its designee shall subject the data submitted to the commission pursuant to WAC 261-50-030 to the following set of edits:

(1) Record layout compatibility edits on data submitted in accordance with WAC 261-50-040~~((1) and 261-50-045))~~; and

(2) Verification of the data set elements set forth in WAC 261-50-030.

AMENDATORY SECTION (Amending Order 86-03, Resolution No. 86-03, filed 7/1/86)

WAC 261-50-090 PENALTIES FOR VIOLATION. RCW 70.39.200 provides that every person who shall violate or knowingly aid and abet the violation of chapter 70.39 RCW or any valid orders, rules, or regulations thereunder, or who fails to perform any act which that chapter makes it his/her duty to perform shall be guilty of misdemeanor. Following official notice to the accused by the commission of the existence of an alleged violation, each day upon which a violation occurs shall constitute a separate violation. Any person violating the provisions of chapter 70.39 RCW may be enjoined from continuing such violation. Failure to file the information required by WAC 261-50-030, 261-50-040, ~~((261-50-045))~~ and 261-50-065 shall constitute a violation, and the commission may levy a civil penalty not to exceed one hundred dollars per day for each day following official notice of violation by the commission. The executive director of the commission may grant extensions of time to file the information, in which cases failure to file the information shall not constitute a violation until the extension period has expired.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 261-50-045 MAGNETIC DISKETTE AND TAPE RECORD LAYOUT.

WSR 87-01-054

ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

[Order 106—Filed December 16, 1986]

I, Duane Berentson, secretary of the Washington State Department of Transportation, do promulgate and adopt at the Transportation Building, Olympia, Washington, the annexed rules relating to motorist information signs, chapter 468-70 WAC.

This action is taken pursuant to Notice No. WSR 86-22-021 filed with the code reviser on October 29, 1986. 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 47.42 RCW which directs that the Department of Transportation has authority to implement the provisions of chapter 47.42 RCW, Scenic Vistas 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 December 16, 1986.

By A. D. Andreas
Deputy Secretary

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-70-050 BUSINESS ELIGIBILITY. (1) To be eligible for placement of a business sign on a specific information panel a motorist activity must conform to the following standards:

(a) Gas activity:

- (i) Provide vehicle services including fuel, oil, lubrication, tire repair and water; and
 - (ii) Be in continuous operation at least sixteen hours a day, seven days a week; and
 - (iii) Provide restroom facilities, drinking water and a telephone access;
 - (iv) Specific information panels may be installed and existing signing will not be removed when the service facility is closed for a short period of time or when its hours of operation have been reduced as a result of a shortage of gasoline;
 - (v) Facilities not meeting the requirements of (i) of this subsection but have at least gas, oil, and water may qualify for signing provided that other facilities meeting the requirements of (i) of this subsection are available within the distances from the interchange as specified in subsection (3)(a) of this section.
- (b) Food activity:
- (i) Be licensed or approved by the county health office; and
 - (ii) Be in continuous operation for a minimum of twelve hours a day to serve three meals a day, breakfast, lunch, and dinner seven days a week; and
 - (iii) Have seats for a minimum of twenty patrons and/or parking and drive-in facilities for a minimum of ten vehicles; and
 - (iv) Provide telephone and restroom facilities.
- (c) Lodging activity:
- (i) Be licensed or approved by the Washington department of social and health services; and
 - (ii) Provide adequate sleeping and bathroom accommodations available without reservations for rental on a daily basis; and
 - (iii) Provide public telephone facilities.
- (d) Camping activity (applicable only for activities on fully controlled limited access highways):
- (i) Be licensed or approved by the Washington department of social and health services or county health office;
 - (ii) Consist of at least twenty camping spaces, at least fifty percent of which will accommodate tents, and have adequate parking, modern sanitary and drinking water facilities for such spaces; and
 - (iii) Have an attendant on duty to manage and maintain the facility twenty-four hours a day while in operation.
- (e) Recreation activity (applicable only for activity on scenic system or primary system highways with partial access control or no access control):
- (i) Consist of activities and sports of interest to family groups and the public generally in which people participate for purposes of active physical exercise, collective amusement or enjoyment of nature; e.g., hiking, golfing, skiing, boating, swimming, picnicking, camping, fishing, tennis, horseback riding, ice skating and gun clubs; and
 - (ii) Be licensed or approved by the state or local agency regulating the particular type of business; and
 - (iii) When the recreational activity is a campground, it must meet the criteria specified in WAC 468-70-050 (1)(d)(i) thru (iii).
- (f) Tourist-oriented business activity (not applicable for activities on interstate highways):
- (i) A natural, recreational, historical, cultural, educational, or entertainment activity, or a unique or unusual commercial or nonprofit activity, the major portion of whose income or visitors are derived during its normal business seasons from motorists not residing in the immediate area of the activity.
 - (ii) Activities must be open to the motoring public without appointment, at least eight hours a day, five days a week including Saturday and/or Sunday.
- (2) Distances prescribed herein will be measured from the center of the interchange or intersection along the centerline of the most direct public road to the facility access.
- (3) The maximum distance that GAS, FOOD, LODGING, CAMPING or RECREATIONAL activities can be located on either side of an interchange or intersection to qualify for a business sign shall be as follows:
- (a) From an interchange on a fully controlled limited access highway, GAS, FOOD and LODGING activities shall be located within three miles in either direction. CAMPING activities shall be located within five miles in either direction;
 - (b) From an interchange or intersection on a highway with partial access control or no access control, GAS, FOOD, LODGING, or CAMPING activities shall be located within five miles in either direction.
 - (c) Where there are fewer than the maximum number, as specified in WAC 468-70-060, of eligible services within the distance limits prescribed in subsection (3)(a) and (b) of this section, the distance limits may be increased in three-mile increments up to a maximum of fifteen miles to complete the balance of allowable signs.
 - (d) From an interchange or intersection on a highway with partial access control or no access control, RECREATIONAL activities shall be located within ten miles in either direction. If within such ten mile limit there are fewer than the maximum number, as specified in WAC 468-70-060, of RECREATIONAL activities available, then activities of such type located within a fifteen mile limit shall qualify.
 - (e) Qualified tourist-oriented business must be located within fifteen miles of the state highway.
 - (f) Specific information panels or tourist-oriented directional panels will not be provided until the required supplemental panels, if needed, are installed by local agencies.
 - (g) Within cities and towns having a population greater than fifteen thousand, the department of transportation shall obtain concurrence from the municipality of locations for installing panels, and may have the municipality install the panels.
- (4) A GAS, FOOD, LODGING, CAMPING/RECREATIONAL, or TOURIST-ORIENTED activity visible from the mainline at least three hundred feet prior to an intersection (~~on a highway which has no access control~~) shall not qualify for a business sign on such highway.
- (5) To be eligible for business sign placement or supplemental direction panel the activity must be eligible for specific information panel placement.
- (6) When an activity qualifies for business sign placement on more than one type of information panel, placement will be made on that type of panel which, as

determined by the department, best describes the main product or service.

(7) When appropriate, the department may require an applicant activity to file written assurances that adequate follow-through signing, as specified by the department, will be erected and maintained.

(8) Where operations are seasonal, business signs for each specific location shall be removed or covered during the appropriate period as determined by the department.

AMENDATORY SECTION (Amending Order 103, filed 3/25/86)

WAC 468-70-060 SIGNING DETAILS. (1) Specifications. All specific information panels, supplemental directional panels, and business signs shall be constructed in accordance with the Washington state standard specifications, standard plans and amendments thereto. All business signs shall be constructed of a single piece of ~~((0-080))~~ 0.063 inch thick aluminum. All panels and business signs shall be fully reflectorized to show the same shape and color both by day and night.

(2) Color of panels and signs:

(a) The background color for GAS, FOOD, LODGING, CAMPING and TOD specific information panels and supplemental directional panels shall be blue. The background color for RECREATION specific information panels and supplemental directional panels shall be brown. The border and lettering on all such signs shall be white.

(b) ~~The background color ((for business signs shall be blue, or brown for a recreation activity, with a white message and border. Standard sign sheeting colors and inks, available in white, black, yellow, red, blue, orange, green, and brown, shall be used in business symbols or trademarks)) and letter color for business signs manufactured by the department shall be standard highway sign sheeting and inks which are available in white (silver), blue, black, yellow, red, orange, green, and brown. A description of business signs which the department will manufacture is provided in WAC 468-70-070(8)(b).~~

(3) Composition of specific information panels:

(a) For interchanges, the maximum number of business signs which may be displayed on a specific information panel are six for gas and four each for food, lodging, camping/recreation and TOD activities. For intersections, all are limited to four business signs.

(b) Sign panel fabrication layouts, and business sign sizes, are provided in the Appendices of the Scenic Vistas Act Booklet published by the Washington state department of transportation.

(i) The panel size shall be sufficient to accommodate the various sizes of business signs and directional information.

(ii) For qualifying businesses located more than one mile from an intersection the business sign shall show the mileage to the business to the nearest mile. For interchanges the mileage will be shown on the supplemental directional panel business signs installed along the interchange ramp or at the ramp terminal.

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-70-070 PERMITS AND PROCEDURE. (1) No business signs will be installed on information panels prior to issuance of a permit by the department. Permits will be issued by the department in accordance with these rules and regulations.

(2) Permit applications will be accepted at the appropriate department of transportation district office in care of the district administrator. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) One permit application will be for all the signing that the applicant will qualify for at a single interchange or intersection.

(4) Application, forms for which may be obtained from the department, shall contain the following information:

(a) Name and address of the owner of the business to be advertised.

(b) The highway for which the applicant seeks signing.

(c) A description of the interchange or intersection for which the business sign is to be installed.

(d) A statement of location including exact travel distance from the interchange or intersection and precise roads used for access.

(e) An agreement to limit the height of any on-premise sign to no greater than 15 feet higher than the roof of the main building, for businesses located within one mile of an interchange or intersection.

(f) Such other information as may be required by the department.

(5) Each permit application will include a sketch, drawing or picture of the message to be placed on the business signs. The department shall have final approval of the design of the business sign and may modify such submissions to achieve uniformity.

(6) A standard application processing fee of seventy-five dollars will accompany each application. Such fee will be returned if an application is denied or if after approval the activity is not signed for reasons caused by the department.

(7) Any party aggrieved by an application determination of the department shall be accorded hearing rights before the secretary of transportation or his designee pursuant to chapter 34.04 RCW.

(8) ~~((Once an application is approved, the owner shall remit a manufacturing and installation fee within ten days of receipt of written notice of such approval. This fee will be in the amount prescribed by WAC 468-70-080 fee schedule, shall not be prorated for fractions of years, and will fulfill the owner's maintenance obligation for the first calendar year or fraction thereof during which a business sign is actually installed. If for reasons caused by the department the owner's activity is not signed, this fee will be returned.~~

(9) ~~For each additional year an annual maintenance fee shall be paid, as prescribed by WAC 468-70-080 for each business sign that is maintained by the department. This annual maintenance fee is to be paid by February 1~~

of the calendar year it is due. This fee will not be prorated for fractions of the year in the event of removal or coverage. Failure to pay the annual maintenance fee by February 1 of the year due will cause the permit application to expire and the business signs will be removed from the information panels:)) Fabrication and installation of business signs:

(a) Once an application is approved, the department will request the business to provide the signs for installation. Such signs shall be built to the department's specifications prescribed by WAC 468-70-060, and after installation the business shall be billed for the installation cost as prescribed in WAC 468-70-080.

(b) When requested by a business, the department will manufacture business signs composed of standard solid color background with standard die cut or silk screened highway sign letters used for messages. The department does not manufacture business signs having nonstandard colors, nonstandard letters, or pictorial business symbols or trademarks. The manufacturing and installation fees for signs manufactured by the department are prescribed in WAC 468-70-080.

(9) Business sign annual permit, maintenance, and replacement:

(a) For a business which provides its own signs to the department, an annual permit fee of ten dollars shall be charged.

Maintenance replacement signs shall be provided by the business, when requested by the department to replace weather worn signs. After installation the business will be billed for the installation cost as prescribed in WAC 468-70-080.

(b) For signs manufactured and maintained by the department, an annual maintenance fee shall be paid, as prescribed in WAC 468-70-080, for each business sign.

(c) Annual permit renewal and maintenance fees shall be paid by February 1 of the calendar year it is due. These fees will not be prorated for fractions of the year in the event of business sign removal or coverage. Failure to pay the annual fee by February 1 of the year due will cause the permit to expire and the business signs will be removed from the back panels.

(10) In the event of change of ownership or operation, assignment of permits in good standing shall be effective only upon receipt of assignment by the department.

(11) Revocation and expiration:

(a) After hearing before the secretary of transportation or his designee, as required by chapter 34.04 RCW (Administrative Procedure Act) and the rules and regulations of the department adopted pursuant thereto, any permit may be revoked by the secretary or the secretary's designee who has conducted the hearing for any of the following reasons:

(i) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(ii) For allowing or suffering any on-premise sign to remain that does exceed the height requirements set forth in the act or these regulations.

(iii) For failure to provide the services and/or facilities required by WAC 468-70-050 and 468-70-070 of these regulations.

(b) If a permit is revoked or is allowed to expire, a new application may be accepted by the department and the application must meet the requirements of any other new application.

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-70-080 FEE SCHEDULE. (1) (~~Manufacturing and installation charge:~~) The installation charge for each business sign provided by the business to the department is eighty dollars for new installations, and replacement installations of weather worn signs.

(2) Manufacturing and installation charge for department manufactured signs.

(a) Interstate, primary, and scenic freeways and expressways.

(i) (~~"GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD"~~ - pictorial business sign to be installed on a specific information panel \$370.00

(ii) (~~"GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD"~~ - pictorial business sign to be installed on a supplemental directional panel \$110.00

(iii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" - lettered business sign to be installed on a specific information panel \$320.00

~~((iv))~~ (ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" - lettered business sign to be installed on a supplemental directional panel \$100.00

(b) Primary or scenic highways that are conventional roads.

~~((i))~~ (~~"GAS, FOOD, LODGING, RECREATION, or TOD"~~ - pictorial business sign to be installed on a specific information panel \$190.00

(ii) "GAS, FOOD, LODGING, RECREATION, or TOD" - lettered business sign to be installed on a specific information panel \$145.00

~~((2))~~ (3) The following schedule is the annual maintenance charge for department manufactured signs.

(a) Interstate, primary, and scenic freeways and expressways.

(i) (~~"GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD"~~ - pictorial business sign on a specific information panel \$ 95.00

(ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" - pictorial business sign on a supplemental directional panel \$ 30.00

(iii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" - lettered sign on a specific information panel \$ 80.00

- ~~((iv))~~ (ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" - lettered sign on a supplemental directional panel \$ 25.00
- (b) Primary or scenic highways that are conventional roads.
- ~~((i))~~ "GAS, FOOD, LODGING, RECREATION, or TOD" - pictorial business sign on a specific information panel ~~\$ 50.00~~
- (ii) "GAS, FOOD, LODGING, RECREATION, or TOD" - lettered business sign on a specific information panel \$ 40.00

NEW SECTION

WAC 468-70-085 MAINTENANCE REPLACEMENT OF PICTORIAL BUSINESS SIGNS MANUFACTURED BY THE DEPARTMENT PRIOR TO JANUARY 1, 1987. (1) For business signs composed of nonstandard colors, nonstandard letters, or pictorial symbols or trademarks which were manufactured by the department prior to January 1, 1987, the department will manufacture and install only the first maintenance replacement of these signs that is required after January 1, 1987. Up to the time of replacement, the annual maintenance fee charged for each sign shall be:

- (a) Interstate, primary, and scenic freeways and expressways.
 - (i) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" pictorial business sign on a specific information panel \$95.00
 - (ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" pictorial business sign on a supplemental direction panel \$30.00
- (b) Primary or scenic highways that are conventional roads.
 - "GAS, FOOD, LODGING, RECREATION, or TOD" pictorial business sign on a specific information panel . . . \$50.00

After this one maintenance replacement by the department, the business owner will be responsible for subsequent maintenance replacement and the annual permit renewal fees and maintenance and replacement procedures for business-supplied signs, prescribed in WAC 468-70-070(9), will be followed.

(2) Businesses utilizing business signs composed of nonstandard colors, nonstandard letters, or pictorial symbols or trademarks which were manufactured by the department prior to January 1, 1987, may choose to provide their own maintenance replacement signs in accordance with the procedures in WAC 468-70-070(9) in lieu of the procedures described in subsection (1) of this section. The department shall notify each business of this choice by certified mail. The businesses shall be provided thirty days to respond. If no response is received, the annual maintenance fee procedure will continue; however, the business may choose, in writing at a later date, to stop paying the maintenance fee and provide their own replacement signs. The department will not refund previously paid maintenance fees to businesses choosing the option of providing their own replacement signs.

WSR 87-01-055

ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

[Order 107—Filed December 16, 1986]

I, Duane Berentson, secretary of the Department of Transportation, do promulgate and adopt at the Transportation Building, Olympia, Washington, the annexed rules relating to outdoor advertising control, chapter 468-66 WAC.

This action is taken pursuant to Notice No. WSR 86-22-001 filed with the code reviser on October 23, 1986. 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 47.42 RCW which directs that the Department of Transportation has authority to implement the provisions of chapter 47.42 RCW, Highway Advertising Control Act—Scenic Vistas 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 December 16, 1986.

By A. D. Andreas
Deputy Secretary

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-66-100 ADVERTISING COPY. (1) A Type 4 sign that displays any trade name which refers to or identifies any service rendered or product sold, used or otherwise handled more than twelve air miles from such sign may not be permitted unless the name of the advertised activity which is within twelve air miles of such sign is displayed as conspicuously as such trade name.

(2) In Type 5 signs, only information about public places operated by federal, state or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation, and places for camping, lodging, eating and vehicle service and repair is deemed to be in the specific interest of the traveled public. For the purposes of the act and these regulations, a trade name is deemed to be information in the specific interest of the traveling public only if it identifies or characterizes such a place or identifies vehicle service, equipment, parts, accessories, fuels, oils or lubricants being offered for sale at such a place. Signs displaying any other trade name may not be permitted under Type 5.

(3) Notwithstanding the provisions of subsection (1) of this section, Type 4 signs which also qualify as Type 5 signs may display trade names in accordance with the provisions of subsection (2) of this section.

(4) A Type 8 sign shall contain the business name, product(s) for sale, and travel direction and distance to the nearest mile from the intersection with the state highway to the business activity. ~~((The sign shall have a medium blue background color with white message and~~

~~border, except that colors consistent with customary use should be used for business logos or trademarks.))~~ The materials and workmanship in fabricating and installing the signs should have a professional appearance.

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-66-140 PERMITS. (1) No signs except Type 1, Type 2, or Type 3 signs shall be erected or maintained adjacent to interstate system, primary system, or scenic system highways without a permit issued by the department of transportation. Permits for erection and maintenance of signs adjacent to the interstate system, primary system, or scenic system will be issued by the department of transportation in accordance with these rules and regulations.

(2) Applications for permits (except for Type 8 signs) will be accepted only at the Department of Transportation Headquarters Office, Olympia, Washington. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) Application forms shall contain:

(a) The name and address of the owner of the sign;

(b) A statement and the signature of the owner or occupant of the land on which the sign is to be erected or maintained indicating that he has consented thereto;

(c) A statement of the precise location where the sign is to be erected or maintained;

(d) A statement of the proposed size and shape of the sign. An application for a Type 5 sign to be erected along the interstate system shall contain a description of the copy to be placed on the sign;

(e) Such other information as may be required by the department;

(f) For Type 8 signs, application forms must be submitted to the appropriate department of transportation district office and submittals must include, in addition to (a) through (e) of this subsection, an exact description of the location of the temporary agricultural business activity, a description of the proposed sign copy, identification of the products sold and expected weeks/months of sales assigned tax number, and a certification that the products being sold were harvested or produced on the property where the sale is taking place. After approval of the application by the transportation district office, the sign may be erected at the beginning of the sale season and must be removed at the end of the sale season. ~~((Regardless of previous approval for any sign location;))~~ Approved applications shall be valid for five consecutive years from the date of application approval. A new application must be submitted and approved prior to erection of a sign ((for the next sale season)) at a location where the five-year validation has expired.

For any Type 8 sign not in compliance with these regulations, the department of transportation shall request the attorney general on its behalf to institute legal proceedings to cause such sign to be removed as an illegal sign without payment of compensation.

Subsections (5) through (10) of this section do not apply to Type 8 signs.

(4) Applications shall be accompanied by a fee of ten dollars for each sign.

(5) Permits shall be for the calendar year and shall be renewed annually upon payment of said fee for the new year without the filing of a new application except as provided in WAC 468-66-090. Fees shall not be prorated for fractions of the year. Any moneys paid to the department of transportation for a sign permit shall be credited first to the payment of any annual permit or renewal fee for such sign due for any prior year. The department shall not accept payment for the current year renewal fee until all due and unpaid permit and renewal fees for prior years have been paid.

(6) Prior to December 1 of each year the department of transportation shall notify in writing the owner of every sign for which a permit is required under RCW 47.42.120 and this rule but for which no sign permit was obtained or renewed for the then current calendar year, that all unpaid permit and renewal fees for such sign and the renewal fee for such sign due in the calendar year to commence on the following January 1 shall be due and payable not later than the following February 1. The notice shall further state that if all such fees have not been paid by February 1, legal proceedings will be instituted to cause removal of such sign as an illegally maintained sign.

(7) Following the notice specified in subsection (6) of this section, if all due and unpaid permit and renewal fees are not received for any sign for which a permit is required by the date specified, the department of transportation shall request the attorney general on its behalf to institute legal proceedings to cause such sign to be removed as an illegal sign without the payment of compensation therefor.

(8) Changes in size, shape, or position of a permitted sign shall be reported to the department of transportation at Olympia at least ten days before a change is to be made. In the case of Type 5 signs permitted along the interstate system, changes in copy shall be reported to the department at Olympia at least ten days before a change is to be made.

(9) Assignment of permits in good standing shall be effective only upon receipt of assignment by the department of transportation.

(10) Every permit issued by the department shall be assigned a separate identification number, and it shall be the duty of each permittee to fasten to each sign a weatherproof label, not larger than six square inches, which shall be furnished by the department and on which shall be plainly visible the said permit number. The permittee shall also place his name in a conspicuous position on the front or back of each sign.

(11) A permit issued under these rules does not relieve the permittee from the duty to comply with all local rules, regulations, and ordinances pertaining to signs and sign structures.

WSR 87-01-056
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
 [Memorandum—December 16, 1986]

This notice is given pursuant to provisions of RCW 42-30.075 and WAC 222-08-040.

The Washington Forest Practices Board regular meetings will be held from 6:00 p.m. to 10:00 p.m. and field trips from 8:00 a.m. to 5:00 p.m. according to the following scheduled dates and locations. More detailed information will be published prior to each meeting and field trip.

March 9, 1987	Olympia - meeting
May 13, 1987	Goldendale - meeting
May 14, 1987	Goldendale - field tour
August 12, 1987	Raymond - meeting
August 13, 1987	Raymond - field tour
November 2, 1987	Island County - meeting
November 3, 1987	Island County - field tour

Additional information may be obtained from the Division of Forest Regulation and Conservation, 120 East Union Avenue, Room 109, EK-12, Olympia, Washington 98504, (206) 753-5315.

WSR 87-01-057
ADOPTED RULES
LOTTERY COMMISSION
 [Order 96—Filed December 16, 1986]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 315-06-120	Payment of prizes—General provisions.
Amd	WAC 315-12-030	Description of central and field organization of the commission and the director.
Amd	WAC 315-20-090	Form and content of decisions in contested cases and proposed orders.
New	WAC 315-04-230	Licensing of enterprises operated by or subject to jurisdiction of Indian tribes.
New	WAC 315-06-125	Debts owed the state.
New	WAC 315-11-220	Definitions for Instant Game Number 22 ("Silver Lining"/"Silver Bells").
New	WAC 315-11-221	Criteria for Instant Game Number 22.
New	WAC 315-11-222	Ticket validation requirements for Instant Game Number 22.

This action is taken pursuant to Notice Nos. WSR 86-17-093 and 86-21-141 filed with the code reviser on August 20, 1986, and October 22, 1986. 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 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 December 5, 1986.

By Duane Kovacevich
Acting Director

AMENDATORY SECTION (Amending Order 83, filed 12/16/85)

WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS. (1) The director may designate claim centers for the filing of prize claims, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of a single legal entity as claimant, either one individual or one organization. The claimant must show his or her social security number (SSN) or the organization's federal employer's identification number (FEIN) on the lottery winner claim form. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one individual in whose name the claim is to be entered.

(3) Unless otherwise provided in the rules for a specific type of game, a claimant shall sign the back of the ticket and/or complete and sign a claim form approved by the director. The claimant shall submit the claim form and/or claimant's ticket to the lottery in accordance with the director's instructions as stated in the players' manual and/or on the back of the ticket or submit a request for reconstruction of an alleged winning ticket and sufficient evidence to enable reconstruction and that the claimant had submitted a claim for the prize, if any, for that ticket. The claimant, by submitting the claim or request for reconstruction, agrees to the following provisions:

(a) The discharge of the state, its officials, officers, and employees of all further liability upon payment of the prize; and

(b) The authorization to use the claimant's name for publicity purposes upon award of the prize.

(4) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than ~~((+80))~~ one hundred eighty days after the official end of that instant game or the on-line game drawing for which that on-line ticket was purchased.

(5) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;
 (b) The ticket was stolen from the commission, director, its employees or retailers, or from a lottery retailer; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(6) The director may delay payment of any prize that exceeds six hundred dollars and debts are owed by the claimant to a state agency or political subdivision, or

that the state is authorized to enforce or collect as provided in WAC 315-06-125.

~~((7))~~ (7) No person entitled to a prize may assign his or her right to claim it except:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; or

(b) For the purposes of paying federal, state or local tax.

~~((7))~~ (8) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

~~((8))~~ (9) A ticket that has been legally issued by a lottery retailer is a bearer instrument until signed. The person who signs the ticket is considered the bearer of the ticket. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission, director and employees of the commission terminates upon payment.

~~((9))~~ (10) All prizes shall be paid within a reasonable time after the claims are validated by the director and a winner is determined. Provided, prizes paid for claims validated pursuant to WAC 315-10-070(2) shall not be paid prior to one hundred eighty-one days after the official end of that instant game. The date of the first installment payment of each prize to be paid in installment payments shall be the date the claim is validated. Subsequent installment payments shall be made as follows:

(a) If the prize was awarded as the result of a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date of the drawing in accordance with the type of prize awarded; or

(b) If the prize was awarded in a manner other than a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date the claim is validated in accordance with the type of prize awarded.

~~((10))~~ (11) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each originally scheduled payment date thereafter.

~~((11))~~ (12) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like, the life of such natural person claiming the prize shall be the measuring life.

~~((12))~~ (13) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

~~((13))~~ (14) Each lottery retailer shall pay all prizes authorized to be paid by the lottery retailer by these

rules during its normal business hours at the location designated on its license.

~~((14))~~ (15) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

AMENDATORY SECTION (Amending Resolution No. 24, filed 6/17/83)

WAC 315-20-090 FORM AND CONTENT OF DECISIONS IN CONTESTED CASES AND PROPOSED ORDERS. Whenever the director considers that any matter of proceeding will be best handled by the issuance of a proposed order by the director or a proposed or initial decision is issued by an administrative law judge, such an order shall be issued and the parties so notified. Upon receipt of such notice and proposed order, any party may file exceptions to the same within ~~((twenty))~~ ten days after the date of the proposed or initial order, unless a greater or lesser time for response is stated in the proposed or initial order or an extension of time is granted by the director for good cause shown. A copy of the exceptions shall be served upon all other parties who have appeared in the cause, or their attorneys of record, together with proof of such service in accordance with the rules governing service of process. Any party may answer the exceptions so filed and served within ten days after service of said exceptions upon him or her. Briefs may accompany the exceptions or answers thereto and shall be filed and served in the same manner. After a full consideration of the proposed order, the exceptions and the answers to exceptions so filed and briefs, the director may affirm the proposed or initial order by service of an order of affirmance upon the parties, or, if it deems the exception well taken, may revise the proposed order and issue a final order differing from the proposed order. The director, in his or her discretion, may allow the parties to present oral arguments. If no party files exceptions in a timely manner to a proposed or initial order, that order shall be final.

AMENDATORY SECTION (Amending Order 51, filed 2/7/84)

WAC 315-12-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE COMMISSION AND THE DIRECTOR. The administrative office of the commission and director is located at 600 Park Village Plaza, 1200 Cooper Point Road SW, Olympia, WA 98502. Regional offices of the director located in other cities are as follows:

CITY

SERVICES

EVERETT REGION
~~((Diagonal Way Business Center
 909 Southeast Everett Mall Way))~~
 205 E. Casino Road
 Everett, WA 98204

(a) Sales Representative
 (b) Ticket Warehousing

<u>CITY</u>	<u>SERVICES</u>
OLYMPIA REGION (+00) 600 Park Village Plaza 1200 Cooper Point Road SW Olympia, WA 98502	(a) Sales Representative (b) Ticket Warehousing
TUKWILA REGION 814 Industry Drive Tukwila, WA 98188	(a) Sales Representative (b) Ticket Warehousing
SPOKANE REGION Montgomery Commerce Center Suite #1 East 10807 Montgomery Avenue Spokane, WA 99207	(a) Sales Representative (b) Ticket Warehousing
VANCOUVER REGION Yearout Industrial Park Suite 800 12004 Northeast 95th Street (Suite 800) Vancouver, WA 98662	(a) Sales Representative (b) Ticket Warehousing
YAKIMA REGION 421 East Chestnut Avenue Yakima, WA 98901	(a) Sales Representative (b) Ticket Warehousing

All records of the commission and director are maintained in the administrative office in Olympia.

NEW SECTION

WAC 315-04-230 LICENSING OF ENTERPRISES OPERATED BY OR SUBJECT TO JURISDICTION OF INDIAN TRIBES. (1) The director is authorized to license as lottery retailers businesses which are operated by federally recognized Indian tribes, or operated upon lands subject to the jurisdiction of such Indian tribes, if the tribal council of the tribe having jurisdiction has passed an ordinance agreeing to the following provisions:

(a) All matters relating to the issuance and revocation of such license, as well as the manner in which the sale of lottery tickets is conducted by the licensee, shall be governed exclusively by the laws of the state of Washington, and no inconsistent tribal laws, ordinances, or rules exist or will be enacted.

(b) In the event of litigation involving the issuance or revocation of any such license, the conduct of the business as a lottery retailer, the financial relationship between any licensee and the lottery or any other matter connected with the lottery or its operation, the courts of the state of Washington shall have jurisdiction, and venue shall be proper only in Thurston county.

(c) Administrative disputes shall be submitted to the jurisdiction of the director, Washington state lottery, or any lawfully appointed designee thereof, and shall be conducted in accordance with Washington state law.

(d) Lottery employees and vendors, including investigators and enforcement officers, may enter upon trust lands and property including lands owned by the tribe or its members, solely for the purposes of conducting investigations and enforcing the provisions of chapter 67.70 RCW.

(2) A certified copy of such ordinance shall be filed along with the application for licensure of any business located on Indian lands, or operated by an Indian tribe.

(3) In the event any law of the state of Washington relating to matters contained in subsection (1) of this section is enacted, modified or repealed, tribal laws, ordinances or rules must be changed to be consistent with the revised laws of the state of Washington. The director may (a) suspend licenses issued pursuant to this section pending tribal council action to make such changes, and/or (b) revoke such licenses if the required changes are not made within ninety days.

NEW SECTION

WAC 315-06-125 DEBTS OWED THE STATE.

(1) The terms used in RCW 67.70.255 and these regulations are defined as follows:

(a) Creditor - Any state agency or political subdivision of this state that maintains records of debts owed to the state or political subdivision, or that the state is authorized to enforce or collect.

(b) Debt - A judgment rendered by a court of competent jurisdiction or obligations established pursuant to RCW 50.20.190, 71.02.411, 74.04.300, 74.20A.040, and 74.20A.055 or administrative orders as defined in RCW 50.24.110 and 74.20A.020(6).

(c) State - The state of Washington.

(d) Two working days - Two days not to include Saturdays, Sundays, and holidays as defined in RCW 1.16.050 commencing the day following the date the claim was validated by the lottery.

(e) Verification - A facsimile or photo copy of a judgment or final order received by the lottery during the requisite two working day period.

(2) Any creditor may submit, to the lottery, in a format specified by the director, data processing tapes containing debt information specified by the director. Tapes which do not contain the required information or are not in the proper format will be returned to the creditor. The creditor submitting debt information tapes shall provide replacement tapes on a regular basis at intervals not to exceed one month or less than one week. The creditor shall be solely responsible for the accuracy of the information contained therein.

(3) Creditors submitting data processing tapes to the lottery shall also submit the name or names of designated contact persons.

(4) The lottery shall include the debt information submitted by the creditor in its validation and prize payment process. The lottery shall delay payment of a prize, exceeding six hundred dollars, for a period not to exceed two working days, to any person owing a debt to a creditor pursuant to the information submitted in subsection (2) of this section. The lottery shall make a reasonable attempt to contact the creditor's designated contact person(s) by phone, followed by written correspondence, to verify the debt. Three phone calls, excluding busy signals, shall constitute a reasonable attempt. The prize shall be paid to the claimant if the debt is not verified by the submitting creditor within two working days. If the debt is verified, the prize shall be disbursed pursuant to subsection (6) of this section.

(5) A creditor shall verify the debt by submitting to the lottery at lottery headquarters in Olympia, Washington within the requisite two working day period,

a facsimile or photocopy of a judgment or final order which is the basis for the debt.

(6) Prior to disbursement, any verified debts owed to a creditor by the winner of any lottery prize exceeding six hundred dollars shall be set off against the prize owing to the winner. In the event a prize winner owes debts to more than one creditor, and the total prize is insufficient to pay all debts, the set off shall be paid to the creditors on a pro rata basis based on the amount of debt owed to each creditor unless priority is established by statute.

NEW SECTION

WAC 315-11-220 DEFINITIONS FOR INSTANT GAME NUMBER 22 ("SILVER LINING"/"SILVER BELLS"). (1) Play symbols: The following are the "play symbols": "FREE"; "\$2.00"; "\$5.00"; "10.00"; "20.00"; "50.00"; "\$100\$"; "10000". One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(3) Pack-ticket number: The ten-digit number of the form 2000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 22 constitute the "pack number" which starts at 2000001; 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 22, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL CAPTION</u>	
FREE	TICKET
\$2.00	TWO\$
\$5.00	FIVE
10.00	TEN\$
20.00	TWENTY
50.00	FIFTY
\$100\$	HUNDRED
10000	TEN-THOU

(5) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 22, the retailer 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 retailer verification codes are:

VERIFICATION CODE

PRIZE

TIC	FREE TICKET
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 plastic shrinkwrapping.

(7) Stub play symbol: The stub play symbol is a "W" found under the rub-off material on the lower front of the stub (right) portion of the ticket. There will be from one to three "W's" on each stub.

(8) Stub number: The stub number is the pack-ticket number less the leading identifier and the dash. It will be printed above the stub play symbol(s).

NEW SECTION

WAC 315-11-221 CRITERIA FOR INSTANT GAME NUMBER 22. (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 symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three FREE play symbols – Win Free Ticket
- 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 10000 play symbols – 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 22 set forth in WAC 315-11-222, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) There will be a total of three grand prize drawings held in conjunction with the lottery's 1986 instant games. They will be conducted at times and places and pursuant to procedures to be established and announced by the director. The prize awarded at each of the grand prize drawings will be \$5,000.00 per month for life with a minimum of \$1,000,000 guaranteed to the prize winner or the prize winner's estate. Qualifying entries from Instant Game Number 22 will be entered into one or more of these grand prize drawings. In the event that an entry is not included in the grand prize drawing process

and the director determines that the entry was entitled to participation in the process, the director reserves the right to place that entry into a subsequent grand prize drawing process.

(a) To be eligible for entry into the grand prize drawings, an entrant must:

(i) Be eligible to win a prize pursuant to chapter 67-.70 RCW and Title 315 WAC.

(ii) Collect stubs with a total of ten "W" stub play symbols. The stubs may be from Instant Game Number 19, "Three Cards Up," and/or Instant Game Number 20, "Cash Code," and/or Instant Game 21, "Sun Dollars," and/or Instant Game 22, "Silver Lining"/"Silver Bells."

(iii) Write or print legibly, the entrant's name, address, and telephone number on one or more stubs or on a separate sheet of paper. An entry containing more than one name shall be disqualified.

(iv) Place the stubs in an envelope. An envelope which contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(v) Mail the envelope with proper postage and a legible return address of the entrant to the address specified on the back of the ticket and in the player's brochure ("GRAND PRIZE DRAWING," WASHINGTON LOTTERY, TACOMA, WA 98455), or deliver it in person during normal business hours to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(b) There is no limit to the number of entries a person may submit but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above.

(c) An entry which contains one or more stolen tickets may be disqualified by the director.

(d) A nonconforming entry, at the sole discretion of the director, may be disqualified.

(e) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the "GRAND PRIZE DRAWING." All mail not drawn will be incinerated unopened.

(f) The lottery shall not be responsible for, nor place in the grand prize drawing, any entries mailed or delivered to the wrong address.

(6) Supplemental drawings will be held each week using grand prize drawing entries received since the previous supplemental drawing. Entries received by the lottery at lottery headquarters by 9:00 a.m. local time on the day of a supplemental drawing shall be entitled to participation in that drawing. Entries received at headquarters after that time will be entered in the next supplemental drawing. The supplemental drawings will be conducted at times, places, and pursuant to procedures to be established and announced by the director. Entries selected during the supplemental drawings will be retained and be eligible for the next grand prize drawing provided they have not been disqualified pursuant to these rules. The director reserves the right to place an entry which was entitled to, but which was not entered into a supplemental drawing, into a subsequent supplemental drawing. The deadline for entry and the date of

supplemental drawings may vary at the discretion of the director. The prize awarded at the supplemental drawing will be:

(a) \$21,000 cash; or

(b) The director may offer an alternate prize package valued at \$21,000 or more based on the suggested retail price for goods and services or face value for cash and securities.

(c) Selection of the cash prize or alternative prize package, if offered, shall be at the sole option of the winner. Provided, the selection must be made within five days after the drawing. If the winner fails, within that required time, to make a selection and/or tender any moneys required pursuant to (f) of this subsection, the winner will be deemed to have selected the prize of \$21,000 cash.

(d) Composition of the alternate prize package shall be at the discretion of the director.

(e) Total cost to the lottery of the alternate prize package, including but not limited to cost of the prizes, taxes, and fees shall not exceed \$21,000.

(f) All taxes and fees including any cash payments necessary to satisfy withholding obligations pursuant to requirements of the Internal Revenue Service or other taxing unit shall be the responsibility of the winner. Provided, the director may include sufficient cash in the alternate prize package to satisfy tax obligations and/or fees due at the time the prize is awarded. Taxes and fees payable subsequent to that time shall be the responsibility of the winner.

(7) The lottery, in conjunction with Instant Game Number 22, shall provide additional compensation for lottery retailers pursuant to WAC 315-04-190(3). The purpose of the program is to increase the sales of lottery tickets and to encourage lottery retailers to promote the supplemental drawing program.

(a) The lottery shall provide additional compensation of \$2,100 to lottery retailer(s) in conjunction with the supplemental drawings held pursuant to subsection (6) of this section.

(b) The compensation shall be paid to the lottery retailer(s) that sold the lottery tickets whose stubs comprised the winning entry in that week's supplemental drawing. Provided, the lottery may require such retailers to display point-of-sale material as a condition of receiving the additional compensation.

(c) The lottery retailers will be selected as follows:

(i) The \$2,100 will be divided equally between the number of stubs contained in the entry with each stub receiving one share.

(ii) The lottery retailer(s) will receive one share for each stub of a ticket which they sold that is contained in the entry.

(d) The compensation awarded to the lottery retailer(s) will be paid as follows:

(i) The amount received will be credited to any over-due balance owed the lottery.

(ii) The balance, if any, will be paid to the lottery retailer(s).

(e) Washington state liquor control board stores and agencies are not eligible to participate in this program.

(f) Any moneys not paid as additional compensation under this program shall be retained by the lottery.

(8) The lottery shall conduct in conjunction with Instant Game Number 22 an incentive program and provide additional compensation 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 retailer numbers, will be held during Instant Game Number 22 at times and places and pursuant to procedures established by the director. At each drawing, twenty-five primary and five alternate licensed retailer numbers will be drawn.

(ii) Licensed retailers 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. Retailers 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 retailer whose number was drawn as an alternate number.

(iii) Licensed retailers selected for further participation at any drawing will not be eligible for participation in future drawings.

(iv) Lottery personnel shall visit each licensed retailer qualified for further participation to determine whether point-of-sale material is displayed at each checkout area where lottery tickets are sold. Those retailers 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.

(vi) The number of winners and prizes to be awarded will be established and announced by the director.

(vii) Each winner shall be liable for the federal income tax due, if any, as a result of being awarded a prize.

(b) Washington state liquor control board stores and agencies are not eligible to participate in this incentive program.

(9) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 22; and/or

(b) Vary the number of tickets sold in Instant Game Number 22 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-222 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 22. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 22 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 Symbols	15 point Archer font
Captions	5 x 12 Matrix font
Pack-Ticket Number	9 x 12 Matrix font
Validation Number	5 x 11 Matrix font
Retailer Verification Code	7 x 12 Matrix font
Stub Play Symbols	9 x 12 Matrix font
Stub Number	5 x 9 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number, retailer verification code, stub play symbols, and the stub number must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-220(1) and each of the captions must be exactly one of those described in WAC 315-11-220(4).

(f) Each of the stub play symbols must be exactly as described in WAC 315-11-220(7) and the stub number as described in WAC 315-11-220(8).

(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 87-01-058

ADOPTED RULES

LOTTERY COMMISSION

[Order 97—Filed December 16, 1986]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 315-04-070	License fees.
Amd	WAC 315-04-132	Change of business structure.
Amd	WAC 315-04-200	Denial, suspension, or revocation of a license.
Amd	WAC 315-30-090	On-line retailer credit criteria.
New	WAC 315-11-230	Definitions for Instant Game Number 23 ("Three Cards Up").
New	WAC 315-11-231	Criteria for Instant Game Number 23.
New	WAC 315-11-232	Ticket validation requirements for Instant Game 23.

This action is taken pursuant to Notice No. WSR 86-21-143 filed with the code reviser on October 22, 1986. 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 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 December 5, 1986.

By Duane Kovacevich
Acting Director

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-04-070 LICENSE FEES. (1) The fee for a license application shall be \$15.00.

(2) The fee for a background check shall be \$10.00 regardless of the number of individuals listed on the license application for whom background checks are required. A background check will be required and this fee will be charged when an application for a license lists an individual who does not have on file with the lottery ((a)) current "personal history information" and "criminal history information" forms.((^a))

(3) All fees established in this section or other sections of this title are not refundable with the exception of the fees in subsection (1) of this section which may be refunded if a license is not issued and in subsection (2) of this section which may be refunded if a background check has not been initiated.

AMENDATORY SECTION (Amending Order 83, filed 12/16/85)

WAC 315-04-132 CHANGE OF BUSINESS STRUCTURE, OWNERSHIP, OR OFFICERS. (1) Every change of business structure of a person to whom a license has been issued must be reported to the lottery prior to the change. A change of business structure shall mean the change from one form of business organization to another, such as from sole proprietorship to partnership or corporation.

(2) Every substantial change of ownership of a person to whom a license has been issued must be reported to the lottery prior to the change. A substantial change of ownership shall mean the transfer of ten percent or more equity.

(3) Every change of officers of a person to whom a license has been issued must be reported to the lottery not later than ten days following the effective day of the change.

(4) If such change involves the addition or deletion of one or more owners or officers, the lottery retailer shall submit a license application reflecting the change(s) and any other documentation the director may require.

(5) If such change involves the addition of one or more owners or officers who does not have on file with the lottery ((a)) current "personal history information" and "criminal history information" forms,((^a)) each such owner or officer shall submit ((a-~~personal information form.~~^a)) the required forms.

AMENDATORY SECTION (Amending Order 77, filed 7/30/85)

WAC 315-04-200 DENIAL, SUSPENSION OR REVOCATION OF A LICENSE. The director may deny an application for or suspend or revoke any license issued pursuant to these rules for one or more of the following reasons:

(1) Failure to meet or maintain the eligibility criteria for license application and issuance established by chapter 7, Laws of 1982 2nd ex. sess., or these rules;

(2) Failure to account for lottery tickets received or the proceeds of the sale of tickets or to post a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(3) Failure to pay to the lottery any obligation when due;

(4) Violating any of the provisions of chapter 7, Laws of 1982 2nd ex. sess., or these rules;

(5) Failure to file any return or report or to keep records required by the director or by these rules;

(6) Failure to pay any federal, state or local tax or indebtedness;

(7) Fraud, deceit, misrepresentation or conduct prejudicial to public confidence in the lottery;

(8) If public convenience is adequately served by other licensees;

(9) Failure to sell a sufficient number of tickets to meet administrative costs;

(10) If there is a history of thefts or other forms of losses of tickets or revenue therefrom;

(11) If there is a delay in accounting or depositing in the designated depository the revenues from the ticket sales;

(12) Has violated, failed or refused to comply with any of the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW (Gambling Act), or chapter 7, Laws of 1982 2nd ex. sess., or when a violation of any provisions of chapter 7, Laws of 1982 2nd ex. sess., has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;

(13) Knowingly causes, aids, abets or conspires with another to cause any person to violate any of the laws of this state;

(14) Has obtained a license by fraud, misrepresentation, concealment or through inadvertence or mistake;

(15) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, wilful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any crime, whether a felony or misdemeanor, involving any gambling activity or physical harm to individuals or involving moral turpitude;

(16) Makes a misrepresentation of, or fails to disclose, a material fact to the commission or director on any report, record, application form or questionnaire required to be submitted to the commission or director. Misrepresentation of, or failure to disclose criminal history shall be considered a material fact for purposes of this section;

(17) Denies the commission or director or their authorized representatives, including authorized local law enforcement agencies, access to any place where a licensed activity is conducted, or fails to promptly produce

for inspection or audit any book, record, document or item required by law or these rules;

(18) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses indicated under subsection (15) of this section: **PROVIDED**, That at the request of an applicant for an original license, the director may defer decision upon the application during the pendency of such prosecution or appeal;

(19) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in lottery or gambling or related activities would be inimical to the proper operation of an authorized lottery or gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain;

(20) Is a career offender or a member of a career offender cartel or an associate of a career offender or career offender cartel in such a manner which creates probable cause to believe that the association is of such a nature as to be inimical to the policy of this state or to the proper operation of the authorized lottery or gambling or related activities in this state. For the purposes of this section, career offender shall be defined as any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain utilizing such methods as are deemed criminal violations of the public policy of this state. A career offender cartel shall be defined as any group of persons who operate together as career offenders;

(21) Failure to follow the instructions of the director for the conduct of any particular game or special event;

(22) Failure to follow security procedures of the director for the handling of tickets or for the conduct of any particular game or special event; ~~((or))~~

(23) Makes a misrepresentation of fact to the purchaser, or prospective purchaser, of a ticket, or to the general public with respect to the conduct of a particular game or special event;

(24) Failure to comply with lottery point-of-sale requirements which have been published and disseminated to lottery retailers; or

(25) Failure or inability to meet financial obligations as they fall due in the normal course of business.

AMENDATORY SECTION (Amending Order 83, filed 12/16/85)

WAC 315-30-090 ON-LINE RETAILER CREDIT CRITERIA. (1) The director shall deny an on-line license endorsement to any applicant whose credit is rated as poor ~~((or marginal))~~ as defined in this section.

(2) The director may grant an on-line license endorsement to an applicant whose credit is rated as marginal or minimum as defined in this section. Provided, the director shall require ~~((on-line))~~:

(a) Applicants whose credit is rated as ~~((minimum))~~ marginal as defined in this section to obtain a surety bond or post cash in lieu of a bond under terms and

conditions established by the director prior to issuance of the on-line license endorsement. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines a higher amount is required.

(b) Applicants whose credit is rated as minimum as defined in this section to obtain a surety bond or post cash in lieu of a bond under terms and conditions established by the director or submit five letters of credit to the lottery prior to issuance of the on-line license endorsement. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines a higher amount is required.

(3) In the event the retailer's credit is rated as poor or marginal subsequent to the issuance of the license endorsement the director may:

(a) Revoke or suspend a retailer's on-line license endorsement and/or;

(b) Require such an agent to secure a surety bond from a company licensed to do business in the state of Washington or post cash in lieu of a bond under terms and conditions established by the director. The surety bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines, based on sales volume and financial solvency of the retailer, a higher amount is required.

(4) Credit ratings are defined as follows:

(a) Business credit – information concerning the meeting of financial obligations when they become due in the normal course of business and includes currently reporting accounts payable and payment records up to six months prior to the lottery's credit check request. Accounts are evaluated by the percentage of the balance ~~((outstanding))~~ that falls in each of the following categories: Zero to thirty days, thirty-one to sixty days beyond terms, sixty-one to ninety days beyond terms, and ninety-one plus days beyond terms.

(i) A "poor" credit rating indicates that at least half of the accounts ~~((are))~~ have a portion of the balance that is in the sixty-one days and over categories.

(ii) A "marginal" credit rating indicates that at least half of the accounts ~~((are))~~ have a portion of the balance that is in the thirty-one days and over categories.

(iii) A "minimum" credit rating indicates the information is insufficient for evaluation.

(iv) An "acceptable" credit rating indicates that the majority of current accounts are in the zero to thirty days payment category. Provided, at least three accounts must be evaluated in order to receive an "acceptable" rating.

(b) Personal credit – includes current reporting personal accounts payable~~((, including))~~ and public financial record information including but not limited to court records, other public records and reports from credit bureaus or other credit reporting agencies up to seven years prior to the lottery's credit check request. A significant incident shall be defined as public financial record information which includes any lien, judgment, ~~((or))~~ bankruptcy, involuntary collection action, or any

similar incident which ((is publicly recorded and)) reflects on the individuals willingness and ability to pay creditors. A numerical rating of "one" represents excellent credit. A numerical rating of "nine" represents involuntary collection.

(i) A "poor" credit rating indicates at least half of the accounts are rated over "five," and/or the public record information indicates three or more significant incidents within the past three years.

(ii) A "marginal" credit rating indicates that at least half of the accounts are rated over "three," and/or the public record information indicates one or more significant incidents within the past three years.

(iii) A "minimum" credit rating indicates the information is insufficient for evaluation.

(iv) An "acceptable" credit rating indicates that the majority of the reporting accounts are rated under "three" and that there have been no significant incidents in the public record within the past three years. Provided, at least, three accounts must be evaluated in order to receive an "acceptable" rating.

NEW SECTION

WAC 315-11-230 DEFINITIONS FOR INSTANT GAME NUMBER 23 ("THREE CARDS UP"). (1) Play symbols: The following are the "play symbols": "A"; "K"; "Q"; "J"; "10"; "9"; "7"; "6"; "5"; "4"; "3"; "2." One of these symbols appears under each of the three rub-off spots on the front of the ticket.

(2) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(3) Pack-ticket number: The ten-digit number of the form 3000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 23 constitute the "pack number" which starts at 3000001; 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 23, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL CAPTION

A	ELV
K	TEN
Q	TEN
J	TEN
10	TEN
9	NIN
7	SEV
6	SIX
5	FIV
4	FOR
3	THR
2	TWO

(5) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 23, the retailer verification code is a three-letter code, with each letter appearing in a varying three of four locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
TIC	FREE TICKET
TWO	\$2.00
FIV	\$5.00

(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 315-11-231 CRITERIA FOR INSTANT GAME NUMBER 23. (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 play symbols in the three spots beneath the removable covering on the front of the ticket which total one of the following numbers shall win the following corresponding prize:

16	- Free Ticket
17	- \$2.00
18	- \$5.00
19	- \$50.00
20	- \$500.00
21	- \$5,000.00

(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 23 set forth in WAC 315-11-232, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 23; and/or

(b) Vary the number of tickets sold in Instant Game Number 23 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-232 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 23. (1) In addition to meeting all other requirements in

these rules and regulations, to be a valid instant game ticket for Instant Game Number 23 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the three rub-off spots on the front of the ticket.

(b) Each of the three 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 Symbols	Mead 18 Point font
Captions	Mead 5 x 11 Matrix font
Pack-Ticket Number	Mead 9 x 12 Matrix font
Validation Number	Mead 9 x 12 Matrix font
Retailer Verification Code	Mead 7 x 12 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number, agent verification code, stub play symbols, and the stub number must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-230(1) and each of the captions must be exactly one of those described in WAC 315-11-230(4).

(2) 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 87-01-059
ADOPTED RULES
LOTTERY COMMISSION
 [Order 98—Filed December 16, 1986]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

Rep	WAC 315-11-160	Definitions for Instant Game Number 16 ("People's Choice").
Rep	WAC 315-11-161	Criteria for Instant Game Number 16.
Rep	WAC 315-11-162	Ticket validation requirements for Instant Game Number 16.
Rep	WAC 315-11-170	Definitions for Instant Game Number 17 ("Doubling Dollars").
Rep	WAC 315-11-171	Criteria for Instant Game Number 17.
Rep	WAC 315-11-172	Ticket validation requirements for Instant Game Number 17.
Rep	WAC 315-11-180	Definitions for Instant Game Number 18 ("Washington Winners").
Rep	WAC 315-11-181	Criteria for Instant Game Number 18.
Rep	WAC 315-11-182	Ticket validation requirements for Instant Game Number 18.
Rep	WAC 315-11-190	Definitions for Instant Game Number 19 ("Three Cards Up").
Rep	WAC 315-11-191	Criteria for Instant Game Number 19.
Rep	WAC 315-11-192	Ticket validation requirements for Instant Game Number 19.

This action is taken pursuant to Notice No. WSR 86-21-142 filed with the code reviser on October 22, 1986. 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 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 December 5, 1986.

By Duane Kovacevich
Acting Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 315-11-160 DEFINITIONS FOR INSTANT GAME NUMBER 16 ("PEOPLE'S CHOICE").

WAC 315-11-161 CRITERIA FOR INSTANT GAME NUMBER 16.

WAC 315-11-162 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 16.

WAC 315-11-170 DEFINITIONS FOR INSTANT GAME NUMBER 17 ("DOUBLING DOLLARS").

WAC 315-11-171 CRITERIA FOR INSTANT GAME NUMBER 17.

WAC 315-11-172 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 17.

WAC 315-11-180 DEFINITIONS FOR INSTANT GAME NUMBER 18 ("WASHINGTON WINNERS").

WAC 315-11-181 CRITERIA FOR INSTANT GAME NUMBER 18.

WAC 315-11-182 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 18.

WAC 315-11-190 DEFINITIONS FOR INSTANT GAME NUMBER 19 ("THREE CARDS UP").

WAC 315-11-191 CRITERIA FOR INSTANT GAME NUMBER 19.

WAC 315-11-192 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 19.

WSR 87-01-060
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order 86-35—Filed December 16, 1986]

I, Phillip C. Johnson, deputy director of programs for the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Snoqualmie, city of, amending WAC 173-19-2523.

This action is taken pursuant to Notice No. WSR 86-22-077 filed with the code reviser on November 5, 1986.

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 December 16, 1986.
By Phillip C. Johnson
Deputy Director, Programs

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

WAC 173-19-2523 SNOQUALMIE, CITY OF. City of Snoqualmie master program approved August 16, 1974. Revision approved December 16, 1986.

WSR 87-01-061
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
[Memorandum—December 16, 1986]

Change in 1987 Regular Council Meeting Schedule
Filed December 12, 1986

The meeting previously scheduled for February 13, 1987, at 1:00 p.m. will not be held on that date but instead will be held on February 6, 1987, at 1:00 p.m. at Sea-Tac.

In all other respects the previous 1987 schedule notice remains the same.

WSR 87-01-062
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Memorandum—December 15, 1986]

The Human Rights Commission has scheduled its meetings for 1987 as follows. A work session for the commissioners and required staff will be held the evening prior to each meeting.

<u>DATE</u>	<u>LOCATION</u>
January 23 and 24	Orcas Island
February 26	Olympia
March 26	Tacoma
April 23	Bellingham
May 28	Aberdeen
June 25	Spokane
July 23	Ellensburg
August	No meeting
September 24	Yakima
October 22	Kent
November 18	Vancouver
December 16	Seattle

WSR 87-01-063
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed December 17, 1986]

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 Allocation—Request for review, amending WAC 356-10-060;

that the agency will at 10:00 a.m., Thursday, February 12, 1987, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA 98507-1789, 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 February 10, 1987.

This notice is connected to and continues the matter in Notice No. WSR 86-24-012 filed with the code reviser's office on November 21, 1986.

Dated: December 15, 1986
By: Leonard Nord
Secretary

WSR 87-01-064
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed December 17, 1986]

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

- Amd WAC 356-30-065 Temporary appointments—Classified service.
- Amd WAC 356-30-070 Appointments—Acting.
- Rep WAC 356-30-090 Temporary employment—Permanent employees—Status.
- Amd WAC 356-30-145 Project employment;

that the agency will at 10 a.m., Thursday, January 8, 1987, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA 98507-1789, 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 January 6, 1987.

This notice is connected to and continues the matter in Notice No. WSR 86-22-076 filed with the code reviser's office on November 5, 1986.

Dated: December 16, 1986

By: Leonard Nord
Secretary

WSR 87-01-065

ADOPTED RULES

**ENERGY FACILITY SITE
EVALUATION COUNCIL**

[Order 86-1—Filed December 17, 1986]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Lacey, Washington, that it does adopt the annexed rules relating to:

Amd WAC 463-26-080 Explanation of entire certification process.

Amd WAC 463-38-051 General conditions.

This action is taken pursuant to Notice No. WSR 86-21-104 filed with the code reviser on October 20, 1986. 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 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 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 December 8, 1986.

By Bill Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-26-080 EXPLANATION OF ENTIRE CERTIFICATION PROCESS. At the commencement of the hearing, the council shall generally explain the entire hearing process as set forth in RCW (~~89.50.090~~) 80.50.090 and these regulations.

AMENDATORY SECTION (Amending Order 114, filed 2/4/77)

WAC 463-38-051 GENERAL CONDITIONS.
(1) Any NPDES permit shall be issued for a period of five years, which period shall start on the date of issuance of said permit. The permittee shall inform the council at least 180 days prior to any initiation of such a discharge.

(2) The decision to approve or reject, and on what conditions an NPDES permit shall be issued, shall be in conformance with the requirements of this section. A

majority vote of council members listed in RCW (~~80.58.030~~) 80.50.030(3) shall resolve any dispute and shall determine the approval or rejection of a Refuse Act or NPDES application.

WSR 87-01-066

ADOPTED RULES

TACOMA COMMUNITY COLLEGE

[Order 86-1—Filed December 17, 1986]

Be it resolved by the board of trustees of Tacoma Community College, Community College District 22, acting at the John Binns Room, Building #7, Tacoma Community College, that it does adopt the annexed rules relating to the code of student rights and responsibilities, chapter 132V-120 WAC.

This action is taken pursuant to Notice No. WSR 86-22-049 filed with the code reviser on November 4, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50.140(13) and is intended to administratively implement that statute.

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 December 11, 1986.

By Carleton M. Opgaard
Chief Executive Officer

NEW SECTION

WAC 132V-120-330 PREGNANCY POLICY.
(1) A student in the Radiologic Technology Program who has reason to believe she may be pregnant shall report this belief immediately to the head of the Radiologic Technology Program. The head of the Radiologic Technology Program shall, if there is reason to believe a student is pregnant, require that the student submit a physician's statement confirming or denying the fact of pregnancy. Verification of pregnancy shall include the anticipated date of delivery. Upon verification of pregnancy, the student will not be permitted to continue to participate in the clinical education and didactic courses utilizing ionizing radiation of the Radiologic Technology Program. Arrangements will be made by the head of the program for the student to re-enter and complete the program requirements after the pregnancy is over.

(2) Failure to comply with the regulation will result in dismissal from the Radiologic Technology Program.

(3) A student who disputes the terms or conditions of re-entry into the Radiologic Technology Program or dismissal from the program may appeal the decision to the Chairman of the Allied Health Division.

WSR 87-01-067
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
[Memorandum—December 15, 1986]

The dates for the meetings of the board of trustees of Tacoma Community College District 22 for 1987 are as follows:

- January 8
- February 12
- March 12
- April 9
- May 14
- June 10
- July 9
- August 13
- September 10
- October 8
- November 12
- December 10

WSR 87-01-068
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE FOR
OUTDOOR RECREATION
[Memorandum—December 17, 1986]

The Interagency Committee for Outdoor Recreation adopted the following meeting schedule for 1987:

March 26-27	Regular meeting	Tyce Motor Inn Olympia
July 16-17	Regular meeting	Place to be determined
November 5-6	Regular meeting	Olympia
	Funding session	

The committee also adopted the following deadline dates for receipt of both local agencies' grant-in-aid applications and nonhighway and off-road vehicles activities applications:

Letter of intent	May 1, 1987
Development applications	June 1, 1987
Acquisition applications	July 1, 1987

WSR 87-01-069
NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE
[Memorandum—December 16, 1986]

Be it resolved that the board of trustees of Skagit Valley Community College, Community College District No. 4, will hold its regular meetings at 7:15 p.m. on the second Tuesday of each month in 1987, except for the month of August when there is no meeting. These meetings will be held in the Faculty-Staff Lounge in the Campus Center Building on the Mount Vernon Campus in January, February, March; the April meeting will be held at the Whidbey Campus in the Main Building, 1201 East Pioneer Way, Oak Harbor, Washington; all meetings thereafter will be held on the Mount Vernon Campus in the

Campus Center Building Annex Board Room (May, June, July, September, October, November, December).

The dates of the regular meetings are:

- January 13
- February 10
- March 10
- April 14
- May 12
- June 9
- July 14
- September 8
- October 13
- November 10
- December 8

WSR 87-01-070
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Filed December 17, 1986]

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 Appendix B—Dates of documents adopted by reference in chapter 248-18 WAC (hospitals), amending WAC 248-18-99902;

that the agency will at 10:00 a.m., Friday, January 30, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 2, 1987.

The authority under which these rules are proposed is RCW 70.41.030.

The specific statute these rules are intended to implement is RCW 70.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 30, 1987.

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

Lee D. Bomberger, Acting 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, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 16, 1987. The meeting site is in a location which is barrier free.

Dated: December 12, 1986
By: Lee D. Bomberger, Acting Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-18-99902, Appendix B—
Dates of documents adopted by reference in chapter
248-18 WAC.

Purpose of the Amended Rule: To update outdated
reference list of industry standards, guides and codes
which are adopted by reference in those sections of
chapter 248-18 WAC governing hospital construction.

Reason(s) These Rules are Necessary: Since the state
fire marshal and local codes now require adherence to
requirements in updated editions of documents refer-
enced, state licensure rules require modification to be
current, consistent and in the public interest.

Statutory Authority: RCW 70.41.030.

Summary of the Rule Change: The titles, dates or
both of some referenced material were changed to be
consistent with titles and dates which were changed
throughout industry standards.

Person Responsible for Enforcement of the Rule:
Sylvia I. Beck, Section Supervisor, Consultation and
Construction Review, Office of Licensing and Certifica-
tion, Division of Health, mailstop ET-12, phone (206)
753-5822.

Rules proposed by the Consultation and Construction
Review Section, Office of Licensing and Certification,
Division of Health, DSHS.

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

AMENDATORY SECTION (Amending Order 280, filed 2/15/85)

WAC 248-18-99902 APPENDIX B—DATES OF DOCU-
MENTS ADOPTED BY REFERENCE IN CHAPTER 248-18
WAC. (1) NATIONAL FIRE PROTECTION ASSOCIATION
(NFPA), 99, Chapter 3, 1984.

(2) Use of the guide, published by the American Society of Heating,
Refrigeration, and Air Conditioning Engineers (ASHRAE), recom-
mended for design of heating and ventilating systems. ASHRAE
Handbook series - ((four)) five volumes: 1982 Applications; 1983
Equipment; 1984 Systems; ((1981)) 1985 Fundamentals; 1986
Refrigeration.

(3) UNIFORM PLUMBING CODE, International Association of
Plumbing and Mechanical Officials (IAPMO), ((1982)) 1985 edition.

(4) NATIONAL FIRE PROTECTION ASSOCIATION (NFPA),
56F, 1983.

(5) NATIONAL FIRE PROTECTION ASSOCIATION (NFPA),
((90A-1981)) 90A-1985.

(6) Food Service Equipment Standards of the National Sanitation
Foundation, 1984, NSF Bldg., P.O. Box 1468, Ann Arbor, Michigan
48106.

(7) Recommend use of the following standards:

(a) "Classification of Etiologic Agents on the Basis of Hazard"

United States Department of Health and Human Services
Publication

Public Health Service
Centers for Disease Control
Office of Biosafety

Atlanta, Georgia 30333

(b) "Selecting a Biological Safety Cabinet"

United States Department of Health and Human Services

Public Health Service
National Institutes of Health
National Cancer Institute

Office of Research Safety
Bethesda, Maryland 20014

(c) For the design, construction, and performance of "Class II Bio-
hazard Cabinetry NSF No. 49"

National Science Foundation
NSF Building

Ann Arbor, Michigan 48105

(8) UNIFORM MECHANICAL CODE (UMC), International
Association of Plumbing and Mechanical Officials (IAPMO), ((1982))
1985 edition.

(9) UNDERWRITERS LABORATORIES (UL), 181-15 ((Stand-
ard for Safety)) Factory Made Air Ducts and Connectors, ((1974))
1981 edition.

(10) SHEET METAL AND AIR CONDITIONING CONTRAC-
TORS' NATIONAL ASSOCIATION, INC., (SMACNA), Duct
Liner Application Standard, Second edition, 1975.

(11) Compressed Gas Association, Inc., Pamphlet Number P-2.1-
1983, "Recommendations for Medical-Surgical Vacuum Systems,"
1983 edition.

(12) Illuminating Engineers Lighting Handbook (IES), ((1981))
1984 Application Volume.

(13) NATIONAL FIRE PROTECTION ASSOCIATION
(NFPA) ((70-1984)) 70-1987.

(14) METHOD OF TESTING AIR-CLEANING DEVICES
USED IN GENERAL VENTILATION FOR REMOVING PAR-
TICULATE MATTER," American Society of Heating, Refrigeration,
and Air Conditioning Engineers (ASHRAE), Standard 52-76, 1976
edition.

(15) NATIONAL FIRE PROTECTION ASSOCIATION
(NFPA) ((30-1981)) 30-1984.

(16) NATIONAL FIRE PROTECTION ASSOCIATION
(NFPA) 99, CHAPTER 7, 1984.

(17) NATIONAL FIRE PROTECTION ASSOCIATION
(NFPA) 43C-1980.

WSR 87-01-071

ADOPTED RULES

**DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 2451—Filed December 17, 1986]

I, Lee D. Bomberger, acting director of the Division
of Administration and Personnel, do promulgate and
adopt at Olympia, Washington, the annexed rules relat-
ing to Additional requirements for emergent situations—
AFDC, amending WAC 388-29-270.

This action is taken pursuant to Notice No. WSR 86-
22-012 filed with the code reviser on October 27, 1986.
These rules shall take effect thirty days after they are
filed with the code reviser pursuant to RCW
34.04.040(2).

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

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

APPROVED AND ADOPTED December 12, 1986.

By Lee D. Bomberger, Acting Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2284,
filed 9/23/85)

WAC 388-29-270 ADDITIONAL REQUIRE-
MENTS FOR EMERGENT SITUATIONS—AFDC.

(1) The department shall allow additional requirements
((shall be allowed)) in the following emergent situations
in which, for good cause, a recipient does not have ade-
quate funds to:

(a) Secure housing and necessary clothing in the event of a natural disaster such as flood or fire and relief is not available under WAC 388-53-010 et seq.;

(b) Prevent imminent eviction, where a formal notice of eviction or notice to pay or vacate has been received, and only in an amount needed to prevent the eviction or to secure new housing;

(c) Correct a sudden malfunction resulting in loss of heat, water, electricity, or cooking facilities and the recipient is legally responsible for the repairs and winterization funds are not available; limited to actual costs of repairs or replacement when there is no other alternative;

(d) Obtain new housing when the premises contains a verifiable material defect jeopardizing the occupant's health and safety and the landlord or owner fails or refuses to correct the defect within the time allowed by law.

(e) Prevent an impending utility shutoff when a notice of impending shutoff has been received or it is otherwise verified by the ~~((CSO))~~ department that the ~~((applicant or))~~ recipient is without necessary fuel for heating or cooking and only in the amount to meet the emergent need;

(f) Obtain new housing for needs caused by an abusive spouse. Payments will be limited to:

(i) Established fees paid to shelters especially for abused spouses, or

(ii) The amount necessary to obtain new housing.

(g) ~~((Repair an inoperable vehicle necessary to continue employment and where public transportation is not available, limited to actual costs of repairs.~~

~~((h))~~ Obtain food, when no other resource is available.

(2) ~~((For the purposes of this section, good cause means the emergent situation did not occur as a result of deliberate neglect by the applicant or recipient.))~~ Good cause ~~((may))~~ shall be established when the department determines funds ordinarily available to meet need are no longer available because of:

(a) Stolen proceeds from cashed warrants.

(b) Payment for necessities for:

(i) Medical bills;

(ii) Child care in an emergency;

(iii) Avoiding abuse;

(iv) Dental care for alleviation of pain or to obtain employment;

(v) Needs identified in subsections (1)(a) through ~~((th))~~ (g) of this section; provided the actions of the ~~((applicant or))~~ recipient were reasonable under the circumstances. A recipient ~~((with))~~ shall be presumed to have acted reasonably when the amount expended for necessities does not exceed the amount specified in WAC 388-29-112. Other cases shall be determined on a case-by-case basis. If the amount in WAC 388-29-112 is exceeded, the department ~~((with))~~ shall make a judgment regarding reasonability.

(3) ~~((In no instance is the))~~ Payments under this section ~~((to))~~ shall not exceed one month's payment standard as set in WAC 388-29-100 for renting, owning, or buying.

WSR 87-01-072

**NOTICE OF PUBLIC MEETINGS
MEDICAL DISCIPLINARY BOARD**

[Memorandum—December 15, 1986]

1987 MEETING SCHEDULE

January 16, 1987	West Seattle Community Hospital, Auditorium, Seattle
February 20, 1987	Valley Medical Center, Renton
March 20, 1987	Virginia Mason Hospital, HRB Auditorium, Seattle
April 4-5, 1987	Policies, Procedure and Training Meeting (Location to be determined)
April 17, 1987	Providence Medical Center Room 3 East Large, South Side, Seattle
May 15, 1987	Providence Medical Center, Room 3 East Large, South Side, Seattle
June 19, 1987	Providence Medical Center, Room 3 East Large, South Side, Seattle
July 17, 1987	Seattle (Location to be determined)
August 21, 1987	Seattle (Location to be determined)
September 18, 1987	Seattle (Location to be determined)
October 16, 1987	Seattle (Location to be determined)
October 31–November 1, 1987	Policies, Procedures and Training Meeting (Location to be determined)
November 20, 1987	Seattle (Location to be determined)
December 11, 1987	Seattle (Location to be determined)

Note: Meeting times and locations may be verified by calling the Medical Disciplinary Board Office, (206) 753-2205.

WSR 87-01-073

**ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)**

[Order 266—Filed December 18, 1986—Eff. February 1, 1987]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98507-1789, that it does adopt the annexed rules relating to Sick leave credit—Purpose—Accrual—Conversion, amending WAC 356-18-050.

This action is taken pursuant to Notice No. WSR 86-22-076 filed with the code reviser on November 5, 1986. These rules shall take effect at a later date, such date being February 1, 1987.

This rule is promulgated pursuant to RCW 41.06.150 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 December 11, 1986.
By Leonard Nord
Secretary

((356-06-055(6))) 356-49-040 shall be credited with their sick leave accumulated with the higher education system.

AMENDATORY SECTION (Amending Order 197, filed 1/24/84)

WAC 356-18-050 SICK LEAVE CREDIT—PURPOSE—ACCRUAL—CONVERSION. (1) Sick leave credits are granted as a form of insurance to minimize loss of compensation to employees due solely to reasons specified in WAC 356-18-060.

(2) Eight hours of sick leave credit shall be granted for each month in which a full-time employee is in pay status for 15 or more calendar days. Sick leave credit for other than full-time employees whose payroll hours are less than forty hours a week shall be computed and accrued at the ratio of payroll hours to payroll hours required for full-time employment.

(3) Employees shall be eligible to receive monetary compensation for accrued sick leave as follows:

(a) In January of each year, and at no other time, an employee whose sick leave balance at the end of the previous year exceeds 480 hours may elect to convert the sick leave hours earned in the previous calendar year, minus those hours used during the year, to monetary compensation.

(i) No sick leave hours may be converted which would reduce the calendar year-end balance below 480 hours.

(ii) Monetary compensation for converted hours shall be paid at the rate of 25% and shall be based upon the employee's current salary.

(iii) All converted hours will be deducted from the employee's sick leave balance.

(b) Employees who separate from state service on or after September 1, 1979, due to retirement or death shall be compensated for their total unused sick leave accumulation at the rate of 25%. Compensation shall be based upon the employee's salary at the time of separation. For the purpose of this subsection, retirement shall not include "vested out-of-service" employees who leave funds on deposit with the department of retirement systems (DRS).

(c) No contributions are to be made to the department of retirement systems (DRS) for such payments in (a) or (b) above, nor shall such payments be reported to DRS as compensation.

(4) ((An)) Employees who separate((s)) for any reason other than retirement or death shall not be paid for ((his/her)) their accrued sick leave.

(5) Former employees who are again employed within ((two)) five years of their separation from service shall be granted all unused sick leave credits, if any, to which they were entitled at time of separation for the purpose of using sick leave for the reasons prescribed in WAC 356-18-060. Upon any subsequent retirement or death of a reemployed retiree, only that unused sick leave accrued since the original retirement minus that taken within the same period may be compensated per the conversion provisions of WAC 356-18-050 (3)(b).

(6) Employees coming under the jurisdiction of the state personnel board from the jurisdiction of the higher education personnel board by the provisions of WAC

WSR 87-01-074
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD
[Memorandum—December 17, 1986]

The revised schedule of the 1987 regular meetings of the Community Economic Revitalization Board is as follows:

January 17, 1987
March 21, 1987
May 21, 1987
July 16, 1987
September 17, 1987
November 19, 1987

The meetings held during the legislative session will be held on Saturdays in Olympia. All other CERB meetings will be held on Thursdays in Seattle.

In accordance with Executive Order 79-03, the meeting site has been selected to be barrier free to the greatest extent feasible. Brailled or taped agenda items for the visually impaired and interpreters for those with hearing impairments will be provided if requested at least ten working days in advance.

Any questions regarding the CERB meetings should be sent to:

CERB Administrator
Community Economic Revitalization Board
c/o Department of Trade and Economic
Development
101 General Administration Building
Olympia, WA 98504 (AX-13)
Phone (206) 586-1667

WSR 87-01-075
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN AMERICAN AFFAIRS
[Memorandum—December 17, 1986]

The schedule for 1987 regular meetings of the Washington State Commission on Asian American Affairs is as follows:

February 21	Seattle
April 18	Tacoma
June 13	Seattle
September 12	Spokane
November 14	Olympia

All meetings will begin at 9:30 a.m. on the day scheduled, however, exact meeting locations are as yet undetermined.

WSR 87-01-076

**NOTICE OF PUBLIC MEETINGS
PENINSULA COLLEGE**
[Memorandum—December 16, 1986]

The Community College District No. 1 board of trustees hold its regular meetings at 3 p.m. in the board room at Peninsula College on the following dates:

- January 20, 1987
- February 17, 1987
- March 17, 1987
- April 21, 1987
- May 19, 1987
- June 16, 1987
- August 18, 1987
- September 15, 1987
- October 20, 1987
- November 17, 1987
- December 15, 1987

WSR 87-01-077

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Board of Medical Examiners)**
[Memorandum—December 17, 1986]

1987 MEETING SCHEDULE

- | | |
|--------------------|--|
| January 23, 1987 | West Seattle Community Hospital, Auditorium, Seattle |
| March 27, 1987 | Virginia Mason Hospital, Volney Richmond, Jr. Auditorium, Seattle |
| July 24, 1987 | West Seattle Community Hospital, Auditorium, Seattle |
| September 25, 1987 | West Seattle Community Hospital, Auditorium, Seattle |
| December 4, 1987 | Providence Medical Center, Room 3 East Large, North Side, Seattle. |

Note: Meeting times and locations may be verified by calling the Board of Medical Examiners Office, (206) 753-2205.

WSR 87-01-078

**EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)**

[Order 314—Filed December 18, 1986]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1986-87 Washington game fish seasons and catch limits—Quillayute, Bogachiel, Calawah, Solduc and Dickey rivers, WAC 232-28-61518.

We, the State Game Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is conditions requiring

the adoption of WAC 232-28-61518, filed as WSR 87-01-010 on December 8, 1986, are no longer applicable. Therefore, effective 7:00 a.m. December 19, 1986, the game fish seasons and catch limits on the Quillayute, Bogachiel, Calawah, Solduc and Dickey rivers are as they appear in the 1986 Washington game fish seasons and catch limits pamphlet, under provisions of WAC 232-28-615.

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

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

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

APPROVED AND ADOPTED December 18, 1986.
By Jack S. Wayland
Director

REPEALER

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

WAC 232-28-61518 AMENDMENT TO 1986-87 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—QUILLAYUTE, BOGACHIEL, CALAWAH, SOLDUC AND DICKEY RIVERS

WSR 87-01-079

**PROPOSED RULES
PUBLIC DISCLOSURE COMMISSION**
[Filed December 19, 1986]

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:

- Amd WAC 390-20-0101 Forms for lobbyist registration.
- Amd WAC 390-20-110 Forms for lobbyist employers report;

that the agency will at 9:00, Tuesday, January 27, 1987, in the 2nd Floor Conference Room, Evergreen Plaza Building, FJ-42, Olympia, Washington 98504-3342, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 27, 1987.

The authority under which these rules are proposed is RCW 42.17.370.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1987.

Dated: December 18, 1986
By: Graham E. Johnson
Executive Director

STATEMENT OF PURPOSE

Title: WAC 390-20-0101 Forms for lobbyist registration.

Description of Purpose: Adopts form for lobbyists to use to register to lobby.

Statutory Authority: RCW 42.17.370(1).

Reasons Supporting Proposed Action: Update year for lobbyist registration to 1987-88.

Title: WAC 390-20-110 Forms for lobbyist employers report.

Description of Purpose: Adopts form for lobbyists employers to use to report total lobbying expenditures.

Statutory Authority: RCW 42.17.370(1).

Reasons Supporting Proposed Action: Minor changes (year for) to form.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Executive Director.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: PDC staff.

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: N/A.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-20-0101 FORMS FOR LOBBYIST REGISTRATION. The official form for lobbyist registration as required by RCW 42.17.150 is designated "L-1," revised ((H/82)) 12/86. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

LOBBYIST REGISTRATION 1985-86

THIS REGISTRATION IS VALID UNTIL JAN. 12, 1987 UNLESS SOONER TERMINATED

THIS SPACE FOR OFFICE USE

L1

1. LOBBYIST NAME

PERMANENT BUSINESS ADDRESS

CITY STATE ZIP

2. TEMPORARY THURSTON COUNTY ADDRESS DURING LEGISLATIVE SESSION

TELEPHONE PERMANENT: TEMPORARY:

3. EMPLOYER'S NAME AND ADDRESS (PERSON OR GROUP FOR WHICH YOU LOBBY)

EMPLOYER'S OCCUPATION, BUSINESS OR DESCRIPTION OF PURPOSE OF ORGANIZATION

4. NAME AND ADDRESS OF PERSON HAVING CUSTODY OF ACCOUNTS, RECEIPTS, BOOKS OR OTHER DOCUMENTS WHICH SUBSTANTIATE LOBBYIST REPORTS.

5. WHAT IS YOUR PAY (COMPENSATION) FOR LOBBYING?

\$ _____ PER _____ (Hour, Day, Month, Year)

OTHER: EXPLAIN _____

DESCRIPTION OF EMPLOYMENT (CHECK ONE OR MORE BOXES)

FULL TIME EMPLOYEE SOLE DUTY IS LOBBYING

PART TIME OR TEMPORARY EMPLOYEE LOBBYING IS ONLY A PART OF OTHER DUTIES

CONTRACTOR, RETAINER OR SIMILAR AGREEMENT

UNSALARIED OFFICER OR MEMBER OF GROUP

6. ARE YOU REIMBURSED FOR LOBBYING EXPENSES? EXPLAIN WHICH EXPENSES.

YES: \$ _____ PER _____

YES: I AM REIMBURSED FOR ALL EXPENSES.

NO: I AM NOT REIMBURSED FOR EXPENSES.

DOES EMPLOYER PAY ANY OF YOUR LOBBYING EXPENSES DIRECTLY? IF YES, EXPLAIN WHICH ONES.

7. HOW LONG DO YOU EXPECT TO LOBBY FOR THIS ORGANIZATION?

PERMANENT LOBBYIST ONLY DURING LEGISLATIVE SESSION OTHER, EXPLAIN: _____

8. IF ANY PART OF YOUR COMPENSATION IS CONTINGENT ON THE SUCCESS OF AN ATTEMPT TO INFLUENCE LEGISLATION, ATTACH AN EXPLANATION FULLY DESCRIBING THE AGREEMENT, ARRANGEMENT OR UNDERSTANDING.

NO YES, EXPLANATION ATTACHED _____

9. IS YOUR EMPLOYER A BUSINESS OR TRADE ASSOCIATION OR SIMILAR ORGANIZATION WHICH LOBBIES ON BEHALF OF ITS MEMBERS? IF "YES", ATTACH A LIST SHOWING THE NAME AND ADDRESS OF EACH MEMBER WHO HAS PAID THE ASSOCIATION FEES, DUES OR OTHER PAYMENTS OVER \$500 DURING EITHER OF THE PAST TWO YEARS OR IS EXPECTED TO PAY OVER \$500 THIS YEAR

NO

YES, THE LIST IS ATTACHED _____

10. DOES YOUR EMPLOYER HAVE A CONNECTED, RELATED OR CLOSELY AFFILIATED POLITICAL ACTION COMMITTEE WHICH WILL PROVIDE FUNDS FOR YOU TO MAKE POLITICAL CONTRIBUTIONS OR PURCHASE TICKETS TO FUND RAISING EVENTS? IF SO, LIST THE NAME OF THAT POLITICAL ACTION COMMITTEE.

NO

YES, NAME OF THE COMMITTEE IS: _____

11. IF LOBBYIST IS A COMPANY, PARTNERSHIP OR SIMILAR BUSINESS ENTITY WHICH EMPLOYS OTHERS TO PERFORM ACTUAL LOBBYING DUTIES, LIST NAME OF EACH PERSON WHO WILL LOBBY. (SEE WAC 390-20-143 AND 144 FOR INSTRUCTIONS.)

12. AREAS OF INTEREST. LOBBYING IS MOST FREQUENT BEFORE LEGISLATIVE COMMITTEE MEMBERS OR STATE AGENCIES CONCERNED WITH FOLLOWING SUBJECTS:

CODE	SUBJECT	CODE	SUBJECT
01	<input type="checkbox"/> Agriculture	08	<input type="checkbox"/> Fiscal
02	<input type="checkbox"/> Business and Consumer Affairs	09	<input type="checkbox"/> Higher Education
03	<input type="checkbox"/> Constitutions and Elections	10	<input type="checkbox"/> Human Services
04	<input type="checkbox"/> Education	11	<input type="checkbox"/> Labor
05	<input type="checkbox"/> Energy and Utilities	12	<input type="checkbox"/> Law and Justice
06	<input type="checkbox"/> Environmental Affairs—Natural Resources—Parks	13	<input type="checkbox"/> Local Government
07	<input type="checkbox"/> Financial Institutions and Insurance	14	<input type="checkbox"/> State Government
		15	<input type="checkbox"/> Transportation
		16	<input type="checkbox"/> Other—specify _____

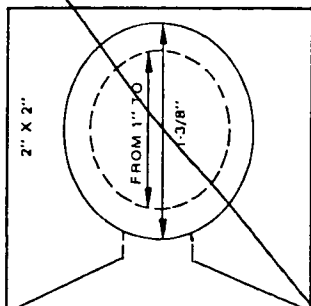
REMARKS

CERTIFICATION: I HEREBY CERTIFY THAT THE ABOVE IS A TRUE, COMPLETE AND CORRECT STATEMENT.

EMPLOYER'S AUTHORIZATION: CONFIRMING THE EMPLOYMENT AUTHORITY TO LOBBY DESCRIBED IN THIS REGISTRATION STATEMENT

13. LOBBYIST'S SIGNATURE DATE EMPLOYER'S SIGNATURE, NAME TYPED OR PRINTED AND TITLE DATE

LOBBYIST IDENTIFICATION BOOKLET



NAME:
 BUSINESS ADDRESS:
 PHONE:

OLYMPIA ADDRESS:
 PHONE:

EMPLOYERS' NAMES:

YEAR FIRST EMPLOYED AS A LOBBYIST:
 BIOGRAPHY:

INSTRUCTIONS

ATTACH THIS PAGE TO YOUR L-1 REGISTRATION.
 ATTACH 2" x 2" PASSPORT TYPE, BLACK AND WHITE PHOTO. PHOTO SHOULD BE HEAD AND SHOULDERS, FULL FACE, AND TAKEN WITHIN LAST 12 MONTHS.
 PLEASE WRITE, LIGHTLY IN PENCIL, NAME ON BACK OF PHOTO BEFORE ATTACHING.
 PHOTOS WILL NOT BE RETURNED.
 PLEASE SEE INSTRUCTION BOOKLET FOR EXAMPLE OF BIOGRAPHY. LIST ALL EMPLOYERS ON THIS PAGE IF YOU HAVE MORE THAN ONE EMPLOYER. IF YOU LATER ADD ADDITIONAL EMPLOYERS, PDC WILL INCLUDE THEM FOR YOU.
 PLEASE USE TYPEWRITER TO COMPLETE THIS PAGE.

STATE OF WASHINGTON

LOBBYIST REGISTRATION 1987-88

THIS REGISTRATION IS VALID UNTIL JAN. 9, 1989 UNLESS SOONER TERMINATED

THIS SPACE FOR OFFICE USE

L1

1. LOBBYIST NAME

PERMANENT BUSINESS ADDRESS

CITY STATE ZIP

2. TEMPORARY THURSTON COUNTY ADDRESS DURING LEGISLATIVE SESSION

TELEPHONE PERMANENT: TEMPORARY:

3. EMPLOYER'S NAME AND ADDRESS (PERSON OR GROUP FOR WHICH YOU LOBBY)

EMPLOYER'S OCCUPATION, BUSINESS OR DESCRIPTION OF PURPOSE OF ORGANIZATION

4. NAME AND ADDRESS OF PERSON HAVING CUSTODY OF ACCOUNTS, RECEIPTS, BOOKS OR OTHER DOCUMENTS WHICH SUBSTANTIATE LOBBYIST REPORTS.

5. WHAT IS YOUR PAY (COMPENSATION) FOR LOBBYING?

\$ _____ PER _____ (Hour, Day, Month, Year)

OTHER: EXPLAIN

DESCRIPTION OF EMPLOYMENT (CHECK ONE OR MORE BOXES)

FULL TIME EMPLOYEE SOLE DUTY IS LOBBYING

PART TIME OR TEMPORARY EMPLOYEE LOBBYING IS ONLY A PART OF OTHER DUTIES

CONTRACTOR, RETAINER OR SIMILAR AGREEMENT

UNSALARIED OFFICER OR MEMBER OF GROUP

6. ARE YOU REIMBURSED FOR LOBBYING EXPENSES? EXPLAIN WHICH EXPENSES.

YES: \$ _____ PER _____

YES: I AM REIMBURSED FOR EXPENSES.

NO: I AM NOT REIMBURSED FOR EXPENSES.

DOES EMPLOYER PAY ANY OF YOUR LOBBYING EXPENSES DIRECTLY? IF YES, EXPLAIN WHICH ONES.

7. HOW LONG DO YOU EXPECT TO LOBBY FOR THIS ORGANIZATION?

PERMANENT LOBBYIST ONLY DURING LEGISLATIVE SESSION OTHER, EXPLAIN:

8. IF ANY PART OF YOUR COMPENSATION IS CONTINGENT ON THE SUCCESS OF AN ATTEMPT TO INFLUENCE LEGISLATION, ATTACH AN EXPLANATION FULLY DESCRIBING THE AGREEMENT, ARRANGEMENT OR UNDERSTANDING.

NO YES. EXPLANATION ATTACHED

9. IS YOUR EMPLOYER A BUSINESS OR TRADE ASSOCIATION OR SIMILAR ORGANIZATION WHICH LOBBIES ON BEHALF OF ITS MEMBERS? IF "YES", ATTACH A LIST SHOWING THE NAME AND ADDRESS OF EACH MEMBER WHO HAS PAID THE ASSOCIATION FEES, DUES OR OTHER PAYMENTS OVER \$500 DURING EITHER OF THE PAST TWO YEARS OR IS EXPECTED TO PAY OVER \$500 THIS YEAR.

NO

YES. THE LIST IS ATTACHED

10. DOES YOUR EMPLOYER HAVE A CONNECTED, RELATED OR CLOSELY AFFILIATED POLITICAL ACTION COMMITTEE WHICH WILL PROVIDE FUNDS FOR YOU TO MAKE POLITICAL CONTRIBUTIONS INCLUDING PURCHASE TICKETS TO FUND RAISING EVENTS? IF SO, LIST THE NAME OF THAT POLITICAL ACTION COMMITTEE.

NO

YES. NAME OF THE COMMITTEE IS: _____

11. IF LOBBYIST IS A COMPANY, PARTNERSHIP OR SIMILAR BUSINESS ENTITY WHICH EMPLOYS OTHERS TO PERFORM ACTUAL LOBBYING DUTIES, LIST NAME OF EACH PERSON WHO WILL LOBBY. (SEE WAC 390-20-143 AND 144 FOR INSTRUCTIONS.)

12. AREAS OF INTEREST. LOBBYING IS MOST FREQUENT BEFORE LEGISLATIVE COMMITTEE MEMBERS OR STATE AGENCIES CONCERNED WITH FOLLOWING SUBJECTS:

CODE	SUBJECT	CODE	SUBJECT
01	<input type="checkbox"/> Agriculture	08	<input type="checkbox"/> Fiscal
02	<input type="checkbox"/> Business and Consumer Affairs	09	<input type="checkbox"/> Higher Education
03	<input type="checkbox"/> Constitutions and Elections	10	<input type="checkbox"/> Human Services
04	<input type="checkbox"/> Education	11	<input type="checkbox"/> Labor
05	<input type="checkbox"/> Energy and Utilities	12	<input type="checkbox"/> Law and Justice
06	<input type="checkbox"/> Environmental Affairs—Natural Resources—Parks	13	<input type="checkbox"/> Local Government
07	<input type="checkbox"/> Financial Institutions and Insurance	14	<input type="checkbox"/> State Government
		15	<input type="checkbox"/> Transportation
		16	<input type="checkbox"/> Other—specify _____

REMARKS

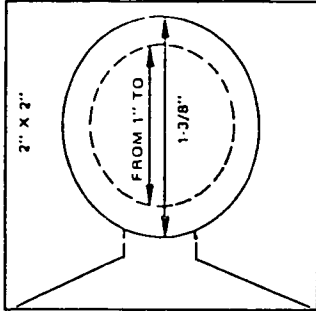
CERTIFICATION: I HEREBY CERTIFY THAT THE ABOVE IS A TRUE, COMPLETE AND CORRECT STATEMENT.

EMPLOYER'S AUTHORIZATION: CONFIRMING THE EMPLOYMENT AUTHORITY TO LOBBY DESCRIBED IN THIS REGISTRATION STATEMENT.

13. LOBBYIST'S SIGNATURE DATE

EMPLOYER'S SIGNATURE, NAME TYPED OR PRINTED AND TITLE DATE

LOBBYIST IDENTIFICATION BOOKLET



NAME:
BUSINESS ADDRESS:

PHONE:

OLYMPIA ADDRESS:

PHONE:

EMPLOYERS' NAMES:

YEAR FIRST EMPLOYED AS A LOBBYIST:
BIOGRAPHY:

INSTRUCTIONS

ATTACH THIS PAGE TO YOUR L-1 REGISTRATION.

ATTACH 2" x 2" PASSPORT TYPE, BLACK AND WHITE PHOTO. PHOTO SHOULD BE HEAD AND SHOULDERS, FULL FACE, AND TAKEN WITHIN LAST 12 MONTHS.

PLEASE WRITE, LIGHTLY IN PENCIL, NAME ON BACK OF PHOTO BEFORE ATTACHING.

PHOTOS WILL NOT BE RETURNED.

PLEASE SEE INSTRUCTION BOOKLET FOR EXAMPLE OF BIOGRAPHY. LIST ALL EMPLOYERS ON THIS PAGE IF YOU HAVE MORE THAN ONE EMPLOYER. IF YOU LATER ADD ADDITIONAL EMPLOYERS, PDC WILL INCLUDE THEM FOR YOU.

PLEASE USE TYPEWRITER TO COMPLETE THIS PAGE.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-20-110 FORMS FOR LOBBYIST EMPLOYERS REPORT. The official form for statement by employers of registered lobbyists as required by RCW 42.17.180 is designated "L-3," revised ((8/83)) 1/87. Copies of this form at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES

DURING CALENDAR YEAR 1983

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1. EMPLOYER'S NAME (USE COMPLETE COMPANY, ASSOCIATION, UNION OR ENTITY NAME)

MAILING ADDRESS _____ TELEPHONE _____

CITY _____ STATE _____ ZIP _____

THIS REPORT MUST BE FILED BY MARCH 31, 1984 AND INCLUDES A FINANCIAL REPORT OF STATE LOBBYING ACTIVITIES FOR CALENDAR YEAR 1983. COMPLETE ALL SECTIONS. IF ENTRY IS "NONE" OR "\$0" SO STATE.

2. PAYMENTS DIRECTLY TO LOBBYISTS FOR SALARY, CONTRACT, RETAINER, REIMBURSEMENT OF EXPENSES, ETC.

LOBBYIST NAME (IF TO LOBBY FIRM, LIST FIRM NAME)	AMOUNT	TOTAL AMOUNT

INFORMATION CONTINUED ON ATTACHED PAGE TOTAL FROM ATTACHED PAGE _____

TOTAL PAID DIRECTLY TO LOBBYISTS → _____

3. OTHER EXPENDITURES MADE BY THE EMPLOYER FOR LOBBYING PURPOSES. INCLUDED WOULD BE ANY AND ALL:

- a. PAYMENTS TO VENDORS ON BEHALF OF OR IN SUPPORT OF LOBBYISTS. I.e. FOOD, LODGING, CREDIT CARD PURCHASES PAID BY THE EMPLOYER FOR REGISTERED OR UNREGISTERED LOBBYISTS.
- b. OFFICE EXPENSES, STAFF AND SECRETARIAL SUPPORT, RENT, TELEPHONE, UTILITIES. INCLUDE BOTH HOME OFFICE AND OLYMPIA OFFICE, IF ANY.
- c. COMPANY OFFICIALS, EXPERT WITNESSES OR OTHERS PAID TO LOBBY, WHETHER OR NOT REQUIRED TO REGISTER. INCLUDE PROPORTION OF SALARY OR PAY BASED ON TIME SPENT LOBBYING.
- d. TRAVEL, WHETHER TO LEGISLATIVE HEARINGS OR OTHER LOBBYING. INCLUDE ALL TRANSPORTATION COSTS, TICKETS, AND EMPLOYER OWNED TRANSPORTATION. IF TRANSPORTATION WAS FURNISHED TO ANY LEGISLATOR, STATE OFFICIAL, OR STATE EMPLOYEE COMPLETE ITEM 8 LISTING THE PERSON'S NAME, TITLE, DESTINATION, COST OF TRANSPORTATION AND DATES OF TRAVEL.
- e. ENTERTAINMENT AND HOSTING PROVIDED FOR LEGISLATORS, STATE OFFICIALS OR STATE EMPLOYEES PAID BY EMPLOYER OR BY EMPLOYEES NOT REQUIRED TO REGISTER AS LOBBYISTS.
- f. COMMUNICATIONS AND ADVERTISING. INCLUDE RADIO, TV, NEWSPAPER AND SIMILAR ADVERTISING. ALSO INCLUDE COMMUNICATIONS TO STOCKHOLDERS, MEMBERS, CLIENTS OR CUSTOMERS TO ASSIST LOBBYING EFFORT.
- g. OTHER EXPENDITURES FOR LOBBYING, WHETHER THRU OR ON BEHALF OF A REGISTERED LOBBYIST OR OTHERWISE. DO NOT INCLUDE PAYMENTS ALREADY SHOWN IN ITEM 2 ABOVE.

4. POLITICAL CONTRIBUTIONS TO CANDIDATES FOR STATE OFFICE, LEGISLATURE, COMMITTEES SUPPORTING OR OPPOSING THOSE CANDIDATES OR COMMITTEES SUPPORTING OR OPPOSING STATEWIDE BALLOT MEASURES.

- a. CONTRIBUTIONS DIRECTLY FROM EMPLOYER. ALSO COMPLETE ITEM 9 ON REVERSE.
- b. IF CONTRIBUTIONS WERE MADE BY A POLITICAL ACTION COMMITTEE ASSOCIATED, AFFILIATED OR SPONSORED BY THE EMPLOYER, SHOW NAME OF THE PAC BELOW. (INFORMATION REPORTED BY PAC ON C-1 REPORT NEED NOT BE AGAIN INCLUDED IN THIS L-3 REPORT.)
 NAME OF PAC _____

5. PAYMENTS OR EXPENDITURES TO LEGISLATORS, STATE OFFICIALS AND MEMBERS OF THEIR IMMEDIATE FAMILIES FOR THE PURPOSE OF INFLUENCING, HONORING, OR BENEFITING. DO NOT INCLUDE PAYMENT FOR GOODS OR SERVICES IN THE NORMAL COURSE OF BUSINESS. ALSO COMPLETE ITEM 12 ON REVERSE.

6. GIFTS TO LEGISLATORS, STATE OFFICIALS AND STATE EMPLOYEES OR MEMBERS OF THEIR IMMEDIATE FAMILIES.

TOTAL LOBBYING EXPENSES
(Items 2 thru 6 above) _____

7. THIS REPORT MUST BE CERTIFIED BY PRESIDENT, SECRETARY-TREASURER OR SIMILAR OFFICER OF EMPLOYER ORGANIZATION

CERTIFICATION I certify that the information contained in this report is a true, correct and complete statement in accordance with RCW 42.17.180.	SIGNATURE OF EMPLOYER _____ NAME TYPED OR PRINTED DATE _____ TITLE _____
---	---

PDC FORM L-3 (REV. 8-83) — 394 —

CONTINUE ON REVERSE

8. TRAVEL PROVIDED TO LEGISLATORS, STATE ELECTED OFFICIALS, STATE EMPLOYEES OR MEMBERS OF THEIR IMMEDIATE FAMILIES.

NAME AND TITLE	COST	DATES, DESTINATION AND PURPOSE OF TRAVEL
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES		

9. CONTRIBUTIONS TO CANDIDATES FOR STATE OFFICE, LEGISLATURE, COMMITTEES SUPPORTING OR OPPOSING THOSE CANDIDATES OR COMMITTEES SUPPORTING OR OPPOSING STATEWIDE BALLOT MEASURES MADE BY EMPLOYER. (CONTRIBUTIONS FROM PAC NEED NOT BE LISTED.)

NAME OF RECIPIENT	AMOUNT
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES	

10. COMPENSATION OF \$500 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR EMPLOYMENT OR PROFESSIONAL SERVICES PAID TO STATE ELECTED OFFICIALS, SUCCESSFUL CANDIDATES FOR STATE OFFICE AND EACH MEMBER OF THEIR IMMEDIATE FAMILY.

NAME	RELATIONSHIP TO CANDIDATE OR ELECTED OFFICIAL IF MEMBER OF FAMILY.	AMOUNT (CODE)	DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES			

DOLLAR CODE	
CODE	AMOUNT
A	Less than \$1,000
B	\$1,000 but less than \$5,000
C	\$5,000 but less than \$10,000
D	\$10,000 but less than \$25,000
E	\$25,000 or more

11. COMPENSATION OF \$500 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR PROFESSIONAL SERVICES PAID TO ANY CORPORATION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION OR OTHER ENTITY IN WHICH A STATE ELECTED OFFICIAL, SUCCESSFUL STATE CANDIDATE OR MEMBER OF THE IMMEDIATE FAMILY HOLDS OFFICE, PARTNERSHIP, DIRECTORSHIP OR OWNERSHIP INTEREST OF 10% OR MORE.

FIRM NAME	PERSON'S NAME	AMOUNT (CODE)	DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES			

12. ANY EXPENDITURE, NOT OTHERWISE REPORTED, MADE DIRECTLY OR INDIRECTLY TO A STATE ELECTED OFFICIAL, SUCCESSFUL CANDIDATE FOR STATE OFFICE OR MEMBER OF THE IMMEDIATE FAMILY, IF MADE TO HONOR, INFLUENCE OR BENEFIT THE PERSON BECAUSE OF HIS OFFICIAL POSITION.

NAME	AMOUNT	PURPOSE
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES		

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES
DURING CALENDAR YEAR 1986

L3	P D C O F F I C E
	U S E

1. EMPLOYER'S NAME (USE COMPLETE COMPANY, ASSOCIATION, UNION OR ENTITY NAME)		
MAILING ADDRESS	TELEPHONE	
CITY	STATE	ZIP

THIS REPORT MUST BE FILED BY MARCH 31, 1987 AND INCLUDES A FINANCIAL REPORT OF STATE LOBBYING ACTIVITIES FOR CALENDAR YEAR 1986. COMPLETE ALL SECTIONS. IF ENTRY IS "NONE" OR "\$0" SO STATE.

2. PAYMENTS DIRECTLY TO LOBBYISTS FOR SALARY, CONTRACT, RETAINER, REIMBURSEMENT OF EXPENSES, ETC.

LOBBYIST NAME (IF TO LOBBY FIRM, LIST FIRM NAME)	AMOUNT	TOTAL AMOUNT
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGE		TOTAL FROM ATTACHED PAGE
		TOTAL PAID DIRECTLY TO LOBBYISTS →

3. OTHER EXPENDITURES MADE BY THE EMPLOYER FOR LOBBYING PURPOSES. INCLUDED WOULD BE ANY AND ALL:
- a. PAYMENTS TO VENDORS ON BEHALF OF OR IN SUPPORT OF LOBBYISTS. i.e. FOOD, LODGING, CREDIT CARD PURCHASES PAID BY THE EMPLOYER FOR REGISTERED OR UNREGISTERED LOBBYISTS.
 - b. OFFICE EXPENSES, STAFF AND SECRETARIAL SUPPORT, RENT, TELEPHONE, UTILITIES. INCLUDE BOTH HOME OFFICE AND OLYMPIA OFFICE, IF ANY.
 - c. COMPANY OFFICIALS, EXPERT WITNESSES OR OTHERS PAID TO LOBBY, WHETHER OR NOT REQUIRED TO REGISTER. INCLUDE PROPORTION OF SALARY OR PAY BASED ON TIME SPENT LOBBYING.
 - d. TRAVEL, WHETHER TO LEGISLATIVE HEARINGS OR OTHER LOBBYING. INCLUDE ALL TRANSPORTATION COSTS, TICKETS, AND EMPLOYER OWNED TRANSPORTATION. IF TRANSPORTATION WAS FURNISHED TO ANY LEGISLATOR, STATE OFFICIAL, OR STATE EMPLOYEE COMPLETE ITEM 8 LISTING THE PERSON'S NAME, TITLE, DESTINATION, COST OF TRANSPORTATION AND DATES OF TRAVEL.
 - e. ENTERTAINMENT AND HOSTING PROVIDED FOR LEGISLATORS, STATE OFFICIALS OR STATE EMPLOYEES PAID BY EMPLOYER OR BY EMPLOYEES NOT REQUIRED TO REGISTER AS LOBBYISTS.
 - f. COMMUNICATIONS AND ADVERTISING. INCLUDE RADIO, TV, NEWSPAPER AND SIMILAR ADVERTISING. ALSO INCLUDE COMMUNICATIONS TO STOCKHOLDERS, MEMBERS, CLIENTS OR CUSTOMERS TO ASSIST LOBBYING EFFORT.
 - g. OTHER EXPENDITURES FOR LOBBYING, WHETHER THRU OR ON BEHALF OF A REGISTERED LOBBYIST OR OTHERWISE. DO NOT INCLUDE PAYMENTS ALREADY SHOWN IN ITEM 2 ABOVE.

4. POLITICAL CONTRIBUTIONS TO CANDIDATES FOR STATE OFFICE, LEGISLATURE, COMMITTEES SUPPORTING OR OPPOSING THOSE CANDIDATES OR COMMITTEES SUPPORTING OR OPPOSING STATEWIDE BALLOT MEASURES.
- a. CONTRIBUTIONS DIRECTLY FROM EMPLOYER. ALSO COMPLETE ITEM 9 ON REVERSE.
 - b. IF CONTRIBUTIONS WERE MADE BY A POLITICAL ACTION COMMITTEE ASSOCIATED, AFFILIATED OR SPONSORED BY THE EMPLOYER, SHOW NAME OF THE PAC BELOW. (INFORMATION REPORTED BY PAC ON C-4 REPORT NEED NOT BE AGAIN INCLUDED IN THIS L-3 REPORT.)
NAME OF PAC _____

5. PAYMENTS OR EXPENDITURES TO LEGISLATORS, STATE OFFICIALS AND MEMBERS OF THEIR IMMEDIATE FAMILIES FOR THE PURPOSE OF INFLUENCING, HONORING, OR BENEFITING. DO NOT INCLUDE PAYMENT FOR GOODS OR SERVICES IN THE NORMAL COURSE OF BUSINESS. ALSO COMPLETE ITEM 12 ON REVERSE.
6. GIFTS TO LEGISLATORS, STATE OFFICIALS AND STATE EMPLOYEES OR MEMBERS OF THEIR IMMEDIATE FAMILIES.

TOTAL LOBBYING EXPENSES
(Items 2 thru 6 above)

7. THIS REPORT MUST BE CERTIFIED BY PRESIDENT, SECRETARY-TREASURER OR SIMILAR OFFICER OF EMPLOYER ORGANIZATION

<p style="text-align: center;">CERTIFICATION</p> <p>I certify that the information contained in this report is a true, correct and complete statement in accordance with RCW 42.17.180.</p>	<table border="1" style="width: 100%;"> <tr> <td style="width: 70%;">SIGNATURE OF EMPLOYER</td> <td style="width: 30%;">DATE</td> </tr> <tr> <td>NAME TYPED OR PRINTED</td> <td>TITLE</td> </tr> </table>	SIGNATURE OF EMPLOYER	DATE	NAME TYPED OR PRINTED	TITLE
SIGNATURE OF EMPLOYER	DATE				
NAME TYPED OR PRINTED	TITLE				

8 TRAVEL PROVIDED TO LEGISLATORS, STATE ELECTED OFFICIALS, STATE EMPLOYEES OR MEMBERS OF THEIR IMMEDIATE FAMILIES.

NAME AND TITLE	COST	DATES, DESTINATION AND PURPOSE OF TRAVEL
----------------	------	--

INFORMATION CONTINUED ON ATTACHED PAGES

9. CONTRIBUTIONS TO CANDIDATES FOR STATE OFFICE, LEGISLATURE, COMMITTEES SUPPORTING OR OPPOSING THOSE CANDIDATES OR COMMITTEES SUPPORTING OR OPPOSING STATEWIDE BALLOT MEASURES MADE BY EMPLOYER. (CONTRIBUTIONS FROM PAC NEED NOT BE LISTED.)

NAME OF RECIPIENT	AMOUNT
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INFORMATION CONTINUED ON ATTACHED PAGES

10. COMPENSATION OF \$1,000 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR EMPLOYMENT OR PROFESSIONAL SERVICES PAID TO STATE ELECTED OFFICIALS, SUCCESSFUL CANDIDATES FOR STATE OFFICE AND EACH MEMBER OF THEIR IMMEDIATE FAMILY.

NAME	RELATIONSHIP TO CANDIDATE OR ELECTED OFFICIAL IF MEMBER OF FAMILY.	AMOUNT (CODE)	DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION
------	--	---------------	---

DOLLAR AMOUNT CODE

A - \$1 to \$1,999

B - \$2,000 to \$9,999

C - \$10,000 to 19,999

D - \$20,000 to \$49,999

E - \$50,000 or more

INFORMATION CONTINUED ON ATTACHED PAGES

11. COMPENSATION OF \$1,000 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR PROFESSIONAL SERVICES PAID TO ANY CORPORATION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION OR OTHER ENTITY IN WHICH A STATE ELECTED OFFICIAL, SUCCESSFUL STATE CANDIDATE OR MEMBER OF THE IMMEDIATE FAMILY HOLDS OFFICE, PARTNERSHIP, DIRECTORSHIP OR OWNERSHIP INTEREST OF 10% OR MORE.

FIRM NAME	PERSON'S NAME	AMOUNT (CODE)	DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION
-----------	---------------	---------------	---

INFORMATION CONTINUED ON ATTACHED PAGES

12. ANY EXPENDITURE, NOT OTHERWISE REPORTED, MADE DIRECTLY OR INDIRECTLY TO A STATE ELECTED OFFICIAL, SUCCESSFUL CANDIDATE FOR STATE OFFICE OR MEMBER OF THE IMMEDIATE FAMILY, IF MADE TO HONOR, INFLUENCE OR BENEFIT THE PERSON BECAUSE OF HIS OFFICIAL POSITION.

NAME	AMOUNT	PURPOSE
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INFORMATION CONTINUED ON ATTACHED PAGES

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 87-01-080
NOTICE OF PUBLIC MEETINGS
JOINT CENTER FOR
HIGHER EDUCATION
[Memorandum—December 17, 1986]

At a special meeting of the Joint Center for Higher Education in Spokane held December 17, 1986, the Center Administrative Board established the second Wednesday of each month as its regular meeting date for each month during 1987. Each meeting is to commence at 9:00 a.m. at the Main Center Room at the offices of the Spokane Chamber of Commerce, West 1020 Riverside Avenue, Spokane, Washington. The meeting dates are reflected below.

- January 14, 1987
- February 11, 1987
- March 11, 1987
- April 8, 1987
- May 13, 1987
- June 10, 1987
- July 8, 1987
- August 12, 1987
- September 9, 1987
- October 14, 1987
- November 11, 1987
- December 9, 1987

WSR 87-01-081
ADOPTED RULES
BOARD OF PILOTAGE COMMISSIONERS
[Order 86-9 and 86-10, Resolution No. 86-9 and 86-10—Filed December 19, 1986]

Be it resolved by the Board of Pilotage Commissioners, acting at Pier 52, Seattle, Washington 98104, that it does adopt the annexed rules relating to:

- Amd WAC 296-116-300 Pilotage rates for the Puget Sound pilotage district.
- Amd WAC 296-116-185 Pilotage rates for the Grays Harbor pilotage district.

This action is taken pursuant to Notice Nos. WSR 86-22-072 and 86-22-073 filed with the code reviser on November 5, 1986. 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 88.16.035(4) 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 December 11, 1986.
By Marjorie T. Smitch
Assistant Attorney General

AMENDATORY SECTION (Amending Order 84-5, Resolution No. 84-5, filed 12/31/84)

WAC 296-116-185 TARIFFS, AND PILOTAGE RATES FOR THE GRAYS HARBOR PILOTAGE DISTRICT. The following rates shall become effective on January ((1, 1985)) 19, 1987.

CLASSIFICATION OF PILOTAGE SERVICE RATE

Piloting of vessels in the inland waters and tributaries of Grays Harbor:

Each vessel shall be charged according to its draft and tonnage. The draft charges shall be ((~~\$33.51~~)) \$39.69 per meter (or ((~~\$10.22~~)) \$12.10 per foot) and the tonnage charge shall be ((~~\$1069~~)) \$1266 per net registered ton. The minimum net registered tonnage charge is ((~~\$374.15~~)) \$443.00. The charge for an extra vessel (in case of tow) is ((~~\$213.80~~)) \$253.00.

Boarding fee:

Per each boarding/deboarding from a boat..... ((~~\$160.35~~))
\$190.00

Harbor shifts:

For each shift from dock to dock, dock to anchorage, anchorage to dock, or anchorage to anchorage ((~~\$267.25~~))
\$317.00
Delays per hour ((~~\$64.14~~))
\$ 76.00
Cancellation charge (pilot only) ((~~\$106.90~~))
\$127.00
Cancellation charge (pilot boat only). ((~~\$320.70~~))
\$380.00

Travel allowance:

Boarding or deboarding a vessel off Grays Harbor entrance ((~~50.00~~))
\$ 59.00
Pilot when traveling to an outlying port to join a vessel or returning through an outlying port from a vessel which has been piloted to sea shall be paid ((~~\$374.15~~)) \$443.00 for each day or fraction thereof, and the travel expense incurred((-))..... \$443.00

CLASSIFICATION OF PILOTAGE SERVICE RATE

Bridge transit:

Charge for each bridge transited ~~(\$117.59)~~
\$139.00

Miscellaneous:

The balance of amounts due for pilotage rates not paid within 45 days of invoice will be assessed at 1 1/2% per month late charge. At least a four hour notice shall be given for an arrival, sailing, or change of ETA or ETD.

AMENDATORY SECTION (Amending Order 86-1, Resolution No. 86-1, filed 12/30/85)

WAC 296-116-300 PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. These rates shall become effective on January ~~(1, 1985)~~ 19, 1987.

CLASSIFICATION	RATE
Ship length overall (LOA) Charges:	per LOA rate schedule in this section
Boarding fee:	\$ 26.00
Per each boarding/deboarding at the Port Angeles pilot station.	
Harbor shift - Live ship (Seattle Port)	LOA Zone I
Harbor shift - Live ship (other than Seattle Port)	LOA Zone I
Harbor shift - Dead ship	Double LOA Zone I
Dead ship towing charge:	Double LOA Zone
LOA of tug + LOA of tow + beam of tow	
Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.	
Waterway and bridge charges:	
Ships up to 90' beam:	
A charge of (\$133.00) <u>\$135.00</u> shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Elventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of (\$63.00) <u>\$64.00</u> per bridge.	
Ships 90' beam and/or over:	
A charge of (\$179.00) <u>\$182.00</u> shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of (\$126.00) <u>\$128.00</u> per bridge.	
(The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)	

CLASSIFICATION

RATE

Two pilots required:

In a case where two pilots are employed for a single vessel waterway or bridge transit, a second pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.

Compass adjustment	(\$178.00) <u>\$181.00</u>
Radio direction finder calibration	(\$178.00) <u>\$181.00</u>
Launching vessels	(\$267.00) <u>\$272.00</u>
Trial trips, 6 hours or less (Minimum <u>\$443.00</u>)	(\$ 72.00) <u>\$ 73.00</u> per hr.
((Minimum \$435.00))	
Trial trips, over 6 hours (two pilots)	(\$142.00) <u>\$145.00</u> per hr.
Shilshole Bay - Salmon Bay	(\$104.00) <u>\$106.00</u>
Salmon Bay - Lake Union	(\$ 83.00) <u>\$ 84.00</u>
Lake Union - Lake Washington (plus LOA zone from Webster Point)	(\$104.00) <u>\$106.00</u>
Cancellation charge	LOA Zone I
Cancellation charge - Port Angeles (when pilot is ordered and vessel proceeds without stopping for pilot.)	LOA Zone I
Docking delay after anchoring:	(\$ 72.00) <u>\$ 73.00</u>
Applicable harbor shift rate to apply, plus (\$72.00) <u>\$73.00</u> per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is (\$72.00) <u>\$73.00</u> for every hour or fraction thereof.	
Sailing delay:	(\$ 72.00) <u>\$ 73.00</u> per hour
No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is (\$72.00) <u>\$73.00</u> for every hour or fraction thereof.	
Slow-down - (\$72.00) <u>\$73.00</u> per hour for all time in excess of time spent in that particular transit for that speed of advance normal for vessel that is slowed.	(\$ 72.00) <u>\$ 73.00</u> per hour
<u>Super ships:</u>	
<u>20,000 to 50,000 gross tons:</u>	
<u>Additional charge to LOA zone</u>	
((Super ships - Additional charge to LOA zone))	
mileage of (\$0.0444) <u>\$0.0452</u> a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.	
<u>50,000 gross tons and up:</u>	
In excess of 50,000 gross tons, the charge shall be (\$0.0531) <u>\$0.0541</u> per gross ton.	
Delayed arrival-Port Angeles:	(\$ 72.00) <u>\$ 73.00</u> per hour
((t)) When pilot is ordered and vessel does not arrive within two hours without notification of change of ETA. ((t))	

CLASSIFICATION

RATE

Transportation to vessels on Puget Sound:

March Point or Anacortes	\$ 96.00
Bangor	56.00
Bellingham	106.00
Bremerton	29.00
Cherry Point	125.00
Dupont	56.00
Edmonds	20.00
Everett	36.00
Ferndale	115.00
Manchester	44.00
Mukilteo	35.00
Olympia	72.00
Point Wells	20.00
Port Gamble	51.00
Port Townsend (Indian Island)	73.00
Semiahmoo (Blaine)	131.00
Tacoma	37.00
Tacoma Smelter	42.00
Winslow	29.00

- (a) Interport shifts: Transportation paid to and from both points.
- (b) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.
- (c) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.
- (d) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.40 per mile.

Regular scheduled high speed small passenger service to British Columbia:
Rate per round trip for high speed small passenger vessels, not exceeding one hundred fifty feet in length and less than five hundred gross tons, operated and manned by United States Coast Guard licensed personnel, operating regular service exclusively between Puget Sound and British Columbia ports. This tariff shall be inclusive of one refueling movement per day.

\$ 350.00

Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.

LOA rate schedule

The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.

LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
(Up to 449)	126	195	340	509	687	893
450 - 459	128	200	343	518	696	896
460 - 469	132	203	346	525	707	900
470 - 479	137	207	351	536	710	903

LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
480 - 489	139	212	353	545	716	906
490 - 499	142	214	357	555	723	912
500 - 509	148	218	362	563	729	917
510 - 519	150	224	366	571	735	920
520 - 529	152	232	373	574	742	929
530 - 539	158	235	378	580	753	938
540 - 549	161	239	384	586	767	946
550 - 559	164	245	387	594	773	955
560 - 569	170	254	395	599	781	966
570 - 579	174	258	399	601	788	972
580 - 589	181	262	406	606	794	982
590 - 599	189	267	409	610	804	992
600 - 609	195	276	415	612	813	998
610 - 619	206	279	422	616	822	1008
620 - 629	215	283	428	621	831	1018
630 - 639	227	289	432	623	838	1028
640 - 649	237	295	437	626	848	1035
650 - 659	250	301	444	631	857	1045
660 - 669	258	304	449	634	866	1053
670 - 679	265	310	453	644	875	1061
680 - 689	271	316	459	651	883	1071
690 - 699	279	322	464	662	893	1091
700 - 719	292	332	474	670	909	1106
720 - 739	308	343	485	679	929	1124
740 - 759	322	357	496	687	946	1143
760 - 779	335	372	507	696	966	1160
780 - 799	351	385	518	707	982	1180
800 - 819	364	399	527	713	998	1196
820 - 839	378	412	538	723	1018	1212
840 - 859	394	429	549	731	1035	1232
860 - 879	407	444	560	750	1053	1249
880 - 899	422	458	571	768	1071	1268
900 - 919	435	472	581	786	1091	1286
920 - 939	450	485	594	804	1106	1304
940 - 959	464	499	602	822	1124	1320
960 - 979	477	514	614	838	1143	1339
980 - 999	494	527	624	857	1160	1357
1000 & over	507	544	636	875	1180	1374
Up to 449	128	199	346	518	699	909
450 - 459	130	204	349	527	709	912
460 - 469	134	207	352	534	720	916
470 - 479	139	211	357	546	723	919
480 - 489	142	216	359	555	729	922
490 - 499	145	218	363	565	736	928
500 - 509	151	222	369	573	742	934
510 - 519	153	228	373	581	748	937
520 - 529	155	236	380	584	755	946
530 - 539	161	239	385	590	767	955
540 - 549	164	243	391	597	781	963
550 - 559	167	249	394	605	787	972
560 - 569	173	259	402	610	795	983
570 - 579	177	263	406	612	802	989
580 - 589	184	267	413	617	808	1000
590 - 599	192	272	416	621	818	1010
600 - 609	199	281	422	623	828	1016
610 - 619	210	284	430	627	837	1026
620 - 629	219	288	436	632	846	1036
630 - 639	231	294	440	634	853	1047
640 - 649	241	300	445	637	863	1054
650 - 659	255	306	452	642	872	1064
660 - 669	263	309	457	645	882	1072
670 - 679	270	316	461	656	891	1080
680 - 689	276	322	467	663	899	1090
690 - 699	284	328	472	674	909	1111
700 - 719	297	338	483	682	925	1126
720 - 739	314	349	494	691	946	1144
740 - 759	328	363	505	699	963	1164
760 - 779	341	379	516	709	983	1181
780 - 799	357	392	527	720	1000	1201

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
800 - 819	371	406	536	726	1016	1218
820 - 839	385	419	548	736	1036	1234
840 - 859	401	437	559	744	1054	1254
860 - 879	414	452	570	764	1072	1271
880 - 899	430	466	581	782	1090	1291
900 - 919	443	480	591	800	1111	1309
920 - 939	458	494	605	818	1126	1327
940 - 959	472	508	613	837	1144	1344
960 - 979	486	523	625	853	1164	1363
980 - 999	503	536	635	872	1181	1381
1000 & over	516	554	647	891	1201	1399

WSR 87-01-082

**NOTICE OF PUBLIC MEETINGS
BELLEVUE COMMUNITY COLLEGE**

[Memorandum—December 17, 1986]

The regular meetings of the board of trustees of Community College District VIII for 1987 will be held on the following dates:

- January 13
- February 10
- March 10
- April 14
- May 12
- June 9
- July 14
- August 11
- September 8
- October 13
- November 10
- December 8

The meetings will begin at 12 noon in the Bellevue Campus Cafeteria with a discussion of agenda items and at 1:30 p.m. in the Board Room, Bellevue Campus, Bellevue, Washington, for a business session. If the second Tuesday is a legal holiday, the meeting will be held if at all possible on the third Tuesday of the month or soon thereafter or as otherwise announced. In the event the board of trustees is unable to meet on the regular meeting date, a special meeting may be scheduled and held if at all possible on the third Tuesday of the month or soon thereafter or as otherwise announced. In the event the board of trustees is unable to meet, the chairman of the board may order that no regular meeting of the board of trustees be held that month.

WSR 87-01-083

EMERGENCY RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT

[Order 86-24—Filed December 19, 1986]

I, Chuck Clarke, deputy director of the Department of Community Development, do promulgate and adopt at the Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington, the annexed rules relating to early childhood education and assistance program (chapter 365-170 WAC):

- New WAC 365-170-010 Authority.
- New WAC 365-170-020 Purpose.
- New WAC 365-170-030 Definitions.
- New WAC 365-170-040 Contractor funding.
- New WAC 365-170-050 Applicant eligibility criteria.
- New WAC 365-170-060 Application process.
- New WAC 365-170-070 Award of contracts.
- New WAC 365-170-080 Client eligibility criteria.
- New WAC 365-170-090 Program design.
- New WAC 365-170-100 Administrative component.

I, Chuck Clarke, 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 a second emergency filing is necessitated by pending departmental resolution of the issues raised at the public hearing regarding this WAC.

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 Community Development as authorized in RCW 43.63A.060 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 December 15, 1986.

By Chuck Clarke
Deputy Director

Chapter 365-170 WAC

STATE FUNDING FOR LOCAL EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAMS

WAC

- 365-170-010 Authority.
- 365-170-020 Purpose.
- 365-170-030 Definitions.
- 365-170-040 Contractor funding.
- 365-170-050 Eligibility criteria for applicants.
- 365-170-060 Application process.
- 365-170-070 Award of contracts.
- 365-170-080 Eligibility criteria for clients.
- 365-170-090 Program design.
- 365-170-100 Administrative component.

NEW SECTION

WAC 365-170-010 **AUTHORITY.** These rules are adopted under the authority of RCW 43.63A.060 which provides that the director shall make such rules and regulations and do all other things necessary and proper to carry out the purposes of chapter 43.63A RCW. RCW 43.63A.065(2) provides that among its functions and responsibilities the department shall administer state and federal grants and programs which are assigned to the department by the governor or the legislature. The program which these rules are designed to implement is found in chapter 418, Laws of 1985.

NEW SECTION

WAC 365-170-020 **PURPOSE.** The purpose of this chapter is to set forth the conditions and procedures under which state funding will be made available to assist local early childhood education and assistance programs.

NEW SECTION

WAC 365-170-030 **DEFINITIONS.** (1) "Applicant" means a public or private nonsectarian organization which applies for state early childhood education and assistance program assistance.

(2) "At risk" means children residing in low income families who are by virtue of their socio-economic status at risk of failure in the common school system.

(3) "Contract year" means the period July 1 through June 30 in which the program must operate.

(4) "Department" means the department of community development.

(5) "Direct service" means any educational, health or social service for children which is designed to meet the program standards.

(6) "Director" means the director of the department of community development.

(7) "Early childhood education and assistance program" means the state-wide administrative activities carried out within the department of community development to allocate, award, and monitor state funds appropriated to assist local early childhood education and assistance programs.

(8) "Family" means all persons living in the same household who are (a) supported by the income of the parent(s) or guardian(s) of the child enrolling in the early childhood education and assistance program, and (b) related to the parent(s) or guardian(s) by blood, marriage, or adoption.

(9) "Contractor" means an applicant which has been awarded state funds under the early childhood education and assistance program, and which has entered into a contract with the department of community development to provide an early childhood education and assistance program. Contractors may be local public or private organizations which are nonsectarian in their delivery of services.

(10) "Like educational services" means programs funded by other sources that provide children with a learning environment and a varied experience which helps them develop socially, intellectually, physically,

and emotionally in a developmentally appropriate manner toward an overall goal of social and educational competence.

(11) "Low income" means a family whose total income before taxes for the twelve months prior to the enrollment of their child in the early childhood education and assistance program is equal to, or less than, federally established poverty guidelines as defined by the office of management and budget.

(12) "Nonsectarian" means that no aspect of early childhood education and assistance services will include any religious orientation.

NEW SECTION

WAC 365-170-040 **CONTRACTOR FUNDING.** The legislature determines the amount of funding available to award state-wide to early childhood education and assistance programs.

(1) Five percent of the total funds shall be used by the department for staff development funds for local programs, longitudinal studies of participants and control groups, and unique costs associated with the start up of new programs.

(2) Five percent of the total funds shall be used by the department to administer, provide technical assistance, and monitor the local early childhood education and assistance programs.

(3) Up to sixty percent of the remaining funds shall be made available to successfully competitive programs in counties where twenty percent or fewer of the children found eligible to receive program services are being served.

(4) At least forty percent of the funds shall be made available to successfully competitive programs in counties where more than twenty percent of the eligible children are being served.

NEW SECTION

WAC 365-170-050 **ELIGIBILITY CRITERIA FOR APPLICANTS.** (1) Public or private nonsectarian organizations are eligible to apply for funding as an early childhood education and assistance program.

(2) Organizations along the Washington border in Idaho and Oregon who propose to serve children in Washington state are eligible to apply for funding.

(3) A consortium of organizations are eligible to apply.

(4) Organizations must have established appropriate internal fiscal controls and fund accounting procedures to assure the proper disbursement of, and accounting for, all funds provided.

(5) Using a form provided by the department, organizations must obtain acknowledgement of their application from local school districts within the proposed service area.

(6) Programs shall neither deny service to, nor otherwise discriminate in the delivery of services against, any person who otherwise meets the eligibility criteria for the program on the basis of race, color, religion, sex, age, national origin, citizenship, ancestry, physical or mental

handicap or because such person is a recipient of federal, state, or local public assistance.

NEW SECTION

WAC 365-170-060 APPLICATION PROCESS.

- (1) Funds shall be awarded on a competitive basis.
- (2) An applicant must make formal response using forms issued and procedures established by the department.
- (3) A rating team composed of persons with program and fiscal management experience will review and rank the proposals.
- (4) The department shall have the final discretion to award funds.
- (5) The department shall notify successful applicants and shall provide to each of them a contract for signature. This contract must be signed by an official with authority to bind the applicant and must be returned to the department prior to the award of any funds under this program.

NEW SECTION

WAC 365-170-070 AWARD OF CONTRACTS.

- (1) Awards shall not exceed a level of two thousand seven hundred dollars per child enrolled in the program.
- (2) Department funds may not supplant other existing funding sources.
- (3) Administrative costs under this program are limited to fifteen percent of the total award.

NEW SECTION

WAC 365-170-080 ELIGIBILITY CRITERIA FOR CLIENTS. (1) A child must be four years old by August 31 of the contract year.

- (2) A child must be a member of a household with income at or below the federally established poverty level for the twelve months preceding enrollment.
- (3) A child may not otherwise be a participant in a federal or state program providing like educational services.
- (4) As many as ten percent of the available funded enrollment slots may be filled by at risk children who are eligible under the OSPI WAC criteria for developmentally handicapped and who are enrolled in other state or federal programs.
- (5) Participants in the early childhood education and assistance program will not be charged fees for any services provided.

NEW SECTION

WAC 365-170-090 PROGRAM DESIGN. Standards for program design are based on a model of comprehensive services to participating children. These include educational services, health services (including medical, dental, nutrition, and mental health), and social services to families. Parents shall be given the opportunity to be involved in every aspect of the planning and implementation of services. Specific program requirements are contained in the program standards publication available from the department.

(1) Education component:

- (a) Activities in the classroom, home visits, and group experiences will be planned and implemented to ensure that a supportive social and emotional climate exists, intellectual skills are developed, and physical growth is promoted.
- (b) Activities in the classroom, home visits, or group experience will be individualized through the development of a curriculum which is developmentally appropriate and is relevant to and reflective of the needs of the population served.
- (c) At a minimum, when the majority of the children speak a common language other than English, at least one teacher or aide who speaks their language must be available when children participate in classroom or group experiences.
- (d) There will be a mental health professional to advise and assist in developmental screenings and assessments and observe children in the classroom setting and consult with teachers and other appropriate staff at least twice a year.

(e) Health (medical and dental) activities and practices are integrated into daily classroom and home visit activities.

(f) Meals and snack periods will be scheduled appropriately to meet childrens' needs.

(g) The program will provide methods for enhancing the knowledge and understanding of both staff and parents of the educational and developmental needs and activities of children in the program.

(h) Staff and parents will use positive techniques of guidance, including redirection, anticipation and elimination of potential problems, positive reinforcement and encouragement. Staff and parents will not use corporal punishment or other humiliating or frightening discipline techniques.

(2) Health component:

(a) There will be a health advisory committee composed of local medical, dental, and nutrition providers, program parents and staff to advise in program planning, implementing, and evaluating program procedures and operations for medical, dental, mental health, and nutrition services. Existing committees may be modified or combined to carry out these activities.

(b) There will be informed prior written parent consent prior to the provision of any health (medical, dental, nutrition, or mental health) services.

(c) The program will provide for an organized health education program for staff, parents, and children.

(d) Food will be provided which will help meet a portion of the child's daily nutritional needs, recognizing individual differences and cultural patterns.

(e) Programs will participate in the United States Department of Agriculture Child Food and Nutrition Program.

(f) Food preparation service operations will comply with applicable local, state, and federal sanitation laws and regulations for storage, preparation, and service of food and health of food handlers.

(g) The program will have available a qualified nutritionist to provide regular or periodic supervision of the food services operation.

(3) Social services component:

(a) Age and income-eligible children will be recruited for enrollment taking into account the demographic make-up of the community and the needs of the children and families according to approved written recruitment procedures that address both the identification of age and income-eligible children and local priorities within that same population.

(b) Needs will be assessed to assist families in identifying and using appropriate and available community resources.

(c) Programs will coordinate with existing community resources, including existing head start and other preschool programs.

(4) Parent involvement component:

(a) The program will provide for parental involvement at a level not less than that provided under the federal head start program criteria.

(b) The program will install a policy council composed of parents of children who are enrolled in the program, at a level not less than fifty percent and community representatives.

(c) A policy committee will be formed at the subcontractor level only if all program functions are subcontracted to another organization.

(d) Center committees will be established in each center composed of parents of enrolled children.

NEW SECTION

WAC 365-170-100 ADMINISTRATIVE COMPONENT. Services to children and their families will be delivered through one or more of the following options:

(1) Center base option: Children will participate in center activities ten or more hours per week distributed over three or more days. One and one-half hours of contact between parents and staff will be completed each month. At least two education-related home visits to families will be completed during the year. Classroom size will not exceed eighteen children with an adult:child ratio of 1:6. Based on unique local circumstances programs may submit a request for waiver of classroom size and adult:child ratio requirements to the department.

(2) Home base option: Children will participate in weekly group experiences not to exceed four hours per session. Families will receive weekly one and one-half hour home visits. The case load for home visitors will not exceed twelve children. The adult:child ratio for group experiences will not exceed 1:6.

(3) Locally designed option: Local programs may elect to design and propose other program options which would better meet the needs of individual children and families in their communities. A proposal for a locally designed option must: Be derived from an analysis of the options presented above and must represent a more effective approach to meeting the needs of children in the community; be consistent with sound child development practices; and be consistent with described standards to ensure that all components of the early childhood education and assistance program are delivered. The department will determine whether the proposal for a locally designed option is acceptable on a case-by-case basis.

(4) Staff qualifications: Lead teachers in every classroom of children in a center base program will have one or more of the following credentials: An associate of arts degree in early childhood education with a minimum of two years of post-degree experience working in a preschool or kindergarten, or a baccalaureate degree in early childhood education or child development with a minimum of one year of post-degree experience working in a preschool or kindergarten. A lead teacher should have some experience working with families of low income.

(5) Home base teachers or family educators will have one or more of the following credentials: An associate of arts degree in human services and two years of experience or a baccalaureate degree in adult education or development, social work or psychology and one year of experience. All experience must be pertinent to direct involvement with families of low income.

(6) Organizations may submit a request to the department to waive the above staff qualifications which must include a narrative justifying the local labor pool shortage.

(7) Staff will receive preemployment physical examinations, tuberculosis tests, and evaluation of any infection. Regular volunteers will be tested for tuberculosis.

(8) Facility:

(a) Facilities will provide for a physical environment conducive to learning and reflective of the needs of children.

(b) Facilities will comply with an annual fire, health, and safety inspection by local officials.

(c) The outdoor play area of the facility will be fenced to prevent children from leaving the premises.

(d) The facility will contain a minimum of thirty-five square feet of indoor space per child available for the care of children (exclusive of bathroom, hall, kitchen, and storage). There will be a minimum of seventy-five square feet per child outdoors.

(e) Adequate provision will be made to ensure the facility provides for accessibility, safety, and comfort of handicapped children.

(9) Transportation:

(a) Vehicles owned and/or operated by the program for the purposes of transporting children to and from program activities will meet safety standards as set forth by the office of the superintendent of public instruction or the department of health and human services and will comply with annual safety inspections.

(b) Drivers of personal vehicles used to transport children to and from program activities must maintain adequate insurance coverage and carry a current driver's license. Drivers operating vehicles transporting six or more children will have an intermediate endorsement on their driver's license.

(10) Suspected abuse:

Suspected incidents of child abuse and/or neglect by parents, staff, or others must be reported by program staff within forty-eight hours to an appropriate law enforcement agency or the department of social and health services in accordance with RCW 26.44.030.

WSR 87-01-084
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 86-195—Filed December 22, 1986]

I, Judith Merchant, [acting] director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Judith Merchant, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this regulation conforms Washington state law with federal regulations and provides for vessel trip limits to preserve coastal bottomfish. This regulation is adopted at the recommendation of the Pacific Fisheries Management Council.

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 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 December 15, 1986.

By Judith Merchant
Acting Director

NEW SECTION

WAC 220-44-05000C COASTAL BOTTOMFISH CATCH LIMITS. Notwithstanding the provisions of WAC 220-44-050, effective January 1, 1987 until further notice, it is unlawful to possess, transport through the waters of the state, or land in any Washington State port bottomfish taken for commercial purposes from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the species indicated:

(1) *Widow Rockfish (Sebastes entomelas)* – One vessel trip per week in excess of 3,000 not to exceed 30,000 pounds. No limit on the number of landings of less than 3,000 pounds.

(2) *Shortbelly rockfish (Sebastes jordani)* and *Idiot Rockfish (Sebastes spp.)* – no maximum poundage per vessel trip; no minimum size.

(3) *Pacific ocean perch (Sebastes alutus)* – No restrictions on landing up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific Ocean perch represent 20 per cent or less of total weight of fish on board. Under no circumstances may a vessel land more than 5,000 pounds of Pacific Ocean perch in any one vessel trip.

(4) *All other species of rockfish (Sebastes spp.)* – 25,000 pounds of all other species combined per vessel

trip per calendar week, defined as Sunday through the following Saturday, of which no more than 10,000 pounds may be yellowtail rockfish (*Sebastes flavidus*) except that a fisherman having made a 1987 declaration of intent may make either one landing of no more than 50,000 pounds of all other species combined per vessel trip biweekly, defined as Sunday through the second Saturday following, of which no more than 20,000 pounds may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species in any one calendar week of which no more than 5,000 pounds in any one landing may be yellowtail rockfish. All previous declaration forms have expired and it is unlawful for any vessel to make other than one vessel trip per week unless a new declaration form has been completed as provided for in this subsection. The 1987 declaration of intent to make other than one vessel trip per week must be mailed or delivered to the Department of Fisheries, 115 General Administration Building, Olympia, WA., 98504, and must be received prior to the beginning of such fishing. The declaration of intent must contain the name and address of the fishermen, the name and registration number of the vessel, the date on which such fishing for other species of rockfish will commence, and must be signed and dated by the fisherman. The fisherman may return to the one vessel trip per calendar week fishing by filing a declaration of intent to stop fishing other than once weekly on other species of rockfish with the department in the above manner. The declaration to stop such fishing for other species of rockfish and begin one vessel trip per calendar week fishing must be received prior to the beginning of the week in which the one vessel trip per calendar week fishing will resume. It is unlawful for any vessel to make other than one landing in excess of 3,000 pounds of other rockfish species in any calendar week, if no declaration to land other species of rockfish twice weekly has been made. The date of first landing will determine the beginning of biweekly periodicity. Biweekly periodicity will restart after any landing that occurs more than four calendar weeks after the immediately prior landing.

(5) *Sable fish* – Minimum size 22 inches in length, unless dressed in which case minimum size 16 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail except that an incidental catch less than the minimum size of 5,000 pounds for trawl gear or 100 pounds for fixed gear is allowed.

(6) It is unlawful during unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.

(7) For purposes of this section, a vessel trip is defined as having occurred upon the initiating of transfer of catch from the fishing vessel, and all fish aboard the vessel are considered part of the vessel trip limit at the initiating of transfer of catch.

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.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m January 1, 1987:

WAC 220-44-05000B COASTAL BOTTOMFISH CATCH LIMITS (86-189)

Reviser's note: The typographical error in the above repealer occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 87-01-085**ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order PM 631—Filed December 22, 1986]

I, Theresa Anna Aragon, director of the state of Washington Department of Licensing, do promulgate and adopt at the Best Western Tacoma Inn, 8726 South Hosmer, Tacoma, WA, the annexed rules relating to approval of classes, amending WAC 308-124H-040.

This action is taken pursuant to Notice No. WSR 86-21-126 filed with the code reviser on October 22, 1986. 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 18.85.040 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 December 5, 1986.

By Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order 138R [PM 595], filed 2/21/86 [5/12/86])

WAC 308-124H-040 APPROVAL OF CLASSES. Each proprietary school, individual, association or agency seeking approval of a course or courses shall be required to file an application on forms provided by the director, ~~((with the real estate administrator))~~ at least thirty days prior to the date of a regular meeting of the real estate commission. Applications which are completed and filed in a timely manner will be reviewed by the commission for recommendation to the director for consideration of approval or disapproval. The commission may recommend approval of courses solely for the broker requirement or solely for the second renewal requirement.

The director, with the advice of the real estate commission, may deny a course of instruction which, in the opinion of the director, does not meet the requirements of this chapter or meet the needs of the majority of licensees.

Upon approval or disapproval of a course or courses, the applicant will be so advised in writing by the director.

Any changes in the director or ownership of schools must be submitted to the ~~((administrator))~~ department within twenty days from the date of such changes for referral to the director and real estate commission for consideration of continued approval.

Any changes in course content of material must be submitted to the ~~((administrator))~~ department no later than twenty days prior to the date of such changes for referral to the director and the real estate commission for approval of the change.

Any change in qualified course instructor must be submitted to the ~~((administrator))~~ department for approval by the director before implementing such change.

Approval may be withdrawn if the school or course is not conducted in accordance with this chapter or chapter 18.85 RCW, or the school, or its owner, managers or employees, directly or indirectly, solicits information from applicants for a real estate license following the administration of any real estate examination to discover the content of and/or answer to any examination question or questions. The proceedings for the withdrawal of approval shall be held in accordance with chapter 34.04 RCW.

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

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 87-01-086**PROPOSED RULES****CHIROPRACTIC DISCIPLINARY BOARD**

[Filed December 22, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Chiropractic Disciplinary Board intends to adopt, amend, or repeal rules concerning the practice of chiropractic including: Intravaginal adjustment restricted; billing for extended office calls; practice of acupuncture by chiropractors who are also certified acupuncturists; full disclosure of cost of services; and improper billing practices;

that the agency will at 9:30 a.m., Thursday, January 29, 1987, in the Airport Hilton, Elliott East Room, Seattle, 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 18.130.050(1).

The specific statute these rules are intended to implement is RCW 18.130.180(7).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 28, 1987.

Dated: December 19, 1986
 By: John H. Keith
 Assistant Attorney General

STATEMENT OF PURPOSE

Name of Agency: Washington State Chiropractic Disciplinary Board.

Rule Title, Summary and Purpose: WAC 113-12-087 intravaginal adjustment restricted would restrict this technique in a manner to protect the privacy and dignity of female patients; WAC 113-12-100 billing would be amended to permit billing in certain special instances for an extended office call; WAC 113-12-115 would be amended to clarify practice requirements by chiropractors who qualify as certified acupuncturists; WAC 113-12-195 would be amended to clarify its application to all billings and the necessity to submit accurate billings; and WAC 113-12-197 improper billing practices would provide additional guidance regarding billing practices that could be false, fraudulent, or misleading.

Statutory Authority: RCW 18.130.050(1).

Reason Proposed: These rules are proposed to protect the public's health, safety and welfare.

Responsible Departmental Personnel: In addition to the Chiropractic Disciplinary Board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Syd Beckett, Chiropractic Disciplinary Board, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 753-3129 comm, (206) 234-3129 scan.

Small Business Economic Impact Statement: A small business economic impact statement is not required and has not been filed since these rules do not impact small business as that term was defined by RCW 43.31.920.

NEW SECTION

WAC 113-12-087 INTRAVAGINAL ADJUSTMENT RESTRICTED. It shall be considered unprofessional conduct for a chiropractor to perform an adjustment of the coccyx through the vagina unless the following conditions are met:

- (a) The coccyx cannot be adjusted rectally or the patient is offered and declines the option of the rectal technique;
- (b) The coccyx adjustment is performed with the use of a disposable finger cot or rubber glove; and,
- (c) A female attendant is present at all times the patient is examined and the coccyx adjustment is being performed.

AMENDATORY SECTION (Amending Order PL 453, filed 12/16/83)

WAC 113-12-100 BILLING. (1) A chiropractor who bills separately for therapy procedures other than the chiropractic adjustment shall be considered engaging in unprofessional conduct. The use of x-ray, examination or consultation is not considered therapy. Approved chiropractic procedures which are preparatory to and complementary to the adjustment, may be used at the discretion of the attending chiropractor when used in combination with the adjustment. These procedures are considered as part of the adjustment and are not a treatment or therapy in and of themselves. This rule does not prohibit billing for an extended office call for appropriate time dependent services which were necessary for the examination or treatment of a patient and which are not a routine part of the Chiropractor's examination and treatment procedures.

(2) Because do the potential element of fraud being present advertising forgiveness of coinsurance is prohibited unless the insurance company is given true and accurate information relating to the billing system.

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 PL 235, filed 12/31/75)

WAC 113-12-115 ACUPUNCTURE. No chiropractor shall: (1) Employ the use of needles in the treatment of a patient; or

(2) Hold himself out as practicing acupuncture in any form: PROVIDED, That this prohibition shall not restrict a chiropractor who is also a certified acupuncturist pursuant to chapter 18.06 RCW from practicing acupuncture, provided that the chiropractor differentiates chiropractic care from acupuncture care at all times as is required by RCW 18.26.030.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order PL 497, filed 11/15/84)

WAC 113-12-195 FULL DISCLOSURE OF COST OF SERVICES. (1) This rule will apply to all representations made in public advertising regarding the provision of chiropractic services, including x-rays or chiropractic examinations, on a free basis or at a reduced cost. This rule will also apply to all billings or other written or oral communications regarding charges for chiropractic services whether made to patients, third party health care payors, or to any other person, firm, or governmental agency.

(2) When a chiropractic service is represented in public advertising as available without cost or at a reduced cost that service must be made available to everyone who wishes to take advantage of the offer on an equal basis. No charge may be made to any individual or third party health care payor for any services which have been provided on a free basis. ((Billings to patients or to third party health care payors should accurately reflect the actual charge to the patient, including any discounts, reduced fees or waiver of co-payments.))

(3) All billings to third party payors for patients who are also being treated for an unrelated condition must fully disclose the additional treatment being provided and the charges for that treatment.

(4) Billings to patients or to third party health care payors should accurately reflect the actual charge to the patient, including any discounts, reduced fees, or waiver of co-payment.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 113-12-197 IMPROPER BILLING PRACTICES. The following acts shall constitute grounds for which disciplinary action may be taken:

(1) Rebating or offering to rebate to an insured any payment to the licensee by the third-party payor of the insured for services or treatments rendered under the insured's policy.

(2) Submitting to any third-party payor a claim for a service or treatment at a greater or an inflated fee or charge than the usual fee the licensee charges for that service or treatment when rendered without third-party reimbursement.

(3) Advertising any reduced or discounted fees for services or treatments or advertising any free services or treatments without prominently stating in the advertisement the usual fee of the licensee for the service or treatment which is the subject of the discount or free offering.

WSR 87-01-087
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed December 22, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Department of Licensing intends to adopt, amend, or repeal rules concerning the licensure of certified acupuncturists; that the agency will at 10:00 a.m., Tuesday, January 27, 1987, in the Peninsula Room Airport Hilton, 17620 Pacific Highway South, Seattle, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place after January 27, 1987.

The authority under which these rules are proposed is RCW 18.06.160.

The specific statute these rules are intended to implement is chapter 18.06 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 26, 1987.

Dated: December 22, 1986
By: Robert Van Schoorl
Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: The purpose of the proposed rules in chapter 308-180 WAC is to implement chapter 18.06 RCW and to cover educational and experience requirements, methods for course approval, the application process, examination and licensure information and fees for certified acupuncturists.

Statutory Authority: RCW 18.06.160.

Summary of the Rules: WAC 308-180-130 defines certain terms used in the proposed rules, including "acupuncture school," "acupuncture program," "acupuncture apprenticeship," "acupuncture tutorial instruction," and "academic year"; WAC 308-180-140 sets forth the procedures for obtaining approval of an acupuncture school, program, apprenticeship, or tutorial instruction; WAC 308-180-150 defines the minimum required training in western sciences; WAC 308-180-160 defines the required minimum training in the acupuncture sciences; WAC 308-180-170 defines the minimum clinical training including actual supervised practice and case presentation in performing acupuncture treatments; WAC 308-180-190 requires that foreign language documents be accompanied by an accurate translation in English when submitted in connection with any application; WAC 308-180-200 establishes the department's policy regarding the sufficiency of any documents submitted and the requirement regarding possible further proof of qualification; WAC 308-180-210 sets forth the procedures for the licensure examinations; WAC 308-180-220 describes the required written plan for consultation, emergency transfer, and referral that every certified acupuncturist must develop; WAC 308-180-230 sets forth the conditions which would require a referral

to other health care practitioners by a certified acupuncturist; WAC 308-180-240 describes the patient informed consent form that each acupuncturist must utilize; WAC 308-180-250 describes the application exhibits that must be submitted by each applicant; and WAC 308-180-100 amends certain fees to be charged by the professional licensing division concerning the acupuncture application and examination.

Reason Proposed: These rules are proposed to implement the provisions of chapter 18.06 RCW, adopted by the legislature during the 1985 session.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following departmental personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Cynthia Jones, Program Manager, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 753-2494 comm, 234-2495 scan.

Proponents: These rules are proposed by the director of the Department of Licensing with the advice of the acupuncture advisory committee.

Small Business Economic Impact Statement: A small business economic impact statement is not required since these rules do not impact small businesses as that term was defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 592, filed 5/5/86)

WAC 308-180-100 ACUPUNCTURE FEES. The following fees shall be ((charges)) charged by the professional licensing division of the department of licensing.

Table with 2 columns: Fee Description and Amount. Includes Application/examination (\$500.00), Re-take examination ((\$500.00)), Written (\$200.00), Practical portion (\$300.00), Annual license renewal (\$500.00), Late renewal penalty (\$500.00), Duplication license (reported to professional licensing division if lost or stolen) ((\$50.00)) \$ 5.00, License verification (to other jurisdictions) \$ 5.00, Acupuncture training program approval application \$200.00.

NEW SECTION

WAC 308-180-130 DEFINITIONS. For the purpose of administering chapter 18.06 RCW, the following terms shall be considered in the following manner:

- (1) "Acupuncture school" is an academic institution which has the sole purpose of offering training in acupuncture.
(2) "Acupuncture program" is training in acupuncture offered by an academic institution which also offers training in other areas of study. A program is an established area of study offered on a continuing basis.
(3) "Acupuncture apprenticeship" is training in acupuncture which is offered by a qualified acupuncture employer to an apprentice on the basis of an apprenticeship agreement between the employer and the apprentice. An apprenticeship is of limited duration and ceases at the time the parties to the apprenticeship agreement have performed their obligations under the agreement.
(4) "Acupuncture tutorial instruction" is training in acupuncture which is offered by an academic institution or qualified instructor on the basis of a tutorial agreement between the school or instructor and the student. A tutorial is of limited duration and ceases at the time the parties to the tutorial agreement have performed their obligations under the agreement.
(5) "Academic year" is three quarters or two semesters.

NEW SECTION

WAC 308-180-140 APPROVAL OF SCHOOL, PROGRAM, APPRENTICESHIP OR TUTORIAL INSTRUCTION. The department will consider for approval any school, program, apprenticeship or tutorial instruction which meets the requirements outlined in chapter 18.06 RCW and which provides all or part of the courses required in RCW 18.06.050.

(1) A school or program may be approved by the director without formal application to the department provided that:

(a) The school or program is an accredited United States postsecondary school or program.

(b) The school or program is accredited under the procedures of another country and these procedures satisfy accreditation standards used for postsecondary education in the United States.

(c) The nonaccredited school or program is approved by or has candidacy status with the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

(d) The nonaccredited school or program is approved by the Washington state board of medical examiners to prepare persons for the practice of acupuncture.

(2) Approval of any other school, program, apprenticeship or tutorial instruction may be requested on a form provided by the department.

(3) Application for approval of a school, program, apprenticeship or tutorial instruction shall be made by the authorized representative of the school or the administrator of the apprenticeship or tutorial agreement.

(4) An applicant may request approval of the school, program, apprenticeship or tutorial instruction as of the date of the application or retroactively to a specified date.

(5) The application for approval of a school, program, apprenticeship or tutorial instruction shall include documentation required by the department pertaining to educational administration, qualifications of instructors, didactic and/or clinical facilities, and content of offered training.

(6) An application fee must accompany the completed application.

(7) The department will evaluate the application and, if necessary, conduct a site inspection of the school, program, apprenticeship or tutorial instruction prior to approval by the department.

(8) Upon completion of the evaluation of the application, the department may grant or deny approval, or grant approval conditioned upon appropriate modification to the application.

(9) In the event the department denies an application or grants conditional approval, the authorized representative of the applicant school or program or the administrator of the applicant apprenticeship or tutorial instruction may request a review within ninety days of the department's adverse action. Should a request for review of an adverse action be made after ninety days following the department's action, the contesting party may obtain review only by submitting a new application.

(10) The authorized representative of an approved school or program or the administrator of an apprenticeship or tutorial agreement shall notify the department of significant changes with respect to educational administration, instructor qualifications, facilities, or content of training.

(11) The department may inspect an approved school, program, apprenticeship or tutorial instruction at reasonable intervals for compliance. Approval may be withdrawn if the department finds failure to comply with the requirements of law, administrative rules, or representations in the application.

(12) The authorized representative of a school or administrator of an agreement must immediately correct deficiencies which resulted in withdrawal of the department's approval.

NEW SECTION

WAC 308-180-150 WESTERN SCIENCES. The training in western sciences shall consist of forty-five academic credits based on the quarter system in which a credit equals ten classroom contact hours at the collegiate level of instruction or equivalent. These forty-five academic credits shall consist of the following:

- (1) Anatomy;
- (2) Physiology;
- (3) Bacteriology;
- (4) Biochemistry;
- (5) Pathology;

(6) Survey of western clinical sciences;

(7) Hygiene; and

(8) Cardio-pulmonary resuscitation (CPR).

Training in hygiene and CPR shall consist of a minimum of one academic credit hour or equivalent in each subject. Red Cross certification or documentation of equivalent training may be substituted for one academic credit hour in CPR.

NEW SECTION

WAC 308-180-160 ACUPUNCTURE SCIENCES. The training in acupuncture sciences shall consist of seventy-five academic credits based on the quarter system in which a credit equals ten classroom contact hours at the collegiate level of instruction or equivalent. These seventy-five academic credits shall include the following subjects:

- (1) Fundamental principles of acupuncture;
- (2) Acupuncture diagnosis;
- (3) Acupuncture pathology;
- (4) Acupuncture therapeutics;
- (5) Acupuncture meridians and points; and
- (6) Acupuncture techniques, including electroacupuncture.

NEW SECTION

WAC 308-180-170 CLINICAL TRAINING. (1) A minimum of one hundred hours or nine quarter credits of clinical training shall consist of observation which shall include case presentation and discussion.

(2) Supervised practice consists of at least four hundred separate patient treatments involving a minimum of one hundred patients. Twenty-nine quarter credits of supervised practice shall be completed over a minimum period of one academic year.

(a) A qualified instructor must observe and provide guidance to the student during the first one hundred patient treatments and be available within the clinical facility to provide consultation and assistance to the student for patient treatments performed subsequently. In the case of each and every treatment, the instructor must have knowledge of and approve the diagnosis and treatment plan prior to the initiation of treatment.

(b) "Patient treatment" shall include:

(i) Conducting a patient intake interview concerning the patient's past and present medical history;

(ii) Performing traditional acupuncture examination and diagnosis;

(iii) Discussion between the instructor and the student concerning the proposed diagnosis and treatment plan;

(iv) Applying acupuncture treatment principles and techniques (a minimum of three hundred sixty patient treatments involving point location, insertion and withdrawal of all needles must be performed); and

(v) Charting of patient conditions, evaluative discussions and findings, and concluding remarks.

(c) Supervised practice shall consist of a reasonable time per patient treatment and a reasonable distribution of patient treatment over one or more academic years so as to facilitate the student's learning experience. If the department is not satisfied that the time per patient treatment and distribution of treatments over one or more academic years facilitates the student's learning experience, it may require detailed documentation of the patient treatments.

NEW SECTION

WAC 308-180-190 DOCUMENTS IN FOREIGN LANGUAGE. All documents submitted in a foreign language shall be accompanied by an accurate translation in English. Each translated document shall bear the affidavit of the translator certifying that the translator is competent in both the language of the document and the English language and that the translation is a true and complete translation of the foreign language original, and sworn to before a notary public. Translation of any document relative to a person's application shall be at the expense of the applicant.

NEW SECTION

WAC 308-180-200 SUFFICIENCY OF DOCUMENTS. In all cases the departments' decision as to the sufficiency of the documentation shall be final. The department may request further proof of qualification.

NEW SECTION

WAC 308-180-210 EXAMINATIONS. (1) A written and practical examination in English shall be given twice yearly for qualified applicants at a time and place determined by the director.

(2) All applicants must have successfully completed the written portion of the examination prior to being eligible for the practical examination.

(3) Applications and fees for examination must be received by the department forty-five days in advance of the scheduled examination date.

(4) The passing score for the examination is a converted score of seventy-five.

(5) Applicants who fail either the written or the practical portion of the examination shall submit an appropriate fee for re-examination.

(6) Application fees are nonrefundable.

NEW SECTION

WAC 308-180-220 CONSULTATION PLAN. Every certified acupuncturist shall develop a written plan for consultation, emergency transfer, and referral including:

(1) The name, address, and telephone numbers of two consulting physicians;

(2) The name, address, and a telephone number of the nearest emergency room facility;

(3) An emergency transport mechanism (i.e., ambulance) with the name, address, and telephone number of the dispatcher nearest to the location of practice; and

(4) Confirmation from the physicians listed as to their agreement to consult with and accept referred patients from the applicant upon becoming a certified acupuncturist and establishing a place of practice.

NEW SECTION

WAC 308-180-230 REFERRAL TO OTHER HEALTH CARE PRACTITIONERS. When the acupuncturist sees patients with potentially serious disorders including but not limited to:

- (1) Cardiac conditions including uncontrolled hypertension;
- (2) Acute abdominal symptoms;
- (3) Acute undiagnosed neurological changes;
- (4) Unexplained weight loss or gain in excess of fifteen percent body weight within a three-month period;
- (5) Suspected fracture or dislocation;
- (6) Suspected systemic infection;
- (7) Any serious undiagnosed hemorrhagic disorder; and
- (8) Acute respiratory distress without previous history or diagnosis.

The acupuncturist shall provide the following as medically prudent:

(a) The acupuncturist shall immediately request a consultation or written diagnosis from a physician licensed under chapter 18.71 or 18.57 RCW for patients with potentially serious disorders. In the event the patient refuses to authorize such consultation or provide a recent diagnosis from such physician, acupuncture treatment shall not be continued.

(b) In emergency situations the acupuncturist shall provide life support and emergency transport to the nearest licensed medical facility.

NEW SECTION

WAC 308-180-240 PATIENT INFORMED CONSENT. The patient informed consent is to advise the patient of the credentials of the practitioner and the scope of practice of acupuncturists in the state of Washington. The following information must be furnished to each patient in writing prior to or at the time of the initial patient visit.

(1) Practitioner's qualifications, including:

- (a) Education. Dates and location(s) of didactic and clinical training.
- (b) License information, including:
 - (i) State license number;
 - (ii) Date of licensure;
 - (iii) Licensure in other states or jurisdiction.

(2) The "scope of practice" for an acupuncturist in the state of Washington includes but is not limited to the following list of techniques:

- (a) Use of acupuncture needles to stimulate acupuncture points and meridians;
- (b) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
- (c) Moxibustion;

- (d) Acupressure;
 - (e) Cupping;
 - (f) Dermal friction technique (gwa hsa);
 - (g) Infra-red;
 - (h) Sonopuncture;
 - (i) Lasarpuncture;
 - (j) Dietary advice based on traditional Chinese medical theory; and
 - (k) Point injection therapy (aquapuncture.)
- (3) Side effects may include, but are not limited to, the following:
- (a) Some pain following treatment in insertion area;
 - (b) Minor bruising;
 - (c) Infection;
 - (d) Needle sickness; and
 - (e) Broken needle.
- (4) Patients with severe bleeding disorders or pace makers should inform practitioners prior to any treatment.

NEW SECTION

WAC 308-180-250 APPLICATION EXHIBITS REQUIRED. Every application shall be accompanied by:

- (1) The application fee;
- (2) Verification of academic or educational study and training at a school or college:

(a) Photostatic copy of diploma, certificate, or other certified documents and original copy of school transcript from a school or college evidencing completion of a program and a copy of the curriculum in the areas of study involved in the school or college forwarded directly from the issuing agency/organization; or

(b) Notarized affidavit or statement bearing the official school seal and signed by an officer of the school or training program certifying the applicant's satisfactory completion of the academic and clinical training and designating the subjects and hours; or

(c) If, for good cause shown, the school is no longer existent, an applicant may submit a sworn affidavit so stating and shall name the school, its address, dates of enrollment and curriculum completed, and such other information and documents as the department may deem necessary; or

(d) Certified copies of licenses issued by the applicant's jurisdiction which must be forwarded directly to the department of licensing from the issuing licensing and/or translation agency rather than the applicant.

(3) Verification of clinical training. The applicant shall submit a certification signed by the instructor(s) under oath that the applicant completed a course of clinical training under the direction of the instructor which shall include:

- (a) The location of the training site.
- (b) The inclusive dates of training.
- (c) That the supervised practice included a minimum of four hundred patient treatments involving a minimum of one hundred different patients.
- (d) One hundred hours of observation including case presentation and discussion.

WSR 87-01-088**ADOPTED RULES****DEPARTMENT OF LICENSING
(Board of Occupational Therapy Practice)**

[Order PM 630—Filed December 22, 1986]

Be it resolved by the Board of Occupational Therapy Practice, acting at Second Floor Conference Room D, 1112 South Quince, Olympia, WA, that it does adopt the annexed rules relating to:

- New WAC 308-171-002 Persons exempt from the definition of an occupational therapy aide.
- Amd WAC 308-171-201 Supervised fieldwork experience—Occupational therapists.

This action is taken pursuant to Notice No. WSR 86-22-043 filed with the code reviser on November 3, 1986. 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 Board of Occupational Therapy Practice as authorized in RCW 18.59.130(2).

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 December 10, 1986.

By John P. Hatcher
Chairperson

NEW SECTION

WAC 308-171-002 PERSONS EXEMPT FROM THE DEFINITION OF AN OCCUPATIONAL THERAPY AIDE. An "occupational therapy aide" for whom an occupational therapist must provide professional supervision pursuant to RCW 18.59.020(5) does not include persons employed at a facility who are performing services under the supervision of another licensed health care practitioner if the occupational therapist serves solely in a consulting capacity to the facility. "Consulting capacity" shall mean the providing of information and recommendations which the facility or licensed health care practitioners employed at that facility may accept, reject, or modify at the election of the facility or the election of the licensed health care practitioners and if the occupational therapist's recommendations are accepted or modified then the recommendations shall be incorporated into the patient's health care plan as part of the nursing or physician's care plan and not held out as the providing of occupational therapy services to the patients or public or billed by the facility as the providing of occupational therapy services to the patients.

AMENDATORY SECTION (Amending Order PL 513, filed 2/11/85)

WAC 308-171-201 SUPERVISED FIELDWORK EXPERIENCE—OCCUPATIONAL THERAPISTS. "Supervised fieldwork experience" in RCW 18.59.050 (1)(c)(i) shall mean a minimum six months of Level II fieldwork conducted in settings approved by the applicant's academic program. Level II fieldwork is to provide an in-depth experience in delivering occupational therapy services to clients and to provide opportunities for supervised practice of occupational therapist entry-level roles. The minimum six months supervised fieldwork experience required by RCW 18.59.050 (1)(c)(i) shall not include Level I fieldwork experience as defined by the American Occupational Therapy Association.

The supervised fieldwork experience shall consist of a minimum of six months sustained fieldwork on a full-time basis (~~(; three months of which shall be in physical dysfunction and three months of which shall be in psycho-social dysfunction)~~). "Full-time basis" is as required by the fieldwork setting.

WSR 87-01-089

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed December 22, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning disclosure of agency representation, amending WAC 308-124D-040;

that the agency will at 10:00 a.m., Thursday, January 29, 1986 [1987], in the Seattle Hyatt, Satellite Room, 17001 Pacific Highway South, Seattle, WA 98188, 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 18.85.040.

The specific statute these rules are intended to implement is RCW 18.85.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 28, 1986 [1987].

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing.

The agency may need to change the date for hearing or adoption on short notice. To ascertain that the hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Jon Clark
Department of Licensing
Professional Programs Management Division
P.O. Box 9649
Olympia, WA 98504
Phone (206) 753-0775

Dated: December 17, 1986

By: Joyce R. Dolliver
Assistant Attorney General

STATEMENT OF PURPOSE

Title and Number of Rule Section or Chapter:
Amending WAC 308-124D-040 Disclosure of agency representation.

Statutory Authority for Adopting Rule and Specific Statute that the Rule is Intended to Implement: This rule is proposed under authority of RCW 18.85.040 and intended to implement RCW 18.85.040.

Summary of Rule: This amendment clarifies that it is the selling agent's agency representation which must be disclosed to the seller.

Reasons Supporting the Proposed Rule: The amendment clarifies otherwise ambiguous language.

Agency Personnel Responsible for the Drafting, Implementation and Enforcement of the Rule: Theresa

Anna Aragon, Director, Department of Licensing, Fourth Floor, Highways-Licenses Building, Olympia, WA 98504, phone: 234-5029 scan, 753-5029 comm; Bob Van Schoorl, Assistant Director, Business and Professions, First Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98504, phone: 234-2241 scan, 753-2241 comm; and Jon Clark, Program Manager, Professional Programs Management Division, Fourth Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98504, phone: 234-0775 scan, 753-0775 comm.

Name of Person or Organization that is Proposing this Rule: Department of Licensing.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to These Rules: None.

These rules are not necessary to comply with a federal law or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

The department has reviewed the impact that the adoption of these rules would have on real estate brokers and salespersons and schools offering real estate courses. Real estate brokers and salespersons are most appropriately classed in SIC Code 6531. They account for more than 10 percent of the firms and individuals in this area. They are less than 20 percent of all firms and individuals in all industries. Cost for small business is estimated to be zero. Any impact that these proposed rules may have is intended to fall equally on all real estate brokers and salespersons.

AMENDATORY SECTION (Amending Order PM 617, filed 9/16/86)

WAC 308-124D-040 DISCLOSURE OF AGENCY REPRESENTATION. A licensee acting as the listing and selling agent or as a selling agent must make an oral and/or written disclosure of agency representation to buyer(s) in a real estate or business opportunity transaction. The disclosure must have been made at least once prior to preparing the purchase and sale agreement, including options to purchase, lease purchase agreements and exchange agreements.

The seller shall be provided disclosure of the selling agent's agency representation by the listing agent or the selling agent at least once prior to presenting the agreement.

The disclosure shall be confirmed in a separate paragraph titled "Agency Disclosure" in the agreement, which shall be as follows:

AGENCY DISCLOSURE: At the signing of this agreement the selling agent represented _____.

Each party signing this document confirms that prior oral and/or written disclosure of agency was provided to him/her in this transaction.

WSR 87-01-090

ATTORNEY GENERAL OPINION

Cite as: AGO 1986 No. 14

[December 17, 1986]

OFFICES AND OFFICERS—STATE—BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS—EMPLOYEES ASSIGNED TO SUPPORT BOARD FUNCTIONS—SUPERVISION OF EMPLOYEES

(1) The Board of Registration for Professional Engineers and Land Surveyors, not the Director of the Department of Licensing, has the authority to manage, direct, supervise, and discipline those employees assigned to support the Board's function.

(2) The Director of the Department of Licensing does not have the authority to assign duties to these employees other than duties relating to the Board's functions.

Requested by:

Honorable Theresa Anna Aragon
Director, Department of Licensing
Highways-Licenses Building
Olympia, Washington 98504

WSR 87-01-091

NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER

[Memorandum—December 19, 1986]

1987 REGULAR MEETING SCHEDULE
WASHINGTON STATE CONVENTION AND TRADE CENTER
BOARD OF DIRECTORS

- January 15, 1987
- February 19, 1987
- March 19, 1987
- April 16, 1987
- May 21, 1987
- June 18, 1987
- July 16, 1987
- September 17, 1987
- October 15, 1987
- November 19, 1987
- December 17, 1987

Regular monthly meetings of the board of directors of WSCTC in 1987 shall be held on the third Thursday of every month with the exception of August, at 3:00 p.m. in the boardroom of the Corporate Office of WSCTC, 720 Olive Way, Suite 1520, Seattle, WA 98101, unless notice of any rescheduled meeting shall be otherwise given in accordance with the bylaws of WSCTC and any applicable provisions of state law.

The chairman of the board of directors, or his designee, shall take the steps necessary to publish notice of the time and place of regular meetings in the state Register as contemplated by the Open Public Meetings Act in RCW 42.30.075.

WSR 87-01-092

NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE

[Memorandum—December 19, 1986]

All regular meetings of the board commence at 8:00 a.m. and are held in the board room of the administration building on the college campus, 16101 Greenwood Avenue North.

Friday, January 16, 1987

Friday, February 20, 1987
 Friday, March 20, 1987
 Friday, April 17, 1987
 Friday, May 15, 1987
 Friday, June 19, 1987
 Friday, July 17, 1987
 Friday, August 21, 1987
 Friday, September 18, 1987
 Friday, October 16, 1987
 Friday, November 20, 1987
 Friday, December 18, 1987

WSR 87-01-093
 NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE
 [Memorandum—December 18, 1986]

The time and place of regular meetings for the Everett Community College board of trustees for 1987 will be as follows:

Time and Date: Third Monday of each month, 4:30 p.m. (except January and February holidays which fall on the third Monday. The regular meeting for January will be January 20. The regular meeting for February will be February 17.)

Place: Everett Community College campus.

WSR 87-01-094
 NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
 [Memorandum—December 19, 1986]

Following are the meeting dates of the Western Library Network, Network Services Council for 1987. The 1987 meetings will be held at the Vance Airport Inn, 18220 Pacific Highway South, Seattle, Washington 98188 in the Olympic Room beginning at 10:00 a.m.

Tuesday, February 17, 1987
 Friday, May 15, 1987
 Monday, August 10, 1987
 Friday, November 6, 1987

WSR 87-01-095
 PROPOSED RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Institutions)
 [Filed December 22, 1986]

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 Provider fiscal administration—Written

schedule of fees (mental health), amending WAC 275-56-135;

that the agency will at 10:00 a.m., Friday, January 30, 1987, in the Auditorium, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 30, 1987.

The authority under which these rules are proposed is RCW 71.24.035.

The specific statute these rules are intended to implement is RCW 71.24.215.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 30, 1987.

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

Lee D. Bomberger, Acting 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, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 16, 1987. The meeting site is in a location which is barrier free.

Dated: December 19, 1986
 By: Lee D. Bomberger, Acting Director
 Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025. Amend WAC 275-56-135, Provider fiscal administration—Written schedule of fees.

Purpose of the Rule Change: To ensure that low-income clients do not have to spend part of their scarce income on mental health services, and that they can access these services without a financial barrier.

Reason the Rule Change is Necessary: To prevent mental health agencies from charging GAU clients and other low-income individuals for mental health center services.

Statutory Authority: RCW 71.24.215.

According to RCW 71.24.215, non-Title XIX clients receiving mental health center services are to be charged a fee under sliding-scale fee schedules based upon ability to pay. The use of these fee schedules is approved as part of the mental health division licensing process. This rule change serves as notification that effective March 1, 1987, approval will only be given to sliding-scale fee schedules which do not require payment from individuals with an income level equal to or below the grant standards for the general assistance program.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Lyle Quasim, Director, Mental Health Division, OB 42-F, (206) 753-4420.

These rules are proposed by DSHS.

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

AMENDATORY SECTION (Amending Order 1957, filed 4/7/83)

WAC 275-56-135 PROVIDER FISCAL ADMINISTRATION—WRITTEN SCHEDULE OF FEES. The provider shall establish and use a sliding fee schedule based on the resources available to the client to pay for mental health services and the provider's actual cost of care.

(1) Use of the fee schedule shall be approved by the department as part of the licensing process. Effective March 1, 1987, approval will only be given to sliding scale fee schedules which do not require payment from individuals with an income level equal to or below the grant standards for the general assistance program (WAC 388-29-100).

(2) The fee schedule shall be accessible to the provider's staff and clients.

WSR 87-01-096
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2449—Filed December 22, 1986]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Net cash income—Exempt earned income, amending WAC 388-28-570.

This action is taken pursuant to Notice No. WSR 86-21-027 filed with the code reviser on October 8, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED December 19, 1986.

By Lee D. Bomberger, Acting Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2276, filed 8/30/85)

WAC 388-28-570 NET CASH INCOME—EXEMPT EARNED INCOME. (1) For rules on exempting earned income of a full- or part-time student, see WAC 388-28-535. For rules exempting income from training, see WAC 388-28-515. For rules on other income, see WAC 388-28-580.

(2) As used in this section, "earned income" shall mean income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income

from rentals is earned income, provided the individual has managerial responsibility for the rental property.

(3) For an AFDC recipient, earned income includes earnings under Title I of the Elementary and Secondary Education Act, all earnings received under the Economic Opportunity Act, wages from WIN on-the-job training, and wages paid under the Job Training Partnership Act (JTPA). See WAC 388-28-535(2) for treatment of a child excluded from the grant.

(4) The definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the individual is not himself or herself actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income." ((See WAC 388-28-580:))

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, RSDI, etc. ((See WAC 388-28-580:))

(c) Income from WIN incentive payments(;) and training-related expenses derived from WIN institutional or work experience training.

(d) Income received under the Job Training Partnership Act for training allowances, payments for support services, etc.

(5)((;)) In AFDC ((and)), refugee assistance, and general assistance when payment of income earned over a period of more than one month is delayed, the exemption applies ((only to the period of payment:

(b) In general assistance, the exemption applies)) to the period during which the ((exemption)) income was earned ((rather than the period of payment)).

(6) Aid to families with dependent children and refugee assistance.

(a) The following shall be disregarded sequentially from the monthly gross earned income of each individual member of the assistance unit.

(i) Seventy-five dollars for work expenses, regardless of the number of hours worked per month.

(ii) The actual cost not to exceed the following amounts depending upon the number of hours worked per month for the care of each dependent child or incapacitated adult living in the same home and receiving AFDC or refugee assistance. No deduction shall be made for child care provided by a parent or stepparent. The amount ((paid)) incurred must be verified by the provider. The expense must have been ((paid from the declared earnings)) incurred for the month of employment being reported to be allowed as a deduction.

Table with 2 columns: Hours worked per month, Child care maximum deductions. Rows: 0 - 40 (\$ 40.00), 41 - 80 (80.00), 81 - 120 (120.00), 121 or more (160.00)

(b) The following shall be disregarded sequentially from the ((combined)) monthly gross earned income of each nonstudent dependent ((children)) child and adult((s)) included in the AFDC assistance unit.

(i) For individuals found otherwise eligible to receive assistance or having received assistance in one of the four prior months, thirty dollars and one-third of the remainder not already disregarded. The thirty dollars and one-third disregard shall be applied for a maximum of four consecutive months; it cannot be applied again until he or she has been a nonrecipient for twelve consecutive months.

(ii) After expiration of the disregard in subsection (6)(b)(i) of this section, thirty dollars shall be disregarded for a maximum of eight consecutive months, whether or not the recipient has earnings or is receiving assistance; it cannot be applied again until he or she has been a nonrecipient for twelve consecutive months. ~~((This provision is effective November 1, 1984.))~~

(c) The exemptions and deductions in subsection (6)(a) and (b) of this section will not be applied for any month if the individual within a period of thirty days preceding the month in which the income was received:

(i) Terminated his or her employment or reduced his or her earned income without good cause; or

(ii) Refused without good cause to accept employment in which he or she is able to engage which is offered through SES, or is otherwise offered by an employer if the offer of such employment is determined by the local office to be a bona fide offer of employment; or

(d) ~~The ((exemption and)) deductions in subsection (6)(a) and (b) of this section will not be applied for any month the recipient failed without good cause ((as determined by the CSO, to report earnings to the department on or before the eighteenth day of the month following the month in which the income was received, or by the first following work day if the eighteenth day of the month falls on a weekend or holiday)) to make a timely report of income. When a timely report is made under these circumstances, the thirty-dollar and one-third exemption shall be counted in the applicable time limits. Good cause shall be determined by the department. Any circumstance beyond the control of the recipient shall constitute good cause.~~

To be considered timely, a report must be received by the department:

(i) On or before the eighteenth day of the month following the month in which the income was received, or

(ii) By the first following work day if the eighteenth day of the month falls on a weekend or holiday.

(e) If a recipient requests termination in order to break the consecutiveness of the applicable time limits for the thirty-dollar plus one-third exemption, and would have been eligible, the months of voluntary non-receipt of assistance shall be counted toward the applicable time limits.

(f) If a recipient quits work without good cause, the thirty-dollar and one-third exemption shall be deemed to have been received and shall be counted toward the applicable time limits.

(g) Months in which the applicant/recipient received the thirty-dollar and one-third exemption in another state shall not apply toward the applicable time limits.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment:

(a) Physical, mental, or emotional inability of the individual to satisfactorily perform the work required;

(b) Inability of the individual to get to and from the job without undue cost or hardship to him or her;

(c) The nature of the work would be hazardous to the individual;

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;

(e) The job is available because of a labor dispute;

(f) Adequate child care is not available to the AFDC household.

WSR 87-01-097
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2453—Filed December 22, 1986]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to special categories eligible for medical assistance, amending WAC 388-82-115.

This action is taken pursuant to Notice No. WSR 86-21-118 filed with the code reviser on October 21, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED December 19, 1986.

By Lee D. Bomberger, Acting Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2378, filed 5/14/86)

WAC 388-82-115 ~~((SPECIAL CATEGORIES))~~
THE DEPARTMENT SHALL CLASSIFY AS ELIGIBLE FOR CATEGORICALLY NEEDY MEDICAL ASSISTANCE. (1) Persons who, in August 1972, received OAA, AB, AFDC, or APTD, and also received RSDI benefits, and who ~~((became))~~ are ineligible for OAA, AB, AFDC or APTD solely because of the twenty percent increase in Social Security benefits under Public Law 92-336 ~~((, shall be eligible for medicaid as categorically needy. The provision applies to both current cash applicants and recipients)).~~

(2) ~~((Applicants for SSI or AFDC))~~ Persons who were entitled to RSDI benefits in August 1972, and ~~((would have been))~~ are ineligible for AFDC or SSI solely because of the twenty percent increase in Social Security benefits under Public Law 92-336 ~~((shall have~~

~~the twenty percent increase disregarded in determining financial eligibility).~~

(3) ~~((An AFDC))~~ Family units which ~~((becomes))~~ are ineligible for AFDC solely because of increased hours or increased income from employment shall remain categorically eligible for medical assistance (MA) for four calendar months beginning with the month of ineligibility provided that:

(a) The family received AFDC in at least three of the six months immediately preceding the month of ineligibility.

(b) A member of such family continues to be employed, and

(c) The family is otherwise eligible for AFDC except for increased hours or increased income from employment.

(d) Earned income tax credits (EITC) must be considered as income for purposes of this subsection.

(4) Current recipients of Title II, SSA benefits who:

(a) Were concurrent recipients of Title II and SSI benefits; and

(b) ~~((Became))~~ Are ineligible for SSI benefits and/or state supplementary payments ~~((after April 1, 1977));~~ and

(c) ~~Would be eligible for SSI benefits ((but for Title II cost-of-living benefit increases under Public Law 94-566, section 503, shall be categorically eligible for medical assistance (MA). Any subsequent OASDI cost-of-living benefit increase shall be disregarded for eligibility. For institutionalized recipients, the amount subsequently is considered in the cost of institutional care)) if the following were deducted from the current Title II benefit amount:~~

(i) All Title II cost-of-living benefit increases received by the recipient since termination from SSI/SSP; and

(ii) All Title II cost-of-living benefit increases received during the time period in (c)(i) of this subsection by the recipient's spouse and/or other financially responsible family member living in the same household.

(5) Certain recipients of SSI, after January 1, 1981, ~~((with))~~ who continue to be eligible for medical assistance (MA) under Public Law 96-265.

(6) Pregnant women, with no other eligible children, who are ineligible for AFDC cash assistance solely because they have not reached the sixth month of pregnancy ~~((shall be eligible for Medicaid as categorically needy)).~~

(7) ~~((Individuals))~~ Persons who are denied AFDC cash payments solely by reason of recovery of an overpayment ~~((shall be eligible for Medicaid as categorically needy)).~~

(8) ~~((A child))~~ Children under five years of age, who are born after September 30, 1983, and who meet~~((s))~~ the income and resource requirements of AFDC financial assistance ~~((shall be eligible for Medicaid as categorically needy)).~~

(9) Family units which are terminated from AFDC financial assistance solely because of the loss of the thirty dollars plus one-third or the thirty-dollar income exemptions shall remain categorically eligible for medical

assistance for nine calendar months beginning with the month of ineligibility for AFDC ~~((provided that:~~

~~(a) The family unit was terminated on or after October 1, 1984;~~

~~(b) Family units terminated prior to October 1, 1984, may be eligible for nine months of medicaid beginning with the month of application if they meet the following conditions:~~

~~(i) The family unit must apply for medical assistance;~~

~~(ii) The family unit must demonstrate that, if the income exemptions had been applied, the family unit would have been eligible for each month for AFDC from the time of termination of AFDC to the time of application for medical assistance;~~

~~(iii) The family unit must disclose any health insurance coverage in effect for members of the assistance unit).~~

(10) ~~((A child))~~ Children born to a woman eligible for and receiving medical assistance on the date of the child's birth, ~~((shall be eligible for medical assistance on))~~ from the date of birth ~~((and shall remain eligible))~~ for a period of one year if:

(a) The child remains a member of the mothers household; and

(b) The mother remains eligible for medical assistance; and

(c) The child was born on or after October 1, 1984.

(11) Family units which ~~((become))~~ are ineligible for AFDC financial assistance as a result (wholly or partly) of the collection or increased collection of child or spousal support shall be eligible for medical assistance for four months beginning with the month of such ineligibility; provided that the family unit:

(a) Received AFDC financial assistance in at least three of the six months immediately preceding the month of such ineligibility; and

(b) Became ineligible for AFDC during or after the month of August 1984 and prior to October 1, 1988.

(12) ~~((A))~~ Pregnant ~~((woman))~~ women who ~~((does))~~ do not meet the deprivation requirements of AFDC financial assistance ~~((shall be eligible for medical assistance as categorically needy))~~ if:

(a) ~~((She))~~ They would meet the AFDC financial assistance income requirements if the number in the household is increased by one before being compared to the payment standard; and

(b) ~~((She))~~ They meet~~((s))~~ the AFDC financial assistance resource requirements.

(13) ~~((Individuals))~~ Persons who are denied AFDC or SSI cash assistance solely because of deeming of income of alien sponsors.

(14) Current disabled recipients of widow's or widower's benefits under section 202(e) or (f) of the Social Security Act if he or she:

(a) Was entitled to a monthly insurance benefit under Title II of the Social Security Act for December 1983; and

(b) Was entitled to and received a widow's or widower's benefit based on a disability under section 202(e) or (f) of the Social Security Act for January 1984; and

(c) Became ineligible for SSI/SSP in the first month in which the increase provided under section 134 of P. L. 98-21 was paid to him or her; and

(d) Has been continuously entitled to a widow's or widower's benefit under section 202(e) or (f) of the act; and

(e) Would be eligible for SSI/SSP benefits if the amount of that increase, and any subsequent cost-of-living increases provided under section 215(i) of the act, were disregarded.

WSR 87-01-098
NOTICE OF PUBLIC MEETINGS
CLARK COLLEGE
 [Memorandum—December 18, 1986]

In compliance with the Washington State Administrative Code regulations regarding the reporting of meeting dates of the board of trustees, the following dates on which the board of trustees of Clark Community College District No. 14 is scheduled to meeting during 1987 are submitted.

January 28
 February 25
 March 25
 April 22
 May 27
 June 24
 July 22
 August 26
 September 23
 October 28
 *November 28
 *December 16

*Proposed to meet on the third Wednesday of these months to accommodate the holidays.

WSR 87-01-099
ADOPTED RULES
DEPARTMENT OF LICENSING
(Board of Optometry)
 [Order PM 629—Filed December 22, 1986]

Be it resolved by the Washington State Board of Optometry, acting at Olympia, Washington, that it does adopt the annexed rules relating to minimum information for release of contact lens prescriptions, repealing WAC 308-53-212.

This action is taken pursuant to Notice No. WSR 86-22-066 filed with the code reviser on November 5, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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 December 17, 1986.
 By Chuen Y. Wong, O.D.
 Chairman

REPEALER

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

WAC 308-53-212 MINIMUM INFORMATION FOR RELEASE OF CONTACT LENS PRESCRIPTIONS

WSR 87-01-100
PROPOSED RULES
STATE PATROL

[Filed December 22, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Patrol intends to adopt, amend, or repeal rules concerning Private carriers—Drivers qualification and hours of service standards;

that the agency will at 1:00 p.m., Tuesday, January 27, 1987, in the Conference Room, State Patrol Supply Building, 4242 Martin Way, 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 46.73.010 and 46.73.020.

The specific statute these rules are intended to implement is chapter 46.73 RCW.

Dated: December 22, 1986
 By: Kenneth E. Graves, Commander
 Commercial Vehicle Enforcement Section, WSP

STATEMENT OF PURPOSE

Title: Private carriers—Driver qualifications and hours of service standards.

Authority: RCW 46.73.010 and [46.73].020 allow the Washington State Patrol to adopt rules establishing standards for qualifications and hours of service of drivers for private carriers as defined by RCW 81.80.010(6). Such standards shall correlate with and, as far as reasonable, conform to the regulations contained in Title 49 CFR, Chapter 3, Subchapter B, Parts 391 and 395. The private carrier rules were adopted on April 1, 1986, and went into effect on May 1, 1986.

Summary: The private carrier rules established standards for qualifications and hours of service of drivers for private carriers as defined by RCW 81.80.010(b). The Washington State Patrol granted a 7-month moratorium on enforcement of these rules in an attempt to allow the private carrier industry time to come into compliance. It has since been determined that enforcement of these

rules as presently written could result in some private carriers being disqualified because of an inadequate medical certificate program. Also, several classes of private carriers are not exempted as was the original intent of the Washington State Patrol. These amendments correct the above-stated deficiencies.

Agency Personnel Responsible for Drafting: Trooper James F. Dickerman, General Administration Building, AX-12, Olympia, Washington 98504, phone 753-4453; Implementation: Captain Kenneth E. Graves, General Administration Building, AX-12, Olympia, Washington 98504; and Enforcement: Captain David N. Boyd, General Administration Building, AX-12, Olympia, Washington 98504.

Agency Comments: The amendments to the private carrier rules allow the driver's doctor, the driver's employer, and the Washington State Patrol to accept Department of Licensing medical certificates and restrictions as qualifying a driver to drive a motor carrier vehicle. The amendments also clarify who can be exempted from complying with these rules.

Government: RCW 46.73.010 and [46.73].020, enacted by the legislature of the state of Washington.

Small Business Economic Impact: Adoption of the amendments to the private carrier rules will not have any additional economic impact upon the private carrier business.

The private carrier rules presently have economic impact upon private carrier business proportionate to the number of drivers each employ. The total cost ranging from \$118 to \$135 per person.

There are a number of secretarial/clerical costs associated with complying with the private carrier rules. The establishment of standards for qualifications and hours of service of drivers for private carriers require employers to administer written tests and road tests to their drivers; to keep records of drivers duty status and hours of drive time; and to keep on file copies of employees applications, employment history, driving record, medical examination forms, and test results.¹

The major cost of establishing standards in qualifications of drivers for private carriers is the cost of a medical/physical examination. Each employee/applicant is required to take a physical examination, which will certify the employee applicant physically qualified to drive a motor vehicle. The cost of such an examination ranges from \$89.10 to \$103.95 per person.²

A benefit derived from complying with the private carrier rules is the possibility of a reduction in insurance expenses. Although insurance rates are affected by the experience of the driver(s) - these rates may be lowered by the insurance company. Insurance companies are allowed to give a maximum of 25 percent safety credit of safety standards and or qualifications are met, regardless of fleet size.³

In conclusion, the private carrier rules do not have an adverse economic impact on business. The cost of complying to the standards of qualifications of drivers and hours of service of drivers for private carriers is proportionate to the size of the company; furthermore, by complying to the standards, private carriers may see a reduction in insurance rates.

¹Written test questions, road test standards, and physical examination standards, along with other pertinent forms all found within the contents of the chapter. The clerical/secretarial costs range from \$28.90 to \$31.40.

²These figures were obtained from the Thurston County Medical Bureau.

³Information obtained from Aetna Insurance Company representative Cary McJohnston.

NEW SECTION

WAC 446-55-005 PROMULGATION. By authority of RCW 46.73.010 and 46.73.020, the Washington state patrol hereby adopts the following rules establishing standards for qualifications of drivers for private carriers as defined by RCW 81.80.010(6).

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-020 GENERAL EXEMPTIONS. (1) Passenger car operations. The rules in this chapter do not apply to a driver who drives only a motor vehicle that:

- (a) Is a passenger-carrying vehicle with a seating capacity of 10 or less persons, including the driver;
- (b) Is not transporting passengers for hire; and
- (c) Is not transporting hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with part 177.823 of the Code of Federal Regulations.

(2) Certain farm vehicle drivers. The rules in this chapter do not apply to a farm vehicle driver operating equipment that meets the requirements of RCW 46.16.090, except a farm vehicle driver who drives an articulated (combination) motor vehicle that has a gross weight, including its load of more than (~~40,000~~) 26,000 pounds. (For limited exemptions for farm vehicle drivers of heavier articulated vehicles see WAC 446-55-270.)

(3) Farm custom operations. The rules in this chapter do not apply to a driver who drives a motor vehicle that meets the requirements of RCW 46.16.090 controlled and operated by a person engaged in custom-harvesting operations, if the vehicle is used to:

- (a) Transport farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm; or
- (b) Transport custom-harvested crops to storage or market.

(4) Apriarian industries. The rules in this chapter do not apply to a driver who is operating a motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

(5) Lightweight vehicle drivers. The rules in this chapter do not apply to a driver who drives only a lightweight vehicle as defined in WAC 446-55-030(5).

(6) Exempt carriers as defined in WAC 446-55-030(8).

(7) Licensed tow truck drivers. The rules in this chapter do not apply to a driver who drives a tow truck for a towing firm that possesses a valid business and tow truck registration(s) as per the requirements of chapter 46.55 RCW.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-030 DEFINITIONS. (1) A "private carrier" is a person who transports by his own motor vehicle, with or without compensation therefor, property which is owned or is being bought or sold by such person, or property of which such person is the seller, purchaser, lessee, or bailee where such transportation is incidental to and in furtherance of some other primary business conducted by such person in good faith. The term "private carrier" includes a private carrier and the agents, officers, representatives, and employees of a private carrier who are responsible for the hiring, supervision, training, assignment, or dispatching of drivers.

(2) The term "chief" means the chief of the Washington state patrol.

(3) A private carrier "employs" a person as a driver within the meaning of this chapter whenever it requires or permits that person to drive a motor vehicle (whether or not the vehicle is owned by the private carrier) in furtherance of the business of the private carrier.

(4) The term "farm vehicle driver" means a person who drives only a motor vehicle that is:

- (a) Controlled and operated by a farmer;

- (b) Being used to transport either:
- Agricultural products; or
 - Farm machinery, farm supplies, or both, to or from a farm;
 - Not being used in the operations of a common or contract carrier;
 - Not carrying hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with part 177.823 of the Code of Federal Regulations; and
 - Either:
 - A vehicle having a gross weight, including its load, of ~~((+0,000))~~ twenty-six thousand pounds or less; or
 - A vehicle being used within 150 miles of the farmer's farm.
- (5) The term "lightweight vehicle" as used in this chapter or used in rules adopted by reference, shall mean a motor vehicle that:

(a) Was manufactured on or after January 1, 1972, and has a ~~((manufacturer's))~~ gross vehicle weight rating including its load of ((ten)) twenty-six thousand pounds or less, in the case of a single vehicle, or a ~~((manufacturer's))~~ gross combination weight rating including its load of ((ten)) twenty-six thousand pounds or less, in the case of an articulated vehicle; or

(b) Was manufactured before January 1, 1972, and has a gross weight, including its load and the gross weight of any vehicle being towed by the motor vehicle, of ~~((ten))~~ twenty-six thousand pounds or less, except:

(c) The term "lightweight vehicle" does not include a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-12-195.

(d) The term "lightweight vehicle" does not include private carrier buses as defined in RCW 46.04.416.

(6) "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

(7) "Contract carrier" shall include all motor vehicle operators not included under the terms "common carrier" and "private carrier" as herein defined in subsections (1) and (6) of this section, and further shall include any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(8) "Exempt carrier" means any person operating a vehicle exempted from certain provisions of this chapter under RCW 81.80.040.

(9) "Motor carrier" means and includes "common carrier," "contract carrier," "private carrier," and "exempt carrier" as herein defined.

(10) "Motor vehicle" means any truck, trailer, semitrailer, tractor, dump truck which uses a hydraulic or mechanical device to dump or discharge its load or any self-propelled or motor driven vehicle used upon any public highway of this state for the purpose of transporting property, but not including baggage, mail and express transported on the vehicles of auto transportation companies carrying passengers.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-060 QUALIFICATIONS OF DRIVERS. (1) A person shall not drive a motor vehicle unless he is qualified to drive a motor vehicle. Except as provided in chapter 46.20 RCW and WAC 446-55-250, a private carrier shall not require or permit a person to drive a motor vehicle unless that person is qualified to drive a motor vehicle.

(2) Except as provided in WAC 446-55-220 through 446-55-280, a person is qualified to drive a motor vehicle if he is qualified according to chapter 46.20 RCW and:

- Is at least 18 years old;
- Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records;
- Can, by reason of experience, training, or both, safely operate the type of motor vehicle he drives;
- Can, by reason of experience, training, or both, determine whether the cargo he transports has been properly located, distributed, and secured in or on the motor vehicle he drives;
- Is familiar with methods and procedures for securing cargo in or on the motor vehicle he drives;
- Is physically qualified to drive a motor vehicle in accordance with WAC 446-55-170 through ~~((446-55-210))~~ 446-55-190;

(g) Has been issued a currently valid motor vehicle operator's license or permit;

(h) Has prepared and furnished the private carrier that employs him with the list of violations or the certificate as required by WAC 446-55-110;

(i) Is not disqualified to drive a motor vehicle under chapter 46.20 RCW and the rules in WAC 446-55-070;

(j) Has successfully completed a driver's road test and has been issued a certificate of driver's road test in accordance with WAC 446-55-120, or has presented an operator's license or a certificate of road test which the private carrier that employs him has accepted as equivalent to a road test in accordance with WAC 446-55-130;

(k) Has taken a written examination and has been issued a certificate of written examination in accordance with WAC 446-55-140, or has presented a certificate of written examination which the private carrier that employs him has accepted as equivalent to a written examination in accordance with WAC 446-55-160; and

(l) Has completed and furnished the private carrier that employs him with an application for employment in accordance with WAC 446-55-080.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-170 PHYSICAL QUALIFICATIONS FOR DRIVERS. (1) A person shall not drive a motor vehicle unless he is physically qualified to do so and, except as provided in WAC 446-55-270, has on his person the original, or a photographic copy, of a medical examiner's certificate that he is physically qualified to drive a motor vehicle.

(2) A person is physically qualified to drive a motor vehicle if that person:

(a) Has no loss of a foot, a leg, a hand, or an arm, or has ~~((been granted a waiver pursuant to WAC 446-55-210))~~ obtained from the department of licensing the proper drivers license, endorsement, and restrictions (if any) for the operation of the motor vehicle the person is driving;

(b) Has no impairment of:

(i) A hand or finger which interferes with prehension or power grasping; or

(ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a motor vehicle; or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a motor vehicle; or has ~~((been granted a waiver pursuant to WAC 446-55-210))~~ obtained from the department of licensing the proper license, endorsement, and restrictions (if any) for the motor vehicle the person is driving;

(c) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control, or if diagnosed as having diabetes mellitus requiring insulin for control, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(d) Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure, or if diagnosed as having any of these medical complications, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(e) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a motor vehicle safely, or if diagnosed as having a respiratory dysfunction which could interfere with his ability to control and drive a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(f) Has no current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a motor vehicle safely, or if diagnosed as having high blood pressure likely to interfere with his ability to operate a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(g) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his ability to control and operate a motor vehicle safely, or if diagnosed as having any of these medical complications which might interfere with his ability to control and operate a motor vehicle safely, has obtained from the department of licensing a

medical certificate allowing the operation of the motor vehicle the person is driving;

(h) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle, or if diagnosed as having epilepsy or any other condition likely to cause loss of consciousness or any loss of ability to control a motor vehicle, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(i) Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a motor vehicle safely, or if diagnosed as having any of these complications likely to interfere with his ability to drive a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(j) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal Meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber, or if not meeting these standards, has obtained from the department of licensing either a medical certificate or restriction allowing the operation of the motor vehicle the person is driving;

(k) First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5-1951, or if not meeting these standards, has obtained from the department of licensing either a medical certificate or restriction allowing the operation of the motor vehicle the person is driving;

(l) Does not use ((am)) any unprescribed amphetamine, narcotic, or ((any)) habit-forming drug and if using a prescribed amphetamine, narcotic, or habit-forming drug, it must not, when used according to the directions regarding dosage and the operation of motor vehicles or heavy equipment, interfere with his ability to operate and control a motor vehicle; and

(m) Has no current clinical diagnosis of untreated alcoholism.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-180 MEDICAL EXAMINATION—CERTIFICATE OF PHYSICAL EXAMINATION. (1) Except as provided in subsection (2) of this section, the medical examination shall be performed by a licensed doctor of medicine or osteopathy.

(2) A licensed optometrist may perform so much of the medical examination as pertains to visual acuity, field of vision, and the ability to recognize colors as specified in WAC 446-55-170 (2)(j).

(3) The medical examination shall be performed, and its results shall be recorded, substantially in accordance with the following instructions and examination form:

INSTRUCTIONS FOR PERFORMING AND RECORDING PHYSICAL EXAMINATIONS

The examining physician should review these instructions before performing the physical examination. Answer each question yes or no where appropriate.

The examining physician should be aware of the rigorous physical demands and mental and emotional responsibilities placed on the driver of a private motor vehicle. In the interest of public safety the examining physician is required to certify that the driver does not have any physical, mental, or organic defect of such a nature as to affect the driver's ability to operate safely a private motor vehicle.

General information. The purpose of this history and physical examination is to detect the presence of physical, mental, or organic defects of such a character and extent as to affect the applicant's ability to operate a motor vehicle safely. The examination should be made carefully and at least as complete as indicated by the attached form. History of certain defects may be cause for rejection or indicate the need for making certain laboratory tests or a further, and more stringent, examination. Defects may be recorded which do not, because of their character or degree, indicate that certification of physical fitness should be denied. However, these defects should be discussed with the applicant and he should be advised to take the necessary steps to insure

correction, particularly of those which, if neglected, might lead to a condition likely to affect his ability to drive safely.

General appearance and development. Note marked overweight. Note any posture defect, perceptible limp, tremor, or other defects that might be caused by alcoholism, thyroid intoxication, or other illnesses. ((WAC 446-55-070(2) provides that no driver shall use a narcotic or other habit-forming drugs.))

Head-eyes. When other than the Snellen chart is used, the results of such test must be expressed in values comparable to the standard Snellen test. If the applicant wears corrective lenses, these should be worn while applicant's visual acuity is being tested. If appropriate, indicate on the Medical Examiner's Certificate by checking the box, "Qualified only when wearing corrective lenses." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos, or strabismus, uncorrected by corrective lenses. ((Monocular drivers are not qualified to operate commercial motor vehicles under WAC 446-55-170 (2)(j).)) If the driver habitually wears contact lenses, or intends to do so while driving, there should be sufficient evidence to indicate that he has good tolerance and is well adapted to their use. The use of contact lenses should be noted on the record.

Ears. Note evidence of mastoid or middle ear disease, discharge, symptoms of aural vertigo, or Meniere's Syndrome. When recording hearing, record distance from patient at which a forced whispered voice can first be heard. If audiometer is used to test hearing, record decibel loss at 500 Hz, 1,000 Hz, and 2,000 Hz.

Throat. Note evidence of disease, irremediable deformities of the throat likely to interfere with eating or breathing, or any laryngeal condition which could interfere with the safe operation of a motor vehicle.

Thorax-heart. Stethoscopic examination is required. Note murmurs and arrhythmias, and any past or present history of cardiovascular disease, of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failures. Electrocardiogram is required when findings so indicate.

Blood pressure. Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg., further tests may be necessary to determine whether the driver is qualified to operate a motor vehicle.

Lungs. If any lung disease is detected, state whether active or arrested; if arrested, your opinion as to how long it has been quiescent.

Gastrointestinal system. Note any diseases of the gastrointestinal system.

Abdomen. Note wounds, injuries, scars, or weakness of muscles of abdominal walls sufficient to interfere with normal function. Any hernia should be noted if present. State how long and if adequately contained by truss.

Abnormal masses. If present, note location, if tender, and whether or nor applicant knows how long they have been present. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Tenderness. When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Genito-urinary. Urinalysis is required. Acute infections of the genito-urinary tract, as defined by local and state public health laws, indications from urinalysis of uncontrolled diabetes, symptomatic albumin-urea in the urine, or other findings indicative of health conditions likely to interfere with the control and safe operation of a motor vehicle, will disqualify an applicant from operating a motor vehicle.

Neurological. If positive Romberg is reported, indicate degrees of impairment. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella, sensory vibratory and positional abnormalities should be noted.

Extremities. Carefully examine upper and lower extremities. Record the loss of impairment of a leg, foot, toe, arm, hand, or fingers. Note any and all deformities, the presence of atrophy, semiparalysis or paralysis, or varicose veins. If a hand or finger deformity exists, determine whether sufficient grasp is present to enable the driver to secure and maintain a grip on the steering wheel. If a leg deformity exists, determine whether sufficient mobility and strength exist to enable the driver

to operate pedals properly. Particular attention should be given to and a record should be made of, any impairment or structural defect which may interfere with the driver's ability to operate a motor vehicle safely.

Spine. Note deformities, limitation of motion, or any history of pain, injuries, or disease, past or presently experienced in the cervical or lumbar spine region. If findings so dictate, radiologic and other examinations should be used to diagnose congenital or acquired defects; or spondylolisthesis and scoliosis.

Recto-genital studies. Diseases or conditions causing discomfort should be evaluated carefully to determine the extent to which the condition might be handicapping while lifting, pulling, or during periods of prolonged driving that might be necessary as part of the driver's duties.

Laboratory and other special findings. Urinalysis is required, as well as such other tests as the medical history or findings upon physical examination may indicate are necessary. A serological test is required if the applicant has a history of luetic infection or present physical findings indicate the possibility of latent syphilis. Other studies deemed advisable may be ordered by the examining physician.

Diabetes. (~~If insulin is necessary to control a diabetic condition, the driver is not qualified to operate a motor vehicle.~~) If mild diabetes is noted at the time of examination and it is stabilized by use of a hypoglycemic drug and a diet that can be obtained while the driver is on duty, it should not be considered disqualifying. However, the driver must remain under adequate medical supervision.

The physician must date and sign his findings upon completion of the examination.

EXAMINATION TO DETERMINE PHYSICAL CONDITION OF DRIVERS

Driver's name _____ New Certification
Address _____ Recertification
Social Security No. _____
Date of birth _____ Age _____

Table with 3 columns: Yes, No, Health History. Lists various medical conditions like Head or spinal injuries, Seizures, fits, convulsions, or fainting, Extensive confinement by illness or injury, Cardiovascular disease, Tuberculosis, Syphilis, Gonorrhea, Diabetes, Gastrointestinal ulcer, Nervous stomach, Rheumatic fever, Asthma, Kidney disease, Muscular disease, Suffering from any other disease, Permanent defect from illness, disease or injury, Psychiatric disorder, Any other nervous disorder.

If answer to any of the above is yes, explain:

PHYSICAL EXAMINATION

General appearance and development:

Good ___ Fair ___ Poor ___

Vision: For distance:

Right 20/ ___ Left 20/ ___

Without corrective lenses.

With corrective lenses if worn.

Evidence of disease or injury:

Right ___ Left ___

Color Test _____

Horizontal field of vision:

Right ___° Left ___°

Hearing:

Right ear ___ Left ear ___

Disease or injury _____

Audiometric Test (complete only if audiometer is used to test hearing) decibel loss as 500 Hz ___, at 1,000 Hz ___, at 2,000 Hz ___

Throat _____

Thorax:

Heart _____

If organic disease is present, is it fully compensated? _____

Blood pressure:

Systolic ___ Diastolic ___

Pulse: Before exercise _____

Immediately after exercise _____

Lungs _____

Abdomen:

Scars ___ Abnormal masses ___

Tenderness _____

Hernia: Yes ___ No ___

If so, where? _____

Is truss worn? _____

Gastrointestinal:

Ulceration or other disease:

Yes ___ No ___

Genito-Urinary:

Scars _____

Urethral discharge _____

Reflexes:

Romberg _____

Pupillary ___ Light R ___ L ___

Accommodation Right ___ Left ___

Knee Jerks:

Right: Normal ___ Increased ___ Absent ___

Left: Normal ___ Increased ___ Absent ___

Remarks _____

Extremities:

Upper _____

Lower _____

Spine _____

Laboratory and other Special Findings:

Urine: Spec. Gr. ___ Alb. ___

Sugar _____

Other laboratory data (Serology, etc.) _____

Radiological data _____

Electrocardiograph _____

General comments _____

(Date of examination)

(Address of examining doctor)

(Name of examining doctor (Print))

(Signature of examining doctor)

NOTE: This section to be completed only when visual test is conducted by a licensed ophthalmologist or optometrist.

(Date of examination)

(Address of ophthalmologist or optometrist)

(Name of ophthalmologist or optometrist (Print))

(Signature of ophthalmologist or optometrist)

(4) If the medical examiner finds that the person he examined is physically qualified to drive a motor vehicle in accordance with WAC 446-55-170(2), he shall complete a certificate in the form prescribed in subsection (5) of this section and furnish one copy to the person who was examined and one copy to the private carrier that employs him.

(5) The medical examiner's certificate shall be in accordance with following form:

MEDICAL EXAMINER'S CERTIFICATE

I certify that I have examined _____ (driver's name (print)) in accordance with WAC 446-55-170 through (~~446-55-210~~) 446-55-190 and with knowledge of his duties. I find him qualified under (~~the regulations~~) WAC 446-55-170(2).

Qualified only when wearing corrective lenses.

A completed examination form for this person is on file in my office at _____ (Address)

(Date of examination)

(Name of examining doctor (Print))

(Signature of examining doctor)

(Signature of driver)

(Address of driver)

If the driver is qualified only when wearing a hearing aid, the following statement must appear on the medical examiner's certificate: "Qualified only when wearing a hearing aid." (~~If a medical examiner determines a waiver is necessary under WAC 446-55-210, the following statement shall appear on the medical examiner's certificate: "Medically unqualified unless accompanied by a waiver."~~)

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-220 DRIVER QUALIFICATION FILES. (1) Each private carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his personnel file.

(2) The qualification file for a driver who has been a regularly employed driver of the private carrier for a continuous three-year period prior to the effective date of this rule, must include:

(a) The medical examiner's certificate of his physical qualification to drive a motor vehicle or a legible photographic copy of the certificate;

(b) (~~The chief of the Washington state patrol or his designee's letter granting a waiver of a physical disqualification, if a waiver was issued under WAC 446-55-210;~~)

(~~c~~) The note relating to the annual review of his driving record required by WAC 446-55-100;

(~~d~~) (e) The list or certificate relating to violations of motor vehicle laws and ordinances required by WAC 446-55-110; and

(~~e~~) (d) Any other matter which relates to the driver's qualifications or ability to drive a motor vehicle safely.

(3) The qualification file for a regularly employed driver who has not been regularly employed by the private carrier for a continuous three-year period prior to the effective date of this rule, must include:

(a) The documents specified in subsection (2) of this section;

(b) The driver's application for employment completed in accordance with WAC 446-55-080;

(c) The responses of state agencies and past employers to the private carrier's inquiries concerning the driver's driving record and employment pursuant to WAC 446-55-090;

(d) The certificate of driver's road test issued to the driver pursuant to WAC 446-55-120(5), or a copy of the license or certificate which the private carrier accepted as equivalent to the driver's road test pursuant to WAC 446-55-130; and

(e) The questions asked, the answers the driver gave, and the certificate of written examination issued to him pursuant to WAC 446-55-140, or a copy of a certificate which the private carrier accepted as equivalent to a written examination pursuant to WAC 446-55-160.

(4) The qualification file for an intermittent, casual, or occasional driver employed under the rules in WAC 446-55-250 must include:

(a) The medical examiner's certificate of his physical qualification to drive a motor vehicle or a legible photographic copy of the certificate;

(b) The certificate of driver's road test issued to the driver pursuant to WAC 446-55-120(5), or a copy of the license or certificate which the private carrier accepted as equivalent to the driver's road test pursuant to WAC 446-55-120;

(c) The questions asked, the answers the driver gave, and the certificate of written examination issued to him pursuant to WAC 446-55-140, or a copy of a certificate which the private carrier accepted as

equivalent to a written examination pursuant to WAC 446-55-160; and

(d) The driver's name, his social security number, and the identification number, type, and issuing state of his motor vehicle operator's license.

(5) A using carrier's qualification file for a driver who is regularly employed by another private carrier, and who is employed by the using carrier in accordance with WAC 446-55-260, shall include a copy of a certificate, as prescribed by WAC 446-55-260 (1)(b), by the regularly employing carrier that the driver is fully qualified to drive a motor vehicle.

(6) Except as provided in subsections (7) and (8) of this section, each driver's qualification file shall be kept at the private carrier's principal place of business for as long as a driver is employed by that private carrier and for 3 years thereafter.

(7) Upon a written request to and with the approval of the chief of the Washington state patrol or his designee, the carrier may retain one or more of its drivers' qualification files at a regional or terminal office.

(8) The following records may be removed from a driver's qualification file after 3 years from date of execution:

(a) The medical examiner's certificate of his physical qualification to drive a motor vehicle or the photographic copy of the certificate as required by WAC 446-55-180(4);

(b) The note relating to the annual review of his driving record as required by WAC 446-55-100;

(c) The list or certificate relating to violations of motor vehicle laws and ordinance as required by WAC 446-55-110(;

(d) The letter issued under WAC 446-55-210 granting a waiver of a physical disqualification).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 446-55-200 RESOLUTION OF CONFLICTS OF MEDICAL EVALUATION.

WAC 446-55-210 WAIVER OF CERTAIN PHYSICAL DEFECTS.

WAC 446-55-240 DRIVERS OF LIGHTWEIGHT VEHICLES.

NEW SECTION

WAC 446-60-005 PROMULGATION. By authority of RCW 46.73.010 and 46.73.020, the Washington state patrol adopts the following rules establishing standards for hours of service of drivers for private carriers as defined by RCW 81.80.010(6).

NEW SECTION

WAC 446-60-015 GENERAL EXEMPTIONS. (1) Passenger car operations. The rules in this chapter do not apply to a driver who drives only a motor vehicle that:

(a) Is a passenger-carrying vehicle with a seating capacity of 10 or less persons, including the driver;

(b) Is not transporting passengers for hire; and

(c) Is not transporting hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with part 177.823 of the Code of Federal Regulations.

(2) Certain farm vehicle drivers. The rules in this chapter do not apply to a farm vehicle driver operating equipment that meets the requirements of RCW 46.16.090, except a farm vehicle driver who drives an articulated (combination) motor vehicle that has a gross weight, including its load of more than 26,000 pounds. (For limited exemptions for farm vehicle drivers of heavier articulated vehicles see WAC 446-55-270.)

(3) Farm custom operations. The rules in this chapter do not apply to a driver who drives a motor vehicle that meets the requirements of RCW 46.16.090 controlled and operated by a person engaged in custom-harvesting operations, if the vehicle is used to:

(a) Transport farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm; or

(b) Transport custom-harvested crops to storage or market.

(4) Apiarian industries. The rules in this chapter do not apply to a driver who is operating a motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

(5) Lightweight vehicle drivers. The rules in this chapter do not apply to a driver who drives only a lightweight vehicle as defined in WAC 446-55-030(5).

(6) Exempt carriers as defined in WAC 446-55-030(8).

(7) Licensed tow truck drivers. The rules in this chapter do not apply to a driver who drives a tow truck for a towing firm that possesses a valid business and tow truck registration(s) as per the requirements of chapter 46.55 RCW.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-60-020 DEFINITIONS. As used in this chapter, the following words and terms are construed to mean:

(1) A "private carrier" is a person who transports by his own motor vehicle, with or without compensation therefor, property which is owned or is being bought or sold by such person, or property of which such person is the seller, purchaser, lessee, or bailee where such transportation is incidental to and in furtherance of some other primary business conducted by such person in good faith. The term "private carrier" includes a private carrier and the agents, officers, representatives, and employees of a private carrier who are responsible for the hiring, supervision, training, assignment, or dispatching of drivers.

(2) A private carrier "employs" a person as a driver within the meaning of this chapter whenever it requires or permits that person to drive a motor vehicle (whether or not the vehicle is owned by the private carrier) in furtherance of the business of the private carrier.

(3) "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

(4) "Contract carrier" shall include all motor vehicle operators not included under the terms "common carrier" and "private carrier" as herein defined in subsections (1) and (3) of this section, and further shall include any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(5) "Exempt carrier" means any person operating a vehicle exempted from certain provisions of this chapter under RCW 81.80.040.

(6) "Motor carrier" means and includes "common carrier," "contract carrier," "private carrier," and "exempt carrier" as herein defined.

(7) The term "chief" means the chief of the Washington state patrol.

(8) On-duty time. All time from the time a driver begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. The term "on-duty" time shall include:

(a) All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the private carrier;

(b) All time inspecting, servicing, or conditioning any motor vehicle at any time;

(c) All driving time as defined in subsection (9) of this section;

(d) All time, other than driving time, in or upon any motor vehicle except time spent resting in a sleeper berth as defined in subsection (14) of this section;

(e) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;

(f) All time spent performing the driver requirements relating to accidents;

(g) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;

(h) Performing any other work in the capacity of, or in the employ or service of, a private motor carrier.

(9) Driving time. The terms "drive" and "driving time" shall include all time spent at the driving controls of a motor vehicle in operation.

(10) Seven consecutive days. The term "7 consecutive days" means the period of 7 consecutive days beginning on any day at the time designated by the private carrier for a 24-hour period.

(11) Eight consecutive days. The term "8 consecutive days" means the period of 8 consecutive days beginning on any day at the time designated by the private carrier for a 24-hour period.

(12) Twenty-four hour period. The term "24-hour period" means any 24 consecutive hour period beginning at the time designated by the

private carrier for the terminal from which the driver is normally dispatched.

(13) Regularly employed driver. The term "regularly employed driver" means a driver who in any period of 7 consecutive days is employed or used as a driver solely by a single motor carrier.

(14) Sleeper berth. The term "sleeper berth" means a berth conforming to the requirements of 49 CFR part 393.76.

(15) Driver-salesman. The term "driver-salesman" means any employee who is employed solely as such by a private carrier of property by motor vehicle, who is engaged both in selling goods, services, or the use of goods, and in delivering by motor vehicle the goods sold or provided or upon which the services are performed, who does so entirely within a radius of 100 miles of the point at which he reports for duty, who devotes not more than 50 percent of his hours on duty to driving time. The term "selling goods" for purposes of this subsection shall include in all cases solicitation or obtaining of reorders or new accounts, and may also include other selling or merchandising activities designed to retain the customer or to increase the sale of goods or services, in addition to solicitation or obtaining of reorders or new accounts.

(16) Multiple stops. All stops made in any one village, town, or city may be computed as one.

(17) Principal place of business or main office address. The principal place of business or main office address is the geographic location designated by the private carrier where the records required to be maintained by this chapter will be made available for inspection.

(18) Providers of essential services shall include fire protection services, medical assistance services, sewer services, and public/private service companies regulated under Title 80 RCW.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-60-080 RELIEF FROM REGULATIONS. These regulations shall not apply to any private carrier subject thereto when transporting passengers or property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster, or providers of essential services while providing or restoring those services during an emergency or outage condition.

**WSR 87-01-101
EMERGENCY RULES
STATE PATROL**

[Order 446-86-1a—Filed December 22, 1986]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, AX-12, Olympia, the annexed rules relating to Private carriers—Driver qualifications and hours of service standards.

I, George B. Tellevik, Chief, 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 enforcement of the private carrier rules take effect on January 1, 1987. It has been determined that enforcement of these rules as presently written could result in some private carrier drivers being disqualified to drive because of an inadequate medical certificate program. Also, several classes of private carriers are not exempted as was the original intent of the Washington State Patrol. These amendments correct the above stated deficiencies.

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

This rule is promulgated pursuant to RCW 46.73.010 and 46.73.020 which directs that the Washington State Patrol has authority to implement the provisions of chapter 46.73 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 December 22, 1986.

By George B. Tellevik
Chief, Washington State Patrol

NEW SECTION

WAC 446-55-005 PROMULGATION. By authority of RCW 46.73.010 and 46.73.020, the Washington state patrol hereby adopts the following rules establishing standards for qualifications of drivers for private carriers as defined by RCW 81.80.010(6).

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-020 GENERAL EXEMPTIONS.
(1) *Passenger car operations.* The rules in this chapter do not apply to a driver who drives only a motor vehicle that:

- (a) Is a passenger-carrying vehicle with a seating capacity of 10 or less persons, including the driver;
- (b) Is not transporting passengers for hire; and
- (c) Is not transporting hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with part 177.823 of the Code of Federal Regulations.

(2) *Certain farm vehicle drivers.* The rules in this chapter do not apply to a farm vehicle driver operating equipment that meets the requirements of RCW 46.16.090, except a farm vehicle driver who drives an articulated (combination) motor vehicle that has a gross weight, including its load of more than ~~((+0,000))~~ 26,000 pounds. (For limited exemptions for farm vehicle drivers of heavier articulated vehicles see WAC 446-55-270.)

(3) *Farm custom operations.* The rules in this chapter do not apply to a driver who drives a motor vehicle that meets the requirements of RCW 46.16.090 controlled and operated by a person engaged in custom-harvesting operations, if the vehicle is used to:

- (a) Transport farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm; or
- (b) Transport custom-harvested crops to storage or market.

(4) *Apiarian industries.* The rules in this chapter do not apply to a driver who is operating a motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

(5) *Lightweight vehicle drivers.* The rules in this chapter do not apply to a driver who drives only a lightweight vehicle as defined in WAC 446-55-030(5).

(6) Exempt carriers as defined in WAC 446-55-030(8).

(7) Licensed tow truck drivers. The rules in this chapter do not apply to a driver who drives a tow truck for a towing firm that possesses a valid business and tow truck registration(s) as per the requirements of chapter 46.55 RCW.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-030 DEFINITIONS. (1) A "private carrier" is a person who transports by his own motor vehicle, with or without compensation therefor, property which is owned or is being bought or sold by such person, or property of which such person is the seller, purchaser, lessee, or bailee where such transportation is incidental to and in furtherance of some other primary business conducted by such person in good faith. The term "private carrier" includes a private carrier and the agents, officers, representatives, and employees of a private carrier who are responsible for the hiring, supervision, training, assignment, or dispatching of drivers.

(2) The term "chief" means the chief of the Washington state patrol.

(3) A private carrier "employs" a person as a driver within the meaning of this chapter whenever it requires or permits that person to drive a motor vehicle (whether or not the vehicle is owned by the private carrier) in furtherance of the business of the private carrier.

(4) The term "farm vehicle driver" means a person who drives only a motor vehicle that is:

- (a) Controlled and operated by a farmer;
- (b) Being used to transport either:
 - (i) Agricultural products; or
 - (ii) Farm machinery, farm supplies, or both, to or from a farm;
- (c) Not being used in the operations of a common or contract carrier;

(d) Not carrying hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with part 177.823 of the Code of Federal Regulations; and

- (e) Either:
 - (i) A vehicle having a gross weight, including its load, of ~~((+0,000))~~ twenty-six thousand pounds or less; or
 - (ii) A vehicle being used within 150 miles of the farmer's farm.

(5) The term "lightweight vehicle" as used in this chapter or used in rules adopted by reference, shall mean a motor vehicle that:

- (a) Was manufactured on or after January 1, 1972, and has a ~~((manufacturer's))~~ gross vehicle weight rating including its load of ~~((ten))~~ twenty-six thousand pounds or less, in the case of a single vehicle, or a ~~((manufacturer's))~~ gross combination weight rating including its load of ~~((ten))~~ twenty-six thousand pounds or less, in the case of an articulated vehicle; or

(b) Was manufactured before January 1, 1972, and has a gross weight, including its load and the gross weight of any vehicle being towed by the motor vehicle, of ~~((ten))~~ twenty-six thousand pounds or less, except:

- (c) The term "lightweight vehicle" does not include a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be

marked or placarded in accordance with WAC 480-12-195.

(d) The term "lightweight vehicle" does not include private carrier buses as defined in RCW 46.04.416.

(6) "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

(7) "Contract carrier" shall include all motor vehicle operators not included under the terms "common carrier" and "private carrier" as herein defined in subsections (1) and (6) of this section, and further shall include any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(8) "Exempt carrier" means any person operating a vehicle exempted from certain provisions of this chapter under RCW 81.80.040.

(9) "Motor carrier" means and includes "common carrier," "contract carrier," "private carrier," and "exempt carrier" as herein defined.

(10) "Motor vehicle" means any truck, trailer, semi-trailer, tractor, dump truck which uses a hydraulic or mechanical device to dump or discharge its load or any self-propelled or motor driven vehicle used upon any public highway of this state for the purpose of transporting property, but not including baggage, mail and express transported on the vehicles of auto transportation companies carrying passengers.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-060 QUALIFICATIONS OF DRIVERS. (1) A person shall not drive a motor vehicle unless he is qualified to drive a motor vehicle. Except as provided in chapter 46.20 RCW and WAC 446-55-250, a private carrier shall not require or permit a person to drive a motor vehicle unless that person is qualified to drive a motor vehicle.

(2) Except as provided in WAC 446-55-220 through 446-55-280, a person is qualified to drive a motor vehicle if he is qualified according to chapter 46.20 RCW and:

- (a) Is at least 18 years old;
- (b) Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records;
- (c) Can, by reason of experience, training, or both, safely operate the type of motor vehicle he drives;
- (d) Can, by reason of experience, training, or both, determine whether the cargo he transports has been properly located, distributed, and secured in or on the motor vehicle he drives;
- (e) Is familiar with methods and procedures for securing cargo in or on the motor vehicle he drives;
- (f) Is physically qualified to drive a motor vehicle in accordance with WAC 446-55-170 through (~~446-55-210~~) 446-55-190;

(g) Has been issued a currently valid motor vehicle operator's license or permit;

(h) Has prepared and furnished the private carrier that employs him with the list of violations or the certificate as required by WAC 446-55-110;

(i) Is not disqualified to drive a motor vehicle under chapter 46.20 RCW and the rules in WAC 446-55-070;

(j) Has successfully completed a driver's road test and has been issued a certificate of driver's road test in accordance with WAC 446-55-120, or has presented an operator's license or a certificate of road test which the private carrier that employs him has accepted as equivalent to a road test in accordance with WAC 446-55-130;

(k) Has taken a written examination and has been issued a certificate of written examination in accordance with WAC 446-55-140, or has presented a certificate of written examination which the private carrier that employs him has accepted as equivalent to a written examination in accordance with WAC 446-55-160; and

(l) Has completed and furnished the private carrier that employs him with an application for employment in accordance with WAC 446-55-080.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-170 PHYSICAL QUALIFICATIONS FOR DRIVERS. (1) A person shall not drive a motor vehicle unless he is physically qualified to do so and, except as provided in WAC 446-55-270, has on his person the original, or a photographic copy, of a medical examiner's certificate that he is physically qualified to drive a motor vehicle.

(2) A person is physically qualified to drive a motor vehicle if that person:

(a) Has no loss of a foot, a leg, a hand, or an arm, or has (~~been granted a waiver pursuant to WAC 446-55-210~~) obtained from the department of licensing the proper drivers license, endorsement, and restrictions (if any) for the operation of the motor vehicle the person is driving;

(b) Has no impairment of:

(i) A hand or finger which interferes with prehension or power grasping; or

(ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a motor vehicle; or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a motor vehicle; or has (~~been granted a waiver pursuant to WAC 446-55-210~~) obtained from the department of licensing the proper license, endorsement, and restrictions (if any) for the motor vehicle the person is driving;

(c) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control, or if diagnosed as having diabetes mellitus requiring insulin for control, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(d) Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency,

thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure, or if diagnosed as having any of these medical complications, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(e) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a motor vehicle safely, or if diagnosed as having a respiratory dysfunction which could interfere with his ability to control and drive a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(f) Has no current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a motor vehicle safely, or if diagnosed as having high blood pressure likely to interfere with his ability to operate a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(g) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his ability to control and operate a motor vehicle safely, or if diagnosed as having any of these medical complications which might interfere with his ability to control and operate a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(h) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle, or if diagnosed as having epilepsy or any other condition likely to cause loss of consciousness or any loss of ability to control a motor vehicle, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(i) Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a motor vehicle safely, or if diagnosed as having any of these complications likely to interfere with his ability to drive a motor vehicle safely, has obtained from the department of licensing a medical certificate allowing the operation of the motor vehicle the person is driving;

(j) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal Meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber, or if not meeting these standards, has obtained from the department of licensing either a medical certificate or restriction allowing the operation of the motor vehicle the person is driving;

(k) First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5-1951, or if not meeting these standards, has obtained from the department of licensing either a medical certificate or restriction allowing the operation of the motor vehicle the person is driving;

(l) Does not use ((~~an~~)) any unprescribed amphetamine, narcotic, or ((~~any~~)) habit-forming drug and if using a prescribed amphetamine, narcotic, or habit-forming drug, it must not, when used according to the directions regarding dosage and the operation of motor vehicles or heavy equipment, interfere with his ability to operate and control a motor vehicle; and

(m) Has no current clinical diagnosis of untreated alcoholism.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-180 MEDICAL EXAMINATION—CERTIFICATE OF PHYSICAL EXAMINATION. (1) Except as provided in subsection (2) of this section, the medical examination shall be performed by a licensed doctor of medicine or osteopathy.

(2) A licensed optometrist may perform so much of the medical examination as pertains to visual acuity, field of vision, and the ability to recognize colors as specified in WAC 446-55-170 (2)(j).

(3) The medical examination shall be performed, and its results shall be recorded, substantially in accordance with the following instructions and examination form:

INSTRUCTIONS FOR PERFORMING AND RECORDING PHYSICAL EXAMINATIONS

The examining physician should review these instructions before performing the physical examination. Answer each question yes or no where appropriate.

The examining physician should be aware of the rigorous physical demands and mental and emotional responsibilities placed on the driver of a private motor vehicle. In the interest of public safety the examining physician is required to certify that the driver does not have any physical, mental, or organic defect of such a nature as to affect the driver's ability to operate safely a private motor vehicle.

General information. The purpose of this history and physical examination is to detect the presence of physical, mental, or organic defects of such a character and extent as to affect the applicant's ability to operate a motor vehicle safely. The examination should be made carefully and at least as complete as indicated by the attached form. History of certain defects may be cause for rejection or indicate the need for making certain laboratory tests or a further, and more stringent, examination. Defects may be recorded which do not, because of their character or degree, indicate that certification of physical fitness should be denied. However, these defects

should be discussed with the applicant and he should be advised to take the necessary steps to insure correction, particularly of those which, if neglected, might lead to a condition likely to affect his ability to drive safely.

General appearance and development. Note marked overweight. Note any posture defect, perceptible limp, tremor, or other defects that might be caused by alcoholism, thyroid intoxication, or other illnesses. (~~WAC 446-55-070(2) provides that no driver shall use a narcotic or other habit-forming drugs.~~)

Head-eyes. When other than the Snellen chart is used, the results of such test must be expressed in values comparable to the standard Snellen test. If the applicant wears corrective lenses, these should be worn while applicant's visual acuity is being tested. If appropriate, indicate on the Medical Examiner's Certificate by checking the box, "Qualified only when wearing corrective lenses." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos, or strabismus, uncorrected by corrective lenses. (~~Monocular drivers are not qualified to operate commercial motor vehicles under WAC 446-55-170 (2)(j).~~) If the driver habitually wears contact lenses, or intends to do so while driving, there should be sufficient evidence to indicate that he has good tolerance and is well adapted to their use. The use of contact lenses should be noted on the record.

Ears. Note evidence of mastoid or middle ear disease, discharge, symptoms of aural vertigo, or Meniere's Syndrome. When recording hearing, record distance from patient at which a forced whispered voice can first be heard. If audiometer is used to test hearing, record decibel loss at 500 Hz, 1,000 Hz, and 2,000 Hz.

Throat. Note evidence of disease, irremediable deformities of the throat likely to interfere with eating or breathing, or any laryngeal condition which could interfere with the safe operation of a motor vehicle.

Thorax-heart. Stethoscopic examination is required. Note murmurs and arrhythmias, and any past or present history of cardiovascular disease, of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failures. Electrocardiogram is required when findings so indicate.

Blood pressure. Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg., further tests may be necessary to determine whether the driver is qualified to operate a motor vehicle.

Lungs. If any lung disease is detected, state whether active or arrested; if arrested, your opinion as to how long it has been quiescent.

Gastrointestinal system. Note any diseases of the gastrointestinal system.

Abdomen. Note wounds, injuries, scars, or weakness of muscles of abdominal walls sufficient to interfere with normal function. Any hernia should be noted if present. State how long and if adequately contained by truss.

Abnormal masses. If present, note location, if tender, and whether or nor applicant knows how long they have

been present. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Tenderness. When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Genito-urinary. Urinalysis is required. Acute infections of the genito-urinary tract, as defined by local and state public health laws, indications from urinalysis of uncontrolled diabetes, symptomatic albumin-urea in the urine, or other findings indicative of health conditions likely to interfere with the control and safe operation of a motor vehicle, will disqualify an applicant from operating a motor vehicle.

Neurological. If positive Romberg is reported, indicate degrees of impairment. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella, sensory vibratory and positional abnormalities should be noted.

Extremities. Carefully examine upper and lower extremities. Record the loss of impairment of a leg, foot, toe, arm, hand, or fingers. Note any and all deformities, the presence of atrophy, semiparalysis or paralysis, or varicose veins. If a hand or finger deformity exists, determine whether sufficient grasp is present to enable the driver to secure and maintain a grip on the steering wheel. If a leg deformity exists, determine whether sufficient mobility and strength exist to enable the driver to operate pedals properly. Particular attention should be given to and a record should be made of, any impairment or structural defect which may interfere with the driver's ability to operate a motor vehicle safely.

Spine. Note deformities, limitation of motion, or any history of pain, injuries, or disease, past or presently experienced in the cervical or lumbar spine region. If findings so dictate, radiologic and other examinations should be used to diagnose congenital or acquired defects; or spondylolisthesis and scoliosis.

Recto-genital studies. Diseases or conditions causing discomfort should be evaluated carefully to determine the extent to which the condition might be handicapping while lifting, pulling, or during periods of prolonged driving that might be necessary as part of the driver's duties.

Laboratory and other special findings. Urinalysis is required, as well as such other tests as the medical history or findings upon physical examination may indicate are necessary. A serological test is required if the applicant has a history of luetic infection or present physical findings indicate the possibility of latent syphilis. Other studies deemed advisable may be ordered by the examining physician.

Diabetes. (~~If insulin is necessary to control a diabetic condition, the driver is not qualified to operate a motor vehicle.~~) If mild diabetes is noted at the time of examination and it is stabilized by use of a hypoglycemic drug

and a diet that can be obtained while the driver is on duty, it should not be considered disqualifying. However, the driver must remain under adequate medical supervision.

The physician must date and sign his findings upon completion of the examination.

EXAMINATION TO DETERMINE PHYSICAL CONDITION OF DRIVERS

Driver's name _____ New Certification
Address _____ Recertification
Social Security No. _____
Date of birth _____ Age _____

Table with 3 columns: Yes, No, Health History. Lists various medical conditions like Head or spinal injuries, Seizures, fits, convulsions, Extensive confinement by illness, etc.

If answer to any of the above is yes, explain:

PHYSICAL EXAMINATION

General appearance and development: Good ___ Fair ___ Poor ___
Vision: For distance: Right 20/ ___ Left 20/ ___
Without corrective lenses.
With corrective lenses if worn.
Evidence of disease or injury: Right ___ Left ___
Color Test _____
Horizontal field of vision: Right ___ ° Left ___ °
Hearing: Right ear ___ Left ear ___
Disease or injury _____
Audiometric Test (complete only if audiometer is used to test hearing) decibel loss as 500 Hz ___, at 1,000 Hz ___, at 2,000 Hz ___
Throat _____
Thorax: Heart _____

If organic disease is present, is it fully compensated? _____
Blood pressure: Systolic ___ Diastolic ___
Pulse: Before exercise _____
Immediately after exercise _____
Lungs _____
Abdomen: Scars ___ Abnormal masses ___
Tenderness ___
Hernia: Yes ___ No ___
If so, where? _____
Is truss worn? _____
Gastrointestinal: Ulceration or other disease: Yes ___ No ___
Genito-Urinary: Scars _____
Urethral discharge _____
Reflexes: Romberg _____
Pupillary ___ Light R ___ L ___
Accommodation Right ___ Left ___
Knee Jerks: Right: Normal ___ Increased ___ Absent ___
Left: Normal ___ Increased ___ Absent ___
Remarks _____
Extremities: Upper _____
Lower _____
Spine _____
Laboratory and other Special Findings: Urine: Spec. Gr. ___ Alb. ___
Sugar ___
Other laboratory data (Serology, etc.) _____
Radiological data _____
Electrocardiograph _____
General comments _____

(Date of examination)
(Address of examining doctor)
(Name of examining doctor (Print))
(Signature of examining doctor)
NOTE: This section to be completed only when visual test is conducted by a licensed ophthalmologist or optometrist.
(Date of examination)
(Address of ophthalmologist or optometrist)
(Name of ophthalmologist or optometrist (Print))
(Signature of ophthalmologist or optometrist)

(4) If the medical examiner finds that the person he examined is physically qualified to drive a motor vehicle in accordance with WAC 446-55-170(2), he shall complete a certificate in the form prescribed in subsection (5) of this section and furnish one copy to the person who was examined and one copy to the private carrier that employs him.

(5) The medical examiner's certificate shall be in accordance with following form:

MEDICAL EXAMINER'S CERTIFICATE

I certify that I have examined _____ (driver's name (print)) in accordance with WAC 446-55-170 through ~~((446-55-210))~~ 446-55-190 and with knowledge of his duties, I find him qualified under ~~((the regulations))~~ WAC 446-55-170(2).

Qualified only when wearing corrective lenses.

A completed examination form for this person is on file in my office at _____ (Address)

(Date of examination)

(Name of examining doctor (Print))

(Signature of examining doctor)

(Signature of driver)

(Address of driver)

If the driver is qualified only when wearing a hearing aid, the following statement must appear on the medical examiner's certificate: "Qualified only when wearing a hearing aid." ~~((If a medical examiner determines a waiver is necessary under WAC 446-55-210, the following statement shall appear on the medical examiner's certificate: "Medically unqualified unless accompanied by a waiver."))~~

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-55-220 DRIVER QUALIFICATION FILES. (1) Each private carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his personnel file.

(2) The qualification file for a driver who has been a regularly employed driver of the private carrier for a continuous three-year period prior to the effective date of this rule, must include:

(a) The medical examiner's certificate of his physical qualification to drive a motor vehicle or a legible photographic copy of the certificate;

~~((b))~~ ~~((The chief of the Washington state patrol or his designee's letter granting a waiver of a physical disqualification, if a waiver was issued under WAC 446-55-210;~~

~~((c))~~ The note relating to the annual review of his driving record required by WAC 446-55-100;

~~((d))~~ (c) The list or certificate relating to violations of motor vehicle laws and ordinances required by WAC 446-55-110; and

~~((e))~~ (d) Any other matter which relates to the driver's qualifications or ability to drive a motor vehicle safely.

(3) The qualification file for a regularly employed driver who has not been regularly employed by the private carrier for a continuous three-year period prior to the effective date of this rule, must include:

(a) The documents specified in subsection (2) of this section;

(b) The driver's application for employment completed in accordance with WAC 446-55-080;

(c) The responses of state agencies and past employers to the private carrier's inquiries concerning the driver's driving record and employment pursuant to WAC 446-55-090;

(d) The certificate of driver's road test issued to the driver pursuant to WAC 446-55-120(5), or a copy of the license or certificate which the private carrier accepted as equivalent to the driver's road test pursuant to WAC 446-55-130; and

(e) The questions asked, the answers the driver gave, and the certificate of written examination issued to him pursuant to WAC 446-55-140, or a copy of a certificate which the private carrier accepted as equivalent to a written examination pursuant to WAC 446-55-160.

(4) The qualification file for an intermittent, casual, or occasional driver employed under the rules in WAC 446-55-250 must include:

(a) The medical examiner's certificate of his physical qualification to drive a motor vehicle or a legible photographic copy of the certificate;

(b) The certificate of driver's road test issued to the driver pursuant to WAC 446-55-120(5), or a copy of the license or certificate which the private carrier accepted as equivalent to the driver's road test pursuant to WAC 446-55-120;

(c) The questions asked, the answers the driver gave, and the certificate of written examination issued to him pursuant to WAC 446-55-140, or a copy of a certificate which the private carrier accepted as equivalent to a written examination pursuant to WAC 446-55-160; and

(d) The driver's name, his social security number, and the identification number, type, and issuing state of his motor vehicle operator's license.

(5) A using carrier's qualification file for a driver who is regularly employed by another private carrier, and who is employed by the using carrier in accordance with WAC 446-55-260, shall include a copy of a certificate, as prescribed by WAC 446-55-260 (1)(b), by the regularly employing carrier that the driver is fully qualified to drive a motor vehicle.

(6) Except as provided in subsections (7) and (8) of this section, each driver's qualification file shall be kept at the private carrier's principal place of business for as long as a driver is employed by that private carrier and for 3 years thereafter.

(7) Upon a written request to and with the approval of the chief of the Washington state patrol or his designee, the carrier may retain one or more of its drivers' qualification files at a regional or terminal office.

(8) The following records may be removed from a driver's qualification file after 3 years from date of execution:

(a) The medical examiner's certificate of his physical qualification to drive a motor vehicle or the photographic

copy of the certificate as required by WAC 446-55-180(4);

(b) The note relating to the annual review of his driving record as required by WAC 446-55-100;

(c) The list or certificate relating to violations of motor vehicle laws and ordinance as required by WAC 446-55-110(;

~~(d) The letter issued under WAC 446-55-210 granting a waiver of a physical disqualification).~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 446-55-200 RESOLUTION OF CONFLICTS OF MEDICAL EVALUATION.

WAC 446-55-210 WAIVER OF CERTAIN PHYSICAL DEFECTS.

WAC 446-55-240 DRIVERS OF LIGHT-WEIGHT VEHICLES.

NEW SECTION

WAC 446-60-005 PROMULGATION. By authority of RCW 46.73.010 and 46.73.020, the Washington state patrol adopts the following rules establishing standards for hours of service of drivers for private carriers as defined by RCW 81.80.010(6).

NEW SECTION

WAC 446-60-015 GENERAL EXEMPTIONS.

(1) Passenger car operations. The rules in this chapter do not apply to a driver who drives only a motor vehicle that:

(a) Is a passenger-carrying vehicle with a seating capacity of 10 or less persons, including the driver;

(b) Is not transporting passengers for hire; and

(c) Is not transporting hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with part 177.823 of the Code of Federal Regulations.

(2) Certain farm vehicle drivers. The rules in this chapter do not apply to a farm vehicle driver operating equipment that meets the requirements of RCW 46.16-.090, except a farm vehicle driver who drives an articulated (combination) motor vehicle that has a gross weight, including its load of more than 26,000 pounds. (For limited exemptions for farm vehicle drivers of heavier articulated vehicles see WAC 446-55-270.)

(3) Farm custom operations. The rules in this chapter do not apply to a driver who drives a motor vehicle that meets the requirements of RCW 46.16.090 controlled and operated by a person engaged in custom-harvesting operations, if the vehicle is used to:

(a) Transport farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm; or

(b) Transport custom-harvested crops to storage or market.

(4) Apiarian industries. The rules in this chapter do not apply to a driver who is operating a motor vehicle

controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

(5) Lightweight vehicle drivers. The rules in this chapter do not apply to a driver who drives only a lightweight vehicle as defined in WAC 446-55-030(5).

(6) Exempt carriers as defined in WAC 446-55-030(8).

(7) Licensed tow truck drivers. The rules in this chapter do not apply to a driver who drives a tow truck for a towing firm that possesses a valid business and tow truck registration(s) as per the requirements of chapter 46.55 RCW.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-60-020 DEFINITIONS. As used in this chapter, the following words and terms are construed to mean:

(1) A "private carrier" is a person who transports by his own motor vehicle, with or without compensation therefor, property which is owned or is being bought or sold by such person, or property of which such person is the seller, purchaser, lessee, or bailee where such transportation is incidental to and in furtherance of some other primary business conducted by such person in good faith. The term "private carrier" includes a private carrier and the agents, officers, representatives, and employees of a private carrier who are responsible for the hiring, supervision, training, assignment, or dispatching of drivers.

(2) A private carrier "employs" a person as a driver within the meaning of this chapter whenever it requires or permits that person to drive a motor vehicle (whether or not the vehicle is owned by the private carrier) in furtherance of the business of the private carrier.

(3) "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

(4) "Contract carrier" shall include all motor vehicle operators not included under the terms "common carrier" and "private carrier" as herein defined in subsections (1) and (3) of this section, and further shall include any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(5) "Exempt carrier" means any person operating a vehicle exempted from certain provisions of this chapter under RCW 81.80.040.

(6) "Motor carrier" means and includes "common carrier," "contract carrier," "private carrier," and "exempt carrier" as herein defined.

(7) The term "chief" means the chief of the Washington state patrol.

(8) On-duty time. All time from the time a driver begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. The term "on-duty" time shall include:

(a) All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the private carrier;

(b) All time inspecting, servicing, or conditioning any motor vehicle at any time;

(c) All driving time as defined in subsection (9) of this section;

(d) All time, other than driving time, in or upon any motor vehicle except time spent resting in a sleeper berth as defined in subsection (14) of this section;

(e) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;

(f) All time spent performing the driver requirements relating to accidents;

(g) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;

(h) Performing any other work in the capacity of, or in the employ or service of, a private motor carrier.

(9) Driving time. The terms "drive" and "driving time" shall include all time spent at the driving controls of a motor vehicle in operation.

(10) Seven consecutive days. The term "7 consecutive days" means the period of 7 consecutive days beginning on any day at the time designated by the private carrier for a 24-hour period.

(11) Eight consecutive days. The term "8 consecutive days" means the period of 8 consecutive days beginning on any day at the time designated by the private carrier for a 24-hour period.

(12) Twenty-four hour period. The term "24-hour period" means any 24 consecutive hour period beginning at the time designated by the private carrier for the terminal from which the driver is normally dispatched.

(13) Regularly employed driver. The term "regularly employed driver" means a driver who in any period of 7 consecutive days is employed or used as a driver solely by a single motor carrier.

(14) Sleeper berth. The term "sleeper berth" means a berth conforming to the requirements of 49 CFR part 393.76.

(15) Driver-salesman. The term "driver-salesman" means any employee who is employed solely as such by a private carrier of property by motor vehicle, who is engaged both in selling goods, services, or the use of goods, and in delivering by motor vehicle the goods sold or provided or upon which the services are performed, who does so entirely within a radius of 100 miles of the point at which he reports for duty, who devotes not more than 50 percent of his hours on duty to driving time. The term "selling goods" for purposes of this subsection shall include in all cases solicitation or obtaining of reorders or new accounts, and may also include other selling or merchandising activities designed to retain the customer or to increase the sale of goods or services, in addition to solicitation or obtaining of reorders or new accounts.

(16) Multiple stops. All stops made in any one village, town, or city may be computed as one.

(17) Principal place of business or main office address. The principal place of business or main office address is the geographic location designated by the private carrier where the records required to be maintained by this chapter will be made available for inspection.

(18) Providers of essential services shall include fire protection services, medical assistance services, sewer services, and public/private service companies regulated under Title 80 RCW.

AMENDATORY SECTION (Amending Order 446-86-1, filed 4/1/86)

WAC 446-60-080 RELIEF FROM REGULATIONS. These regulations shall not apply to any private carrier subject thereto when transporting passengers or property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster, or providers of essential services while providing or restoring those services during an emergency or outage condition.

WSR 87-01-102

ADOPTED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2452—Filed December 23, 1986]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Standards of assistance—SSI program, amending WAC 388-29-295.

This action is taken pursuant to Notice No. WSR 86-22-003 filed with the code reviser on October 23, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED December 19, 1986.

By Lee D. Bomberger, Acting Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2391, filed 6/27/86)

WAC 388-29-295 STANDARDS OF ASSISTANCE—SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM. Effective January 1, 1987, the standards of SSI assistance paid to eligible individuals and couples are:

	Standard	Federal Benefit	State Supplement
Area I			
Living alone			
Individuals	\$(364.00) 368.00	336.00 340.00	\$28.00
Couples			
Both eligible	((526.00) 532.00	504.00) 510.00	22.00
With essential person	((526.00) 532.00	504.00) 510.00	22.00
With ineligible spouse	((526.00) 532.00	336.00) 340.00	190.00) 192.00
Area II			
Living alone			
Individuals	((343.55) 347.55	336.00) 340.00	7.55
Couples			
Both eligible	((504.00) 510.00	504.00) 510.00	0
With essential person	((504.00) 510.00	504.00) 510.00	0
With ineligible spouse	((496.15) 500.15	336.00) 340.00	160.15
Shared living			
Individuals	((229.81) 232.48	224.00) 226.67	5.81
Couples			
Both eligible	((342.30) 346.30	336.00) 340.00	6.30
With essential person	((342.30) 346.30	336.00) 340.00	6.30
With ineligible spouse	((342.30) 346.30	224.00) 226.67	118.30) 119.63

WSR 87-01-103
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
 [Order 1914—Filed December 23, 1986]

I, C. Alan Pettibone, director of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to rules relating to grain fees, chapter 16-212 WAC.

I, C. Alan Pettibone, 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 increase in the fee for submitted sample is necessary to defray the department cost. The other additions and adjustments are in response to industry request, and new requirements for inspection of rapeseed. The emergency order will provide for continuity between the lapsing of our current emergency order and the promulgation of the permanent order on January 10, 1987.

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

This rule is promulgated pursuant to chapter 22.09 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 December 23, 1986.

By Michael Schwisow
Deputy Director

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-030 GENERAL PROVISIONS FOR HOURLY CHARGES.

(1) Straight time, rate per hour \$ 23.00
 This hourly rate shall be applied on any job where the fee is not sufficient to provide revenue of \$23.00 per hour, per employee, and where no other hourly rate or fee is specified in the schedule of fees and charges. Whenever the lot size or workload is not of sufficient size to generate \$23.00 per hour, per employee, an additional fee shall be assessed so that total revenue generated is equal to the \$23.00 rate; PROVIDED, That such revenue insufficiency may be established on the basis of the average hourly revenue generated at the worksite over the Monday through Sunday work week, upon written request of the applicant for service. In the absence of such request, fees shall be assessed on a daily basis.

(2) Overtime, and night shift rate per hour \$ 6.00
 Whenever a service is requested before or after regularly scheduled working hours, Monday through Friday, or anytime on Saturdays, Sundays or holidays, a fee of \$6.00 per hour, per employee, shall be charged in addition to the regular inspection and weighing fees.

(a) Requests for service on Saturdays, Sundays, or holidays, or for work shifts other than 8:00 a.m. to 5:00 p.m., Monday through Friday, must be received by the inspection office no later than ~~((2:00))~~ 4:00 p.m. of the last regularly scheduled working day prior to the requested service. When the request is not received by ~~((2:00))~~ 4:00 p.m., service will be provided where personnel are available, but an additional fee of \$4.00 per hour, per employee, will be assessed for that shift.

(b) Requests for service which is beyond the scope or volume normally provided at an inspection site must be received by the inspection office no later than ~~((2:00))~~

4:00 p.m. of the last regularly scheduled working day prior to the date of the requested service in order for the department to guarantee to have adequate staff available to perform the service.

(c) Whenever an employee is called from home after regular working hours, or on a Saturday, Sunday or holiday, a minimum of two additional hours shall be charged at the rate of \$10.00 per hour and added to other fees charged.

(d) Scheduled night shifts.

At all designated inspection points, for night shifts, Monday through Friday (usually from 6:00 p.m. to 3:00 a.m.) that are, or will be, continuous for a period of one month or longer, with only an occasional work stoppage, additional overtime fees per hour will not apply(~~PROVIDED, That the workload is sufficient in size so that inspection and weighing fees generated that shift will defray the department's cost of \$23.00 per hour, per employee. If not, an additional charge shall be assessed to equal \$23.00 per hour, per employee.~~)).

(i) The department shall be given at least seven calendar days notice, in writing, to establish a scheduled night shift. If notice is not given, a fee of \$6.00 per hour, per employee, shall be assessed until the seven day notice period has elapsed.

(ii) The department shall be given at least twenty-one calendar days' notice, in writing, of cancellation of any scheduled night shift operation. If such notice is not given, a fee of \$6.00 per hour, per employee, shall be assessed for each hour under the regular night shift schedule that would have been worked until the twenty-one day notice period has elapsed.

(3) Standby rate per hour \$ 25.00
Whenever a service is requested before or after working hours, Monday through Friday or anytime on Saturdays, Sundays or holidays, and service cannot be performed through no fault of the department, a minimum of four hours at the standby rate of \$25.00 per hour, per employee, shall be charged. Whenever a service is requested before or after working hours or anytime on a Saturday, Sunday or holiday, and a cancellation of such request is not received by ((2:00)) 4:00 p.m. of the last regularly scheduled working day prior to the requested service, the four hour standby charge shall be applied.

(4) Guarantee of expense. When a service is requested that requires assignment of personnel at a facility where the volume of work at the established fees may not be adequate to pay the cost of providing the service, a guarantee of the expense of providing the service may be required. These facilities may enter into agreement with the department at guaranteed staffing levels and negotiated minimum hours and unit fees.

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-060 OFFICIAL INSPECTION AND/OR WEIGHING FEES UNDER THE UNITED STATES GRAIN STANDARDS ACT.

(1) Combination inspection and weighing fees. Ships, barges, unit trains and transfers of bulk grain.

(a) From vessel to elevator, per ton \$ 0.12

(b) Bin transfers, per ton \$ 0.12
(c) From elevator to vessel, per ton \$ 0.12
(d) From railcars of a unit train, sampled

by diverter samplers, batch weighed and inspected under the subplot inspection plan in units of not less than five cars, per ton \$ 0.12

(2) Inspection only of railroad boxcars, open hopper-type cars or covered hopper-type cars, original inspection.

(a) When sampled by United States department of agriculture approved mechanical belt, spout or leg type samplers at plants, per car \$ 14.50

(b) When sampled by United States department of agriculture approved grain trier, original and subsequent original inspections, per car \$ 23.00

(3) Inspection only of trucks, per truck \$ 14.00

(4) Reinspections of railroad boxcars, open hopper-type cars, covered hopper-type cars, ship subplot samples, barge lots, truck lots, and submitted samples.

(a) When based on an official file sample, per reinspection \$ 8.50

(b) When based on a new sample, for railcars only, per reinspection \$ 23.00

(c) When based on a new sample, for trucks only, per reinspection \$ 14.00

(5) Submitted samples, per inspection . . . \$ ((6-25))
7.00

(6) Factor analysis and/or certification.

(a) Factors added to existing certificates, or requested on ship subplot analyses, that do not affect the grade((-)); per factor \$ 2.50

PROVIDED, That on submitted sample certificates of grade for wheat and barley, dockage to the nearest tenth percent will be shown in remarks section and, for wheat, foreign material shown on the factor line, when it is not a grading factor, without additional charge.

(b) Factor certification only (maximum of two factors), per certificate \$ 3.00

(i) Additional factors added to a factor certificate, per factor \$ 2.50
(A maximum of \$6.25 will be charged for grading factors only.)

(ii) When submitted samples are not of sufficient size to provide official grade analysis, obtainable factors will be provided, upon request of the applicant, at the factor only rate.

(7) Official (NIR) protein analysis.

(a) Protein in conjunction with official inspection for grade \$ 6.25

(b) Protein only, submitted sample or reinspection \$ 8.50

(c) Protein based on official sample, add applicable sampling charges.

(8) Inspection of sacked grain at inspection points, per cwt \$ 0.06

(9) Checkloading sacked grain, per manhour \$ 23.00

(10) Waxy corn determination, on request, per determination \$ 12.00

- (11) Stowage examinations – ships, barges or vessels.
 - (a) Per stowage space and/or tank, per examination \$ 22.50
 - (b) Initial inspection, minimum charge \$112.00
 - (c) Subsequent inspections, minimum charge..... \$ 67.50
 - (d) Stowage examinations will be made on ships or vessels at anchor in midstream when requested.
 - (i) It is the responsibility of the applicant to provide safe transportation by licensed tug or water taxi to and from the vessel.
 - (ii) A minimum of two hours of regular time at \$23.00 per hour (one inspector) for general cargo vessels and a minimum of four hours of regular time at \$23.00 per hour (two inspectors) shall be charged for tankers in addition to the established inspection fee.
 - (iii) Inspections can only be made at the convenience of the grain inspection office, during daylight hours, under safe working conditions, when weather conditions permit.
 - (iv) Inspections can only be made within the area of the designated tidewater grain inspection office.
 - (v) A ship's or vessel's officer or company agent shall accompany the licensed shiphold inspector(s).
 - (e) A minimum of four hours per inspector at the applicable overtime rate shall also be assessed on Saturdays, Sundays, or holidays.
- (12) Other stowage examinations.
 - (a) Sea van-type containers (when check-loading is not required) \$ 7.60
 - (b) Railroad cars, trucks and other containers, not in conjunction with loading, per container \$ 7.60
- (13) Checktesting of diverter and mechanical samplers, per manhour \$ 23.00
- (14) Ship samples.
 - (a) Ship composite samples.
 - (i) Initial set of samples to applicant (maximum of three samples) no charge
 - (ii) Additional samples or samples at the request of other interested parties, per sample (two sample minimum when not requested with initial set) \$ 5.00
 - (b) Ship samples on a subplot basis, per sample \$ 5.00
- (15) Weighing services.
 - (a) Class X weighing services.
 - (i) From railroad boxcars, open or covered hopper-type cars (without inspection required) or vessels to elevator (grain only), per ton \$ 0.10
 - (ii) From elevator to boxcars, open or covered hopper-type cars, barges (without inspection required) or vessels (without inspection, grain only), per ton \$ 0.10
 - (iii) Bin transfers (grain only), per ton \$ 0.10
 - (iv) Trucks, per truck or weight lot \$ 7.00
 - (b) Class Y weighing services, per manhour \$ 23.00
 - (c) Checkweighing of sacked grain, per manhour \$ 23.00

- (d) Scale certification/checktesting of official weighing scales.
 - (i) Weights and measures scale specialist, per manhour \$ 31.50
 - (ii) Grain inspection personnel, per manhour \$ 23.00

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

WAC 16-212-070 OFFICIAL SERVICES UNDER THE AGRICULTURAL MARKETING ACT OF 1946.

- (1) Hay inspection.
 - (a) Complete inspection (minimum charge \$30.00), per ton \$ 1.00
 - (b) Factor inspection (minimum charge \$20.00), per ton..... \$ 1.00
 - (c) Submitted sample inspection, per sample \$ 5.00
- (2) Inspection of beans, dry peas, lentils, and similar commodities.
 - (a) Inspection of bagged commodities at inspection points, per cwt \$ 0.06
 - (b) Bulk commodity inspection at inspection points, per ton..... \$ 0.28
 - (c) Minimum charge for bulk or bagged commodities (one hour)..... \$ 23.00
 - (d) Submitted sample inspection, per sample \$ 13.00
- (3) Weighing and combination inspection/weighing services for bulk commodities.
 - (a) Weighing only, other than grain, per ton..... \$ 0.11
 - (b) Combination inspection/weighing of bulk commodities under federal grade standards, state standards, or for factor determinations, per ton \$ 0.12
 - (c) Weigh grain by-products into portable containers including fitness examination of the container, weigh and sample the by-product (thirty ton maximum) \$ 14.00
 - (4) Factor analysis.
 - (a) Moisture only..... \$ 5.00
 - (b) Additional factors, the determination of which are not required to establish grade, or otherwise not required by regulation, added to an existing certificate, per factor.... \$ 2.50
 - (c) Certification, factor only (maximum two factors), per certificate \$ 3.00
 - (d) Additional factors added to a factor certificate, per factor \$ 2.50 (A maximum of \$13.00 will be charged for grading factors only.)
 - (e) Analysis of rapeseed for official factors, per certificate..... \$ 13.00
 - (f) If official inspection is required for rapeseed, the applicable sampling only fee shall be assessed in addition to the factor analysis fee.
- (5) Sampling only, bulk commodities.
 - (a) Trucks or containers, per carrier \$ 14.00

- (b) *Boxcars, open or covered hopper-type cars, per car* \$ 23.00
- (6) *Processed commodity and defense personnel support center (DPSC) inspection fees.*
 - (a) *Per manhour, two hour minimum, rate per hour* \$ 23.00
 - (b) *In addition to the charges, if any, for sampling and other requested service, a fee will be assessed for each laboratory analysis or test identical with the amount charged by the federal grain inspection service for laboratory tests performed under authority of the Agricultural Marketing Act and for any postage or other costs of mailing not included in these fees.*
 - (7) *Sanitation inspections.*
 - (a) *Initial inspection* no charge
 - (b) *Reinspections, four hour minimum, per manhour.* \$ 23.00
 - (8) *Stowage examinations under the Agricultural Marketing Act.*
 - (a) *Ships and vessels.*
 - (i) *Initial inspection, basic fee* \$150.00
 - (ii) *Subsequent inspections, basic fee* \$100.00
 - (iii) *In addition to the basic fee, there shall be levied a fee of \$23.00 per hour, per inspector.*
 - (iv) *These inspections shall be subject to the same restrictions and conditions as ship stowage examinations under the United States Grain Standards Act, as per WAC 16-212-060 (11)(d)(i) through (iv).*
 - (b) *Other stowage examinations shall be at the rate prescribed for containers listed in WAC 16-212-060(12).*
 - (9) *Aflatoxin testing fees.*
 - (a) *Black light and/or minicolumn determinations, per hour, per inspector* \$ 23.00
 - (b) *Minicolumn determination, per test* \$ 15.60
 - (c) *Thin layer chromatography fees and/or minicolumn fees, if applicable, will be assessed for laboratory analyses identical with the amount charged by the federal grain inspection service for that test.*
 - (10) *Falling numbers determinations, per determination* \$ 12.00

AMENDATORY SECTION (Amending Order 1836, filed 7/2/84)

- WAC 16-212-082 **FEES FOR SERVICES PERFORMED UNDER STATE REGULATION.** (1) *Inspection of cultivated buckwheat and safflower under Washington state standards shall be at the rate applicable for the same type of sample under the fees for services under the United States Grain Standards Act.*
- (2) *Cracked corn, corn screenings, and mixed grain screenings shall be inspected and/or weighed under the tonnage rate applicable for standardized grains as per WAC 16-212-060.*
- (3) *Unofficial (NIR) protein analysis (barley, mixed grain, etc.), per determination* \$ 6.25
- (4) *Set of ten protein reference samples (one class) standardized with the state monitoring machine, per set* \$ 25.00

- (5) ~~(Unofficial (NIR) oil determination for sunflower seed, per determination \$ 12.00)~~
 - Rapeseed inspection under state standards.
 - (a) Submitted sample for factors or grade, per sample. \$ 13.00
 - (b) When sampled by official personnel, add applicable sampling only fee.
 - (c) Export inspection and weighing in bulk, per ton. \$ 0.12
 - (d) Inspection of bagged rapeseed, per cwt \$ 0.06
 - (e) Determination of erucic acid, glucosinolate level and oil content, per set of tests. \$ 50.00
- Note: This fee is applied in addition to the inspection fee for grading under state standards.

WSR 87-01-104
NOTICE OF PUBLIC MEETINGS
INVESTMENT BOARD
 [Memorandum—December 23, 1986]

The regular meetings of the State Investment Board for 1987 will begin at 9:00 a.m. on the following dates and at the following locations:

- | | |
|------------------|---|
| February 9, 1987 | Transportation Building
Transportation Commission
Board Room
Olympia, Washington |
| May 11, 1987 | |
| August 10, 1987 | |
| November 9, 1987 | Unigard Financial Center
Unigard Board Room
18th Floor
1215 Fourth Avenue
Seattle, Washington |

WSR 87-01-105
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—December 22, 1986]

The Washington State Human Rights Commission will hold its next regular commission meeting/retreat on Orcas Island on January 22, 23 and 24, 1987. The meeting will be held at the Rosario Resort, Eastsound, Washington. The meeting will begin with dinner at 6:30 p.m. on January 22 and adjourn to the Blakely Room for a planning and work session. The regular business meeting will begin at 9:00 a.m. on January 23 with a planning session to be held immediately after the business meeting. The final planning session will begin at 7:00 a.m. on January 24. The commissioners will be setting goals for the 1987 calendar year.

WSR 87-01-106
NOTICE OF PUBLIC MEETINGS
GREEN RIVER COMMUNITY COLLEGE
[Memorandum—December 19, 1986]

The board of trustees will meet the third Thursday of each month as follows:

- January 15
- February 19
- March 19
- April 16
- May 21
- June 18
- July 16
- August 20
- September 17
- October 15
- November 19
- December 17

The board of trustees of Community College District No. 10 does hereby set the regular meeting dates for the board of trustees on the third Thursday of each month, commencing at 4:00 p.m. in the Board Room of the Administration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98002.

WSR 87-01-107
PROPOSED RULES
DEPARTMENT OF FISHERIES
[Filed December 24, 1986]

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 9:00 a.m., Tuesday, January 27, 1987, 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 February 2, 1987.

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 January 27, 1987.

Dated: December 24, 1986

By: Judith Merchant
Acting Director

STATEMENT OF PURPOSE

Title: WAC 220-52-046 Crab fishery—Areas and seasons.

Description of Purpose: Restrict crab fishery in southern Puget Sound.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: The Dungeness crab fishery in southern [Puget Sound] would be closed to commercial harvest. Dungeness crab stocks in southern Puget Sound are rebuilding from depressed levels, and are unable to support a directed commercial fishery.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 586-2429; Implementation: Ronald E. Westley, 115 General Administration Building, Olympia, Washington, 753-6772; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington Department of Fisheries.

Comments: None.

These proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No differential impact is anticipated. No effect on 10% of businesses in any one three-digit industrial classification nor 20% of all businesses is expected.

AMENDATORY SECTION (Amending Order 84-24 [84-214], filed 3/27/84 [12/7/84], effective 4/26/84 [1/6/85])

WAC 220-52-046 CRAB FISHERY—SEASONS AND AREAS. It is unlawful to ~~((take))~~ fish for ~~((land))~~ or possess Dungeness crabs taken for commercial purposes except during the lawful open seasons and areas as follows:

(1) All Puget Sound Marine Fish—Shellfish Management and Catch Reporting Areas except 27A, 27B, ~~((and))~~ 27C, 28A, 28B, 28C, and 28D — open October 1 through April 15, provided that it ~~((shall be))~~ is unlawful to set any crab gear prior to 9:00 a.m. on the opening day of the season.

(2) Coastal, Pacific Ocean, Grays Harbor, Willapa Harbor, and Columbia River waters — open December 1 through September 15 except that it ~~((shall be))~~ is lawful to set baited crab gear beginning at 8:00 a.m. November 27.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 87-01-108
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION
[Filed December 24, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to electric utility least cost planning, WAC 480-100-251. The proposed section is shown below as Appendix A, Cause No. U-86-141. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed section on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:30 a.m., Thursday, January 29, 1987, in the Commission's Hearing Room, Second

Floor, 1300 Evergreen Park Drive South, 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 February 18, 1987.

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

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 16, 1987.

Dated: December 19, 1986

By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of adopting WAC 480-100-251 relating to electric utility least cost planning.

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

The rules proposed by the Washington Utilities and Transportation Commission are designed to require electric utilities regulated by the commission to develop and present "least cost plans" for the purpose of obtaining additional sources of energy supply or reduction in energy demand for the least total cost to utilities and to ratepayers, specifying the general nature of the planning process, and the general format of the plans.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040 and 80.04.160.

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

The rule change proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

NEW SECTION

WAC 480-100-251 LEAST COST PLANNING. (1) Purpose. Each electric utility regulated by the commission has the responsibility to obtain sources of energy supply or energy demand reductions to meet additional loads at the least total cost to the utility and its ratepayers. Therefore, a "least cost plan" shall be developed by each electric utility with the guidance of the commission staff. Provision for

structured involvement by the public and other interested parties shall be made during development of the plan. Details of the process may be specified by commission letter.

(2) Definitions.

(a) "Least cost plan" means a plan for obtaining additional sources of energy supply or reductions in energy demand for the least total cost to utilities and their ratepayers.

(b) "Plan" means the least cost plan required by these rules.

(3) Each electric utility shall submit to the commission on a biennial basis, commencing September 1987, a long-range (twenty-year) resource plan. This least cost plan shall include:

(a) A range of forecasts of future demand growth using:

(i) End-use methodologies which calculate number, type, and efficiency of electricity end-uses in each customer class; and

(ii) Econometric methodologies which examine the impact of economic changes on electricity consumption. Historic figures used in these assessments shall be provided.

(b) An assessment of all supply options including conservation, renewable energy resources (e.g., wind, solar, geothermal, hydro power, biomass), cogeneration, power purchases from other utilities, and thermal resources (e.g., coal and nuclear). Historic figures used in these assessments shall be provided.

(c) An assessment of all demand options to achieve the full potential for cost-effective conservation and load management investments. Historic figures used in these assessments shall be provided.

(d) The integration of supply and demand options based on the relative cost-effectiveness of each option evaluated on a consistent basis.

(e) A short-term (two-year) implementation plan.

(4) All plans, beginning with the September 1989 plan, shall include a progress report which relates the new plan to the previously filed plan.

(5) The plan will be used to evaluate the performance of the utility and the reasonableness of tariff filings seeking rate increases.

WSR 87-01-109

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Filed December 24, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to gas utility least cost planning, WAC 480-90-191. The proposed section is shown below as Appendix A, Cause No. U-86-142. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed section on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:30 a.m., Friday, January 30, 1987, in the Commission's Hearing Room, Second Floor, 1300 Evergreen Park Drive South, 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 February 18, 1987.

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

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 16, 1987.

Dated: December 19, 1986
By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of adopting WAC 480-90-191 relating to gas utility least cost planning.

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

The rules proposed by the Washington Utilities and Transportation Commission are designed to require gas utilities regulated by the commission to develop and present "least cost plans" for the purpose of obtaining additional sources of energy supply or reduction in energy demand for the least total cost to utilities and to ratepayers, specifying the general nature of the planning process, and the general format of the plans.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040 and 80.04.160.

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

The rule change proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

NEW SECTION

WAC 480-90-191 LEAST COST PLANNING. (1) Purpose. Each gas utility regulated by the commission has the responsibility to obtain sources of energy supply or energy demand reductions to meet additional loads at the least total cost to the utility and its ratepayers. Therefore, a "least cost plan" shall be developed by each gas utility with the guidance of the commission staff. Provision for structured involvement by the public and other interested parties shall be made during development of the plan. Details of the process may be specified by commission letter.

(2) Definitions.

(a) "Least cost plan" means a plan for obtaining additional sources of energy supply or reductions in energy demand for the least total cost to utilities and their ratepayers.

(b) "Plan" means the least cost plan required by these rules.

(3) Each gas company shall submit to the commission on an annual basis, commencing June 1987, a least cost plan for future natural gas supplies. The plan shall be designed to consider all potential methods of reducing company costs and shall include (at a minimum):

- (a) Forecasts of future gas demand for firm and interruptible markets for one, five, and twenty years.
 - (b) The ratio of spot market to long-term purchases for firm markets.
 - (c) Opportunities for access to multiple pipeline suppliers.
 - (d) The effect of conservation programs on load leveling.
 - (e) Opportunities for storage.
 - (f) Participation in the gas futures market.
 - (g) The extent to which future demand will be met by conservation.
 - (h) Where assessments are based on historic figures, those figures shall be provided.
- (4) All plans, beginning with the September 1989 plan, shall include a progress report which relates the new plan to the previously filed plan.
- (5) The plan will be used to evaluate the performance of the utility and the reasonableness of tariff filings seeking rate increases.

WSR 87-01-110

ADOPTED RULES

WESTERN WASHINGTON UNIVERSITY

[Order 12-03-86—Filed December 24, 1986]

Be it resolved by the board of trustees of the Western Washington University, acting at Everett Community College, Everett, Washington, that it does adopt the annexed rules relating to leasing of university property for business purposes.

This action is taken pursuant to Notice No. WSR 86-21-124 filed with the code reviser on October 22, 1986. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Western Washington University as authorized in RCW 28B.35.120(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 December 4, 1986.

By James C. Waldo
Chairman

Chapter 516-34 WAC

LEASING OF ((COLLEGE)) UNIVERSITY PROPERTY FOR BUSINESS PURPOSES

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-010 REQUEST TO LEASE ((COLLEGE)) UNIVERSITY PROPERTY. Any individual desiring to provide a particular service to the Western Washington ((State College)) University community from a leased location on the campus of Western Washington ((State College)) University shall submit to the ((business manager)) vice-president for business and financial affairs of the ((college)) university an initial written proposal for the provision of that service and a request to lease ((college)) university property.

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-020 CONSIDERATION OF REQUEST AND INITIAL PROPOSAL. (1) The ~~((business manager shall forward each request for lease and initial proposal for services to appropriate college committees and/or councils for evaluation and for determination of the following factors))~~ vice-president for business and financial affairs or his/her designee shall in consultation with the appropriate administrative office(s) and/or councils make a determination of need based on the following factors:

(a) Whether there is a need for the proposed service on the campus of Western Washington ~~((State College))~~ University;

(b) Whether the proposed service is compatible with the goals and objectives of the ~~((college))~~ university;

(c) Whether the proposed service can be provided within the context of existing campus resources or programs, thus rendering a new lease unnecessary;

(d) Whether the requested lease is acceptable within the framework of the ~~((college))~~ university land use plan;

(e) Whether the requested lease should be granted;

(f) Which, if any, of the ~~((college))~~ university property should be leased in connection with the proposed service.

(2) Upon completion of the above evaluation and determination, ~~((each committee and/or council involved))~~ the office of the vice-president for business and financial affairs shall submit a written statement of ~~((its))~~ findings with regard to the above factors ~~((and a written recommendation))~~ to the ~~((college))~~ university president ~~((or his designee))~~. A determination shall thereupon be made as to whether the initial proposal and/or request for lease should be denied or should be presented to the board of trustees for consideration.

(a) If the determination is made that a particular initial proposal and/or request for lease should not be granted, the ~~((college))~~ office of the vice-president for business and financial affairs shall give written notice of denial to the individual presenting the proposal and request for lease, and shall include ~~((with))~~ within this notice ~~((a copy of the recommendations of any college committees involved and a statement of))~~ the reasons for such denial.

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-040 PUBLIC NOTICE OF INTENTION TO LEASE. Whenever the board of trustees gives preliminary approval to an initial proposal for services and request for lease, the ~~((college))~~ university shall forthwith give reasonable and timely notice to members of the public and to interested parties indicating that the ~~((college))~~ university will consider leasing a particular area of ~~((college))~~ university property in connection with the provision of a particular service to the

~~((college))~~ university community. Said notice shall specify a time limit for submission of proposals by members of the public relating to said provision of services and lease.

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-050 SUBMISSION OF FINAL PROPOSALS. Within the time limit specified in the public notice given by the ~~((college))~~ university, any individual interested in leasing the particular area of ~~((college))~~ university property specified in the notice for the purpose of providing the particular service specified in the notice shall submit a proposal to the ~~((college))~~ university setting forth in detail the means and methods by which that individual would utilize the leased property and provide the desired service to the ~~((college))~~ university community.

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-060 CONSIDERATION AND EVALUATION OF FINAL PROPOSAL(S). (1) The ~~((college))~~ university shall carefully examine and evaluate all proposals for lease of ~~((college))~~ university property and provision of services. The factors considered by the ~~((college))~~ university in evaluating such proposals shall include but not be limited to the following:

(a) The capabilities, qualifications, and experience of each person, firm, corporation, or organization who would be involved in the execution of the proposal;

(b) The financial stability of each person, firm~~((,))~~, corporation, or organization owning and/or operating the proposed service facility;

(c) The educational ~~((and/or))~~, academic and financial value of each proposal to the ~~((college))~~ university;

(d) Whether the proposal indicates that there will be full compliance at all times with the applicable requirements of the ~~((college's))~~ university's affirmative action program;

(e) The overall projected ability of each proposal to provide the desired service.

(2) Upon completion of the evaluation, the ~~((college))~~ university shall determine which, if any, of the submitted proposals is in the best interests of the ~~((college))~~ university. The ~~((college))~~ university shall have authority to reject all proposals as being unsatisfactory.

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-070 NOTICE OF REJECTION. The ~~((college))~~ university shall give prompt notice in writing to all individuals ~~((whose))~~ submitting final proposals ~~((have been rejected and shall))~~ as to final disposition of award and clearly specify the reasons ~~((for such rejection))~~.

WSR 87-01-111
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Optometry)
[Filed December 24, 1986]

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

Amd WAC 308-53-084 Examination results.
Amd WAC 308-53-085 Grading examinations;

that the agency will at 9:00 a.m., Friday, January 27, 1987, in the Seattle Airport Hilton, Elliott Room East, 17620 Pacific Highway South, Seattle, WA 98168, 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 18.54.070(5).

The specific statute these rules are intended to implement is RCW 18.54.070(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 27, 1987.

Dated: December 24, 1986

By: Robert Van Schoorl
Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Optometry.

Purpose of Proposed Rules: To amend rules of the board relating to examination subjects and grading examinations.

Statutory Authority: RCW 18.54.070 (1) and (5).

Summary of Rules: WAC 308-53-084, the proposed amendments will delete the requirement for a state administered written examination upon the subjects covered by the examination administered by the National Board of Examiners in Optometry. Successful completion of this national exam is a prerequisite for license application pursuant to WAC 308-53-075 so that reference to that requirement in this rule is deleted as redundant and less appropriately placed. The requirement for a state practical exam is maintained, with some modifications, including the addition of a second oral interview section. The rule makes clear an applicant must furnish his own patient for the practical exam; and WAC 308-53-085, the proposed amendment makes clear that a score of seventy-five on each oral interview section of the practical exam is required for passage. Reference to successful completion of the national exam is deleted because it already appears in WAC 308-54-075 as an application requirement. Reference to the state written exam, the requirement for which is deleted in the proposed amendment to WAC 308-54-084 above, is also deleted here.

Responsible Departmental Personnel: The Washington State Board of Optometry and the program manager for

the board have the responsibility for drafting, implementing and enforcing these rules. The program manager is Delores E. Spice, 1300 Quince Street, S.E., Olympia, Washington 98504, phone (206) 753-1761.

Proponents of Proposed Rules: These amendments have been proposed by the Washington State Optometry Board.

Federal Law or Federal or State Court Requirements: The proposed amendments are not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required as these rules do not impact small business as that term is defined in RCW 43.31.920.

AMENDATORY SECTION (Amending Order PM 598, filed 6/5/86)

WAC 308-53-084 EXAMINATION SUBJECTS. Every qualified applicant for a license as an optometrist shall successfully pass all examinations. The examinations may include, but not be limited to, the following subjects and types of examination:

~~((1)) Every applicant shall complete a state written examination covering subject areas of contact lenses, perimetry, pathology slides, visual training, theory and methods of optometry, ocular anatomy and physiology, ocular pathology, ocular pharmacology, moral and legal ethics of the practice of optometry, and Washington state law pertaining to the practice of optometry. After June 30, 1987, the state written examination shall no longer be conducted by the Board.))~~

~~((2)) Effective July 1, 1986, certification of successful completion of all written parts of the examinations conducted by the National Board of Examiners in Optometry (NBEO) will be accepted in lieu of the state written examination.))~~

~~((3)) Effective July 1, 1987, certification of successful completion of the written examinations conducted by the National Board of Examiners in Optometry (NBEO) is required.))~~

~~(1) ~~((1))~~ Successful completion of a written test on Washington state law pertaining to the practice of optometry is required of all applicants.~~

~~(2) ~~((2))~~ Every applicant shall complete a practical examination conducted by the Board, which may include, but not be limited to: funduscopy; lensometry; retinoscopy; biomicroscopy; tonometry; radiology; and ~~((2))~~ two oral interviews ~~((of))~~ on diagnostic and patient management procedures. Each applicant must furnish his/her own patient for the practical 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.

AMENDATORY SECTION (Amending Order PL 465 [PM 598], filed 4/14/84 [6/5/86])

WAC 308-53-085 GRADING EXAMINATIONS. To successfully pass the examination, an applicant must:

(1) Pass the practical examination section with a minimum average score of seventy-five, with no score below sixty-five;

(2) Pass ~~((the))~~ both practical oral interviews ~~((of))~~ on diagnostic and patient management procedures involving, but not necessarily limited to, case ~~((history))~~ histories, ~~((section))~~ with a minimum score of seventy-five on each interview section;

~~((3)) Pass all parts of National Board of Examiners in Optometry written examination.))~~

~~(3) ~~((1))~~ Obtain a minimum score of seventy-five on the written examination on Washington state law relating to optometry.~~

~~((5)) Until July 1, 1987, applicants taking the state written examination must obtain an overall average score of seventy-five.))~~

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 87-01-112
PROPOSED RULES
CORRECTIONS STANDARDS BOARD
 [Filed December 24, 1986]

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; that the agency will at 9:00 a.m. or later, Thursday, February 5, 1987, in the Makah Room of the Tyee Motor Inn, 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 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 January 29, 1987.

Dated: December 12, 1987 [1986]

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.

Summary of Rule: These amendments change the capacity figures for Clark County, Cowlitz County and Mason County.

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 Order 86-06, filed 9/9/86)

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

Auburn (22)
 Bremerton (23)

Correctional Facilities

Asotin County (16)
 Benton County (109)

Detention Facilities

Issaquah (10)
 Olympia (temporary) (19)
 Stevens County (22)

Correctional Facilities

Chelan County (132)
 Clallam County (102)
 Clark County ((~~300~~)) (335)
 Cowlitz County ((~~94~~)) (156)
 Ferry County (22)
 Forks (11)
 Franklin County (76)
 Grant County (85)
 Grays Harbor County (82)
 Island County (50)
 Jefferson County (20)
 Kent (56)
 King County (784)
 Kitsap County (103)
 Kitsap County Work Release (42)
 Kittitas County (45)
 Klickitat County (30)
 Lewis County (68)
 Lincoln County (15)
 Mason County ((~~34~~)) (45)
 Okanogan County (67)
 Pacific County (29)
 Pend Oreille County (18)
 Pierce County (470)
 Skagit County (83)
 Skamania County (17)
 Snohomish County (277)
 Snohomish County Work Release (60)
 Spokane County (461)
 Thurston County (145)
 Walla Walla County (44)
 Whatcom County (82)
 Whitman County (34)
 Yakima County (274)

WSR 87-01-113
ADOPTED RULES
CORRECTIONS STANDARDS BOARD
 [Order 86-99—Filed December 24, 1986]

Be it resolved by the Corrections Standards Board, acting at the Sheraton Hotel, Spokane, Washington, that it does adopt the annexed rules relating to crowding, amending WAC 289-26-310.

This action is taken pursuant to Notice No. WSR 86-19-019 filed with the code reviser on September 10, 1986. 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 70.48.050 (1)(a) and 70.48.070 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 December 12, 1986.

By Robert W. Cote
 Executive Secretary

AMENDATORY SECTION (Amending Order 86-02, filed 8/27/85)

WAC 289-26-310 CROWDING. Facilities shall provide one bed and an average net living area (as defined in WAC 289-02-020(11)) consistent with WAC 289-26-300 of at least seventy-five square feet for each

prisoner, except for board-approved variances as provided in WAC 289-12-045. Population shall not exceed capacity, as determined pursuant to WAC 289-26-300.

WSR 87-01-114
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
(Noxious Weed Control Board)
 [Filed December 24, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Noxious Weed Control Board intends to adopt, amend, or repeal rules concerning proposed noxious weed list, chapter 16-750 WAC;

that the agency will at 1:30 p.m., Friday, January 30, 1987, in Room 152, Building 1, Thurston County Courthouse, 2000 Lakeridge Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is chapter 17.10 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 30, 1987.

Dated: December 24, 1986

By: Art G. Losey
 Assistant Director

STATEMENT OF PURPOSE

Title: Amending WAC 16-750-010.

Description of Purpose: Amend proposed noxious weed list.

Statutory Authority: RCW 17.10.080.

Summary of Rule: Proposed list must be adopted annually, other weeds may be either added to or deleted from the list at the hearing.

Reasons Supporting Proposed Action: RCW 17.10.080 states that the State Noxious Weed Control Board shall each year or more often, following a hearing, adopt a list comprising the names of those plants which it finds to be injurious to crops, livestock, or other property. At such hearing, any county noxious weed control board may request the inclusion of any plant to the list to be adopted by the state board.

Agency Personnel Responsible for Drafting: Donald G. Alexander, Noxious Weed Control Program Coordinator, Chemical and Plant Division, Washington State Department of Agriculture, 406 General Administration Building, Olympia, WA 98504, (206) 753-5062; Implementation and Enforcement: Each activated county noxious weed control board.

Persons Proposing Rule: State Noxious Weed Control Board.

Agency Comments or Recommendations: None.

Rule is not necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: No impact, none required.

AMENDATORY SECTION (Amending Order 17, Resolution No. 17, filed 3/13/86)

WAC 16-750-010 PROPOSED NOXIOUS WEED LIST. In accordance with RCW 17.10.080, a proposed noxious weed list comprising the names of those plants which the noxious weed control board finds to be injurious to crops, livestock, or other property is hereby adopted as follows:

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Austrian fieldcress	Rorippa austriaca
Austrian pea-weed	Sphaerophysa salsula
Baby's Breath	Gypsophila paniculata
Bindweed, field	Convolvulus arvensis
Bindweed, hedge	Convolvulus sepium
Black Henbane	Hyoscyamus niger
Blue Lettuce	Lactuca pulchella
Blueweed, Texas	Helianthus ciliaris
Bracken, western	Pteridium aquilinum
Camelthorn	Alhagi camelorum
Canada Thistle	Cirsium arvense
Dalmation Toadflax	Linaria dalmatica
Gorse	Ulex europaeus
Hairy whitetop	Cardaria pubescens
Hoary Cress or White Top	Cardaria draba
Hydrilla	Hydrilla verticillata
Johnsongrass	Sorghum halepense
Knapweed, complex	Centaurea spp.
Leafy Spurge	Euphorbia esula
Mullein, common	Verbascum thapsus
Nightshade, bitter	Solanum dulcamara
Nightshade, silverleaf	Solanum elaeagnifolium
Nutsedge, yellow	Cyperus esculentus
Oxeye Daisy	Chrysanthemum leucanthemum
Pepperweed, perennial	Lepidium latifolium
Quackgrass	Agropyron repens
Rush Skeletonweed	Chondrilla juncea
St. Johnswort	Hypericum perforatum
Scotch Broom	Cytisus scoparius
Sowthistle, perennial	Sonchus arvensis
Tansy, common	Tanacetum vulgare
Waterhemlock, western	Cicuta douglasii
Watermilfoil, Eurasian	Myriophyllum spicatum
Wormwood, Absinthe	Artemisia absinthium
Yellow Toadflax	Linaria vulgaris
Bull Thistle	Cirsium vulgare
Houndstongue	Cynoglossum officinale
Musk Thistle	Carduus nutans L.
Plumeless Thistle	Carduus acanthoides
Poison Hemlock	Conium maculatum
Scotch Thistle	Onopordum acanthium
Tansy Ragwort	Senecio jacobaea
Wild carrot or Queen Annes lace	Daucus carota
Cocklebur	Xanthium spp.
Dodder	Cuscuta spp.
Goatgrass, jointed	Aegilops cylindrica
Kochia	Kochia scoparia
Medusahead	Taeniatherum asperum
Puncturevine	Tribulus terrestris
Rye	Secale cereale L.
Sandbur, longspine	Cenchrus longispinus
Orange Hawkweed	Hieracium aurantiacum L.
Yellow Rattle	Rhinanthus crista-galli L.
Lupine	Lupinus <u>supp.</u>
Common Burdock	Arctium minus (Hill) Bernh.
Meadow Foxtail	Alopecurus pratensis L.

WSR 87-01-115
PROPOSED RULES
ENERGY FACILITY SITE
EVALUATION COUNCIL
 [Filed December 24, 1986]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Energy Facility Site

Evaluation Council (EFSEC) intends to adopt, amend, or repeal rules concerning:

Amd	WAC 463-42-075	General—Assurances.
Amd	WAC 463-42-455	Physical environment—Impact of construction and operation on vegetation, animal life, and aquatic life.
Amd	WAC 463-42-465	Physical environment—Description of measures taken to protect vegetation, animal life, and aquatic life.
Amd	WAC 463-42-515	Physical environment—Safety where public access allowed.
New	WAC 463-42-655	Physical environment—Initial site restoration plan.
New	WAC 463-42-665	Detailed site restoration plan—Terminated projects.
New	WAC 463-42-675	Site preservation plan—Suspended projects.
New	WAC 463-54-080	Site preservation or restoration plan;

that the agency will at 1:30, Monday, February 9, 1987, in the EFSEC Hearing Room, 4224 Sixth Avenue, Lacey, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 80.50.040(1).

The specific statute these rules are intended to implement is RCW 80.50.040 (4), (11), and (13).

This notice is connected to and continues the matter in Notice Nos. WSR 86-21-012 and 87-01-042 filed with the code reviser's office on October 3, 1986, and December 15, 1986.

Dated: December 24, 1986

By: Bill Fitch
Executive Secretary

STATEMENT OF PURPOSE

Rule Title and Purpose: Chapter 463-42 WAC, Procedure—Guidelines—Applications for site certification, WAC 463-42-075 General—Assurances; 463-42-455 Physical environment—Impact of construction, operation, abandonment, termination, or cessation of operations on vegetation, animal life, and aquatic life; 463-42-465 Physical environment—Description of measures taken to protect vegetation, animal life, and aquatic life; 463-42-515 Physical environment—Safety where public access allowed; 463-42-655 Physical environment—Initial site restoration plan; 463-42-665 Detailed site restoration plan—Terminated projects; 463-42-675 Site preservation plan—Suspended projects; and chapter 463-42 WAC, Certification compliance determination and enforcement, WAC 463-54-080 Site preservation or restoration plan.

Statutory Authority: RCW 80.50.040(1).

Rule Summary and Supporting Statement on Proposed Action: WAC 463-26-080 and 463-38-051, change incorrect RCW citations; WAC 463-42-075, 463-42-455, 463-42-465 and 463-42-515, amendments to these sections expand the guidelines for applications for site certification to address environmental, public health and safety concerns at abandoned or terminated energy facilities or when operations cease at the completion of a project's life; WAC 463-42-075, 463-42-665 and 463-42-675, new requirements for an applicant or

certificate holder to provide a plan for site restoration at the conclusion of the plant's operating life, a certificate holder to submit a site restoration plan within one year in the event a project is terminated prior to operations, and preparation of a site preservation plan at the earliest feasible time in the event construction is suspended at a certified project; and WAC 463-54-080, new requirement for a certificate holder to conduct operations in accordance with a site preservation or restoration plan and provide monitoring. The council may also require submittal of a site preservation or restoration plan at any time based upon project status.

Agency Responsible for Drafting: Ad Hoc Legal Affairs Committee, C. Robert Wallis, Committee Chairman, Energy Facility Site Evaluation Council, Mailstop PY-11, Olympia, WA 98504, 459-6490; Implementing: William L. Fitch, Executive Secretary, Energy Facility Site Evaluation Council, Mailstop PY-11, Olympia, WA 98504, 459-6490; and Enforcing: Curtis Eschels, Chairman, Energy Facility Site Evaluation Council, Mailstop PY-11, Olympia, WA 98504, 459-6490.

Person or Organization Proposing Rule: Washington State Energy Facility Site Evaluation Council.

Agency Comments: None.

AMENDATORY SECTION (Amending Order 81-5, filed 10/8/81)

WAC 463-42-075 GENERAL—ASSURANCES. The application shall set forth insurance, bonding or other arrangements proposed in order to mitigate for damage or loss to the physical or human environment caused by project construction ((~~or~~)), operation, abandonment, termination, or when operations cease at the completion of a project's life.

AMENDATORY SECTION (Amending Order 81-5, filed 10/8/81)

WAC 463-42-455 PHYSICAL ENVIRONMENT—IMPACT OF CONSTRUCTION ((~~AND~~)), OPERATION, ABANDONMENT, TERMINATION, OR CESSATION OF OPERATIONS ON VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The applicant shall describe the projected effect of ((~~facility~~)) project construction ((~~and/or~~)), operation, abandonment, termination, or cessation of operations upon vegetation, animal life, and aquatic life.

AMENDATORY SECTION (Amending Order 81-5, filed 10/8/81)

WAC 463-42-465 PHYSICAL ENVIRONMENT—DESCRIPTION OF MEASURES TAKEN TO PROTECT VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The application shall contain a full description of each measure to be taken by the applicant to protect vegetation, animal life, and aquatic life from the effects of ((~~facility—operation—and~~)) project construction, operation, abandonment, termination, or cessation of operations.

AMENDATORY SECTION (Amending Order 81-5, filed 10/8/81)

WAC 463-42-515 PHYSICAL ENVIRONMENT—SAFETY WHERE PUBLIC ACCESS ALLOWED. The applicant shall describe the means proposed to ((~~insure~~)) ensure safe utilization of those areas under applicant's control ((~~to~~)) on or in which public access will be granted during project construction, operation, abandonment, termination, or when operations cease.

NEW SECTION

WAC 463-42-655 PHYSICAL ENVIRONMENT—INITIAL SITE RESTORATION PLAN. The applicant or certificate holder shall in the application, or within twelve months after the effective date of this section, whichever occurs later, provide an initial plan for site restoration at the conclusion of the plant's operating life. The plan shall parallel a decommissioning plan, if such a plan is prepared for the project. The initial site restoration plan shall be prepared in sufficient detail to identify, evaluate, and resolve all major environmental,

and public health and safety issues presently anticipated. It shall describe the process used to evaluate the options and select the measures that will be taken to restore or preserve the site or otherwise protect all segments of the public against risks or danger resulting from the site. The plan shall include a discussion of economic factors regarding the costs and benefits of various restoration options versus the relative public risk and shall address provisions for funding or bonding arrangements to meet the site restoration or management costs. The plan shall be prepared in detail commensurate with the time until site restoration is to begin. The scope of proposed monitoring shall be addressed in the plan.

NEW SECTION

WAC 463-42-665 DETAILED SITE RESTORATION PLAN—TERMINATED PROJECTS. When a project is terminated, a detailed site restoration plan shall be submitted within twelve months after termination or within twelve months after the effective date of this section, whichever occurs later. An extension of time may be granted for good cause shown. The site restoration plan shall address the elements required to be addressed in WAC 463-42-655, in detail commensurate with the time until site restoration is to begin. The council may take or require action as necessary to deal with extraordinary circumstances.

NEW SECTION

WAC 463-42-675 SITE PRESERVATION PLAN—SUSPENDED PROJECTS. In the event that construction is suspended, a plan for site preservation shall be prepared at the earliest feasible time and the council shall be advised of interim concerns and the measures being taken to remedy those concerns. The site preservation plan shall address environmental, and public health and safety concerns, the scope of proposed monitoring and the provisions for funding or bonding to meet site preservation costs. It shall describe measures that will be taken to preserve the site or otherwise protect all segments of the public against risks or danger resulting from the site. The preservation plan shall also address options for preservation and the costs and benefits associated with those options. The council may take or require action as necessary to deal with extraordinary circumstances.

NEW SECTION

WAC 463-54-080 SITE PRESERVATION OR RESTORATION PLAN. When a site is subject to preservation or restoration pursuant to a plan as defined in WAC 463-42-655 through 463-42-675, the certificate holder shall conduct operations within terms of the plan; shall advise the council of unforeseen problems and other emergent circumstances at the site; and shall provide site monitoring pursuant to an authorized schedule. After approval of an initial site restoration plan pursuant to WAC 463-42-655, a certificate holder shall review its site restoration plan in light of relevant new conditions, technologies, and knowledge, and report to the council the results of its review, at least every five years or upon any change in project status. The council may direct the submission of a site preservation or restoration plan at any time during the development, construction, or operating life of a project based upon the council's review of the project's status. The council may require such information and take or require such action as is appropriate to protect all segments of the public against risks or dangers resulting from the site.

**WSR 87-01-116
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed December 24, 1986]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education intends to adopt, amend, or repeal rules concerning chapter 180-24 WAC;

that the agency will at 9:00 a.m., Thursday, January 29, 1987, in the Fir Room, Westwater Inn, Evergreen

Park Drive S.W., Olympia, WA, 98502, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 30, 1987.

The authority under which these rules are proposed is RCW 28A.04.120(9).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Thursday, January 29, 1987.

Dated: December 24, 1986

By: Monica Schmidt
Secretary to the Board

STATEMENT OF PURPOSE

Rule Chapter: Chapter 180-24 WAC, School district organization.

Rule Section(s): New or amended WAC 180-24-003 Authority; 180-24-007 Purpose; 180-24-008 Constitutional and statutory framework; 180-24-013 State policy—The governing four-part test; 180-24-016 Factors pertaining to geographic accessibility; 180-24-017 Factors pertaining to operational efficiency; 180-24-021 Statutory framework for implementation of modification in school district organization; 180-24-080 Notification to Superintendent of Public Instruction of regional committee meetings; 180-24-101 Organizational impact statement—Requirement; 180-24-102 Regional committee responsibility—Assistance of Superintendent of Public Instruction; 180-24-110 Organizational impact statement—Format; 180-24-112 Adjustment of assets and liabilities considerations; 180-24-115 Report of regional committee to State Board of Education; 180-24-120 Superintendent of Public Instruction review of regional committee proposals; 180-24-125 State Board of Education standards for determining whether a regional committee report for organization is satisfactory; 180-24-130 State Board of Education standards for determining whether a regional committee report for adjustment of assets and liabilities is equitable; 180-24-140 Disapproval action by State Board of Education; 180-24-200 Numbering system of school districts; 180-24-300 Election of regional committee members—Applicable provisions; 180-24-305 Election of regional committee members—Election officer; 180-24-310 Election of regional committee members—Annual elections; 180-24-312 Election of regional committee members—Tentative certification of electors; 180-24-315 Election of regional committee members—Call for election—Regional committee members; 180-24-320 Election of regional committee members—Candidates—Eligibility—Filing; 180-24-325 Election of regional committee members—Declaration and affidavit of candidacy form; 180-24-327 Election of regional committee members—Biographical data form; 180-24-330 Election of regional committee members—Withdrawal of candidacy; 180-24-335 Election of regional committee members—Certification of electors; 180-24-340 Election of regional committee members—Ballots—Contents; 180-24-345 Election of regional committee members—Ballots and envelopes—Mailing to voters; 180-24-350 Election of regional committee members—Voting—Marking and

return of ballots; 180-24-355 Election of regional committee members—Election board—Appointment and composition; 180-24-360 Election of regional committee members—Receipt of ballots and count of votes; 180-24-365 Election of regional committee members—Ineligible votes; 180-24-370 Election of regional committee members—Recount of votes cast—Automatic—By request; 180-24-375 Election of regional committee members—Certification of election; and 180-24-380 Election of regional committee members—Run off elections; and repealing WAC 180-24-005 Changes in organization and extent of school districts—Regulatory provisions pursuant to chapter 28A.57 RCW; 180-24-010 Changes in organization and extent of school districts—Guidelines for county committees—General; 180-24-015 Changes in organization and extent of school districts—Planning organizational improvements; 180-24-020 Changes in organization and extent of school districts—Principles and policies governing state assistance in providing school facilities as related to school district organization; 180-24-025 Changes in organization and extent of school districts—Administrative procedures; 180-24-030 Changes in organization and extent of school districts—Glossary of terms; 180-24-100 Rules for classification of school districts.

Statutory Authority: RCW 28A.04.120(9), 28A.04.130, 28A.57.055 and 28A.57.032.

Purpose of the Rule(s): To establish the methods and considerations to be utilized by regional committees and the State Board of Education in evaluating school district reorganization proposals; and to provide for the conduct of elections for regional committee members.

Summary of the New Rule(s) and/or Amendments: WAC 180-24-003 through 180-24-140 set forth the process and considerations to be followed by the State Board of Education and the regional committees for determining the organization and reorganization of school districts. 180-24-200 is amended to reflect current statutory language. WAC 180-24-300 through 180-24-380 regulate the conduct of annual elections for members of the regional committee. Repeal obsolete sections.

Reasons Which Support the Proposed Action(s): The legislative's enactment of chapter 385, Laws of 1985 which empowered the State Board of Education to establish standards and procedures governing the election of regional committee members (RCW 28A.57.032(1)); and, empowered the state board to establish standards and conditions governing the reorganization of school districts (RCW 28A.57.055).

Person or Organization Proposing the Rule(s): SBE, government.

Agency Personnel Responsible for Drafting: Ralph E. Julnes, SPI, phone 3-2298; Implementation: Perry Keithley, SPI, phone 3-6742; and Enforcement: Raymond Reid, SPI, phone 3-6702.

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 Matter Pertaining to the Rule(s): [No information supplied by agency.]

NEW SECTION

WAC 180-24-003 AUTHORITY. The general authority for this chapter is RCW 28A.04.120(9) which authorizes the state board of education to carry out powers and duties relating to the organization and reorganization of school districts under chapter 28A.57 RCW. This authority is supplemented by the following specific statutes:

(1) RCW 28A.04.130 which requires the state board of education to prescribe regulations governing the classification and numbering system of school districts;

(2) RCW 28A.57.055 which authorizes the state board of education to establish standards and considerations to be utilized by regional committees and the state board of education for approval of proposals for changes in the organization of school districts, including any equitable adjustment of the assets and liabilities of the districts involved in the reorganization;

(3) RCW 28A.57.032 which empowers the state board of education to establish regulations for the conduct of elections for membership on regional committees.

NEW SECTION

WAC 180-24-007 PURPOSE. The purpose of this chapter is to set forth policies and procedures of the state board of education related to the implementation of its authority pursuant to chapter 28A.57 RCW, Organization and Reorganization of School Districts, and its related authority within RCW 28A.04.130 pertaining to the classification and numbering of school districts.

NEW SECTION

WAC 180-24-008 CONSTITUTIONAL AND STATUTORY FRAMEWORK. Under the constitutional framework and the laws of the state of Washington, local school districts are political subdivisions of the state and, consequently, the organization of such districts—including the powers, duties, and boundaries thereof—may be altered or abolished by laws of the state of Washington. Current laws provide three alternative methods for changing district boundaries. They are:

(1) Consolidation of existing districts into a new district, pursuant to RCW 28A.57.170, which requires ratification by a majority of the registered voters within each district affected by the consolidation proposal;

(2) Transfer of territory from one district to another, pursuant to RCW 28A.57.180, and which requires ratification by a majority of the registered voters within the area to be transferred only if ten percent or more of the common school population within the district of the territory proposed to be transferred are affected;

(3) Dissolution and annexation of a district to one or more contiguous districts under conditions stated in RCW 28A.57.190 and 28A.57.200. Such conditions may require dissolution and annexation or may require the regional committee to give consideration to such action; but, in either case, no ratification by the registered voters within the dissolved school district is required.

NEW SECTION

WAC 180-24-013 STATE POLICY—THE GOVERNING FOUR-PART TEST. The state board of education is vested with the final administrative power and duty to judge and approve or disapprove recommended changes in the organization and extent of school districts as defined in RCW 28A.57.020 (hereafter referred to as a change in school district organization). Prior to acting upon a recommended change in school district organization, the state board of education shall consider the regional committee report required by WAC 180-24-115. No single consideration or combination of considerations necessarily warrants a change in school district organization. It, however, shall be the policy of the state board of education to favor those recommended changes in school district organization which in the board's judgment meet the following four-part test:

(1) Part one—Geographic accessibility. The first part of the test is that a recommended change in school district organization involves populated areas, and either (a) the area recommended for transfer from one school district to another is significantly more geographically accessible for school program purposes to the school district to which transfer is proposed, or (b) in the case of a recommended annexation or consolidation, the area or areas of the proposed enlarged or new district or districts taken as a whole is generally geographically accessible for school program purposes.

Whether or not geographic accessibility warrants a favorable consideration of a recommended change in school district organization shall be judged based upon the factors set forth in WAC 180-24-016.

(2) Part two—Significant detrimental effects, if any, on operational efficiency. The second part of the test is that at a minimum the recommended change in school district organization is not likely to have a significant detrimental effect upon the operational efficiency of any affected school district.

The likely effects of a recommended change in school district organization upon the operational efficiency of the affected school districts shall be judged based upon the factors set forth in WAC 180-24-017.

Part two of the test involves a minimum or threshold consideration respecting operational efficiency, and is not intended to disregard the desirability of effecting improvements in the organization and operation of school districts above and beyond a significant increase in geographic accessibility. Accordingly, the likely positive effects upon operational efficiency shall also be judged in accordance with the third part of the test.

(3) Part three—Overall satisfactory improvement in the school system. The third part of the test is that the likely positive and negative effects of a recommended change in school district organization respecting (a) geographic accessibility and (b) operational efficiency taken as a whole provide for a satisfactory improvement in the school district system of the counties and the state.

Part three of the test involves a judgmental weighing of the various degrees of the likely positive and negative effects of a recommended change in school district organization. In making this judgment the state board of education may consider such additional matters as the state board deems pertinent including, but not limited to, the region involved, the state's instructional and building programs, and economic patterns.

(4) Part four—Equitable adjustment of assets and liabilities. If the recommended change in school district organization necessarily involves a consideration of an adjustment in school district assets and liabilities, the fourth part of the test is that an equitable adjustment of assets and liabilities is provided for.

NEW SECTION

WAC 180-24-016 FACTORS PERTAINING TO GEOGRAPHIC ACCESSIBILITY. The matter of geographic accessibility generally involves a consideration of the extent to which two or more areas are, or are not, compatible in terms of travel to and from the areas. The following factors shall be considered in judging whether or not a recommended change in school district organization meets the first part of the test set forth in WAC 180-24-013:

- (1) Mountains, hills, valleys, waste land, and related geographic and man-made features which either enhance or impede travel;
- (2) Rivers, lakes, canals, and other natural or man-made waterways and bodies of water which either enhance or impede travel;
- (3) The extent and nature of roads, highways, ferries, and traffic patterns;
- (4) Climatic conditions; and
- (5) The time required to travel to and from school.

NEW SECTION

WAC 180-24-017 FACTORS PERTAINING TO OPERATIONAL EFFICIENCY. The following factors shall be considered in judging pursuant to the second and third parts of the test set forth in WAC 180-24-013 the likely positive and negative effects of a recommended change in school district organization upon operational efficiency:

- (1) The total and per pupil assessed property valuations of the affected school districts;
- (2) The current and anticipated tax rates of the affected school districts for maintenance and operation, and capital bond retirement purposes;
- (3) The extent the recommended change would reduce or increase a disparity in assessed property valuations as between the affected school districts;
- (4) Equalization of the burden of financing the cost of high school facilities through the extension of a high school district's boundaries to include territory of a nonhigh district served by the high school districts;
- (5) The extent the recommended change would potentially reduce or increase the individual and aggregate transportation costs of the affected school districts;

(6) The likely effects of the recommended change upon the existing basic education program offerings of the affected school districts, including related services, equipment, materials, and supplies;

(7) The likely effects of the recommended change upon the utilization of existing school buildings, sites, and playfields;

(8) The potential the recommended change would provide for the consolidation of programs into fewer schools and the closure of existing schools;

(9) The likely effects of the recommended change upon the existing or foreseeable needs of the affected school districts for the modernization or construction of facilities; and

(10) The likely effects of the recommended change upon economies in the administration and operation of the affected school districts due to the size of administrative units and areas of attendance.

NEW SECTION

WAC 180-24-021 STATUTORY FRAMEWORK FOR IMPLEMENTATION OF MODIFICATION IN SCHOOL DISTRICT ORGANIZATION. The provisions of chapter 28A.57 RCW govern the procedures for modification of school district organization. Key provisions of that chapter regarding the allocation of responsibility are:

(1) RCW 28A.57.050 which sets forth the powers and duties of regional committees to:

- (a) Approve proposals for organization which provide for the satisfactory improvements in the school district system;
- (b) Make proposals for the equitable adjustment of assets and liabilities of districts affected by the organization proposal; and
- (c) Hold hearings on the above proposals.

(2) RCW 28A.57.110 which requires the superintendent of public instruction to provide personnel to assist the regional committees in the performance of their respective duties.

(3) RCW 28A.57.060 which requires the state board of education to judge whether proposals for organization are satisfactory and/or whether proposals for adjustment of assets and liabilities are equitable.

NEW SECTION

WAC 180-24-080 NOTIFICATION TO SUPERINTENDENT OF PUBLIC INSTRUCTION OF REGIONAL COMMITTEE MEETINGS. The secretary of each regional committee—i.e., the educational service district superintendent—shall notify the superintendent of public instruction of all meetings of the regional committee called pursuant to RCW 28A.57.040 and all proposals pursuant to RCW 28A.57.050.

NEW SECTION

WAC 180-24-101 ORGANIZATIONAL IMPACT STATEMENT—REQUIREMENT. Prior to action by the regional committee to recommend approval, to reject or to revise a proposal for consolidation, transfer of territory, or dissolution and annexation, the superintendent of public instruction shall assist the regional committee, pursuant to WAC 180-24-102, in preparing an organizational impact statement which addresses each of the considerations noted in WAC 180-24-016 and 180-24-017.

NEW SECTION

WAC 180-24-102 REGIONAL COMMITTEE RESPONSIBILITY—ASSISTANCE OF SUPERINTENDENT OF PUBLIC INSTRUCTION. Pursuant to WAC 180-24-101, the superintendent of public instruction shall assist the regional committees with the following:

- (1) Providing technical advice;
- (2) Preparing the organizational impact statement which addresses each of the considerations noted in WAC 180-24-016 and 180-24-017;
- (3) Preparing findings of fact and conclusions; and/or
- (4) Other support that the superintendent of public instruction deems necessary.

NEW SECTION

WAC 180-24-110 ORGANIZATIONAL IMPACT STATEMENT—FORMAT. The organizational impact statement required by WAC 180-24-101 shall address for each of the considerations enumerated in WAC 180-24-016 and 180-24-017 the following questions:

(1) Is there sufficient evidence to determine with reasonable certainty, the positive and negative effects of the proposal organization as related to the stated consideration?

(2) If yes, what are those positive and/or negative effects?

(3) What significance do the positive and/or negative effects have on the determination of whether the proposed organization makes a satisfactory improvement in the school district system?

NEW SECTION

WAC 180-24-112 ADJUSTMENT OF ASSETS AND LIABILITIES CONSIDERATIONS. Upon determination that a change in school organization should be recommended to the state board of education, the regional committee shall consider the following factors in preparing its recommendations for an equitable adjustment in the assets and liabilities of the districts affected:

(1) The number of children of school age resident in and the assessed valuation of the property located in each school district and in each part of a district involved or affected.

(2) The purpose for which the bonded indebtedness of any district was incurred.

(3) The history and relationship of the property affected to the students and communities affected.

(4) The value, location, and disposition of all improvements located in the school districts involved or affected.

(5) Additional burdens to the districts affected as a result of the proposed organization.

(6) Any other equitable factor, in addition to factors noted above, which would cause the regional committee to adjust the assets and liabilities of the districts affected by other than a formula approach based on students affected and assessed valuation involved.

NEW SECTION

WAC 180-24-115 REPORT OF REGIONAL COMMITTEE TO STATE BOARD OF EDUCATION. Upon conclusion of the regional committee's favorable consideration for a change in the organization and extent of school districts, the regional committee shall transmit to the state board of education a report which contains all information required by RCW 28A.57.050 and the following additional information:

(1) The factual basis as to why the regional committee concluded that the proposed change in organization made a satisfactory improvement in the school district system;

(2) The factual basis as to why the regional committee concluded that the proposed adjustment in the assets and liabilities of the school districts affected would be equitable;

(3) A list of the public hearings held to consider the aforementioned proposals;

(4) A copy of the organizational impact statement required by WAC 180-24-101.

NEW SECTION

WAC 180-24-120 SUPERINTENDENT OF PUBLIC INSTRUCTION REVIEW OF REGIONAL COMMITTEE PROPOSALS. Reports of regional committees, pursuant to WAC 180-24-115, shall be reviewed by the superintendent of public instruction for compliance with the provisions of this chapter. The superintendent of public instruction shall present to the state board of education the results of such review as well as recommended action to be taken by the state board of education in response to the regional committee's report. The superintendent of public instruction's recommendations shall be made prior to final action by the state board of education pursuant to RCW 28A.57.060.

NEW SECTION

WAC 180-24-125 STATE BOARD OF EDUCATION STANDARDS FOR DETERMINING WHETHER A REGIONAL COMMITTEE REPORT FOR ORGANIZATION IS SATISFACTORY. The considerations to be utilized by the state board of education in determining whether or not to approve the recommendation of a regional committee pursuant to RCW 28A.57.060 shall include but not be limited to the following:

(1) Compliance by the regional committee with the applicable provisions of chapter 28A.57 RCW and the implementing regulations of the state board of education;

(2) Sufficiency of the factual basis reported by the regional committee for its conclusion that the proposed change in the organization made a satisfactory improvement in the school system;

(3) Validity of the conclusion by the regional committee that the factual basis supported a conclusion that the proposed change in organization made a satisfactory improvement in the school district system.

NEW SECTION

WAC 180-24-130 STATE BOARD OF EDUCATION STANDARDS FOR DETERMINING WHETHER A REGIONAL COMMITTEE REPORT FOR ADJUSTMENT OF ASSETS AND LIABILITIES IS EQUITABLE. The considerations to be utilized by the state board of education in determining whether a regional committee report for adjustment of assets pursuant to RCW 28A.57.060 and liabilities is equitable include but are not necessarily limited to the following:

(1) Compliance by the regional committee with the applicable provisions of chapter 28A.57 RCW, particularly the equity considerations stated in RCW 28A.57.050(2), and the implementing regulations of the state board of education;

(2) Sufficiency of the factual basis reported by the regional committee for its conclusion that the proposed plan for adjustment of assets and liabilities is equitable;

(3) Validity of the conclusion by the regional committee that the factual basis supported a conclusion that the proposed plan for the adjustment of assets and liabilities is equitable.

NEW SECTION

WAC 180-24-140 DISAPPROVAL ACTION BY STATE BOARD OF EDUCATION. If the state board of education, pursuant to RCW 28A.57.060, judges that the regional committee's proposal for a change in the organization and extent of districts is unsatisfactory or that its proposal for adjustment of assets and liabilities is inequitable, the state board of education shall state the reasons for its action and return the proposal to the regional committee pursuant to RCW 28A.57.060. In the event the proposal is rejected a second time by the state board of education following its resubmission, the rejection shall be final unless otherwise qualified by the board.

AMENDATORY SECTION (Amending Order 2-72, filed 6/27/72)

WAC 180-24-200 NUMBERING SYSTEM OF SCHOOL DISTRICTS. (1) Authority for rules. Pursuant to authority contained in RCW 28A.04.130, the state board of education hereby establishes the rules and regulations hereinafter set forth to govern the numbering system of school districts.

(2) Intent. It is the intent of the state board of education to establish a procedure by which school districts which currently have duplicate numbers and all new or consolidated districts may have the opportunity, consistent with these rules, to obtain a unique number.

(3) New or consolidated school district. Each proposal for the formation of a new school district when submitted to the state board of education for consideration shall be assigned a unique number by the superintendent of public instruction. In the event such proposal fails to receive state board approval or is rejected by the voters, the unused number shall remain available for reassignment.

(4) Renumbering of school districts to eliminate duplication. Application for renumbering of a school district to eliminate duplication shall be made by the superintendent of the school district concerned to the superintendent of public instruction, a copy of which shall be submitted to the ~~((intermediate school))~~ educational service district superintendent for his information. Assignment of a unique number shall be made by the superintendent of public instruction.

(5) Exception to rules. In accordance with RCW 28A.57.150, ~~((paragraph 5;))~~ the ~~((intermediate school))~~ educational service district superintendent has the authority to designate the number in case of the incorporation of a city or town containing territory lying in two or more school districts or of the uniting of two or more cities or towns not located in the same school district, except where the incorporation or consolidation would affect a district or districts of the first class.

(6) Superintendent of public instruction to administer numbering system. Consistent with the regulations hereinbefore set forth and pursuant to RCW 28A.03.030 ~~((and 28A.04.090))~~, the superintendent of

public instruction hereby is authorized to act for the state board of education in the numbering and/or renumbering of school districts and to establish a procedure for administration of the numbering system.

NEW SECTION

WAC 180-24-300 ELECTION OF REGIONAL COMMITTEE MEMBERS—APPLICABLE PROVISIONS. The provisions of WAC 180-24-300 through 180-24-380 shall apply to the election of regional committee members.

NEW SECTION

WAC 180-24-305 ELECTION OF REGIONAL COMMITTEE MEMBERS—ELECTION OFFICER. In accordance with RCW 28A.57.032, the educational service district superintendent shall serve as the election officer for the coordination and conduct of the election of members of the respective regional committees of the educational service districts.

NEW SECTION

WAC 180-24-310 ELECTION OF REGIONAL COMMITTEE MEMBERS—ANNUAL ELECTIONS. Elections for members of regional committees shall be conducted annually within the time periods noted in WAC 180-24-312 through 180-24-380. Following the election of the initial regional committees in 1985, the regular annual election of regional committee members for five-year terms shall be conducted for the following positions in the years specified and every five years thereafter: 1986, position number five; 1987, positions number four and nine; 1988, positions number three and eight; 1989, positions number two and seven; and, 1990, positions number one and six.

NEW SECTION

WAC 180-24-312 ELECTION OF REGIONAL COMMITTEE MEMBERS—TENTATIVE CERTIFICATION OF ELECTORS. On September twenty-first of each year or if such date is a Saturday, Sunday, or holiday the state working day immediately preceding such date, the educational service district superintendent shall certify a tentative list of electors consisting of all persons eligible to vote, per RCW 28A.57.032, if the election were held on that date.

NEW SECTION

WAC 180-24-315 ELECTION OF REGIONAL COMMITTEE MEMBERS—CALL FOR ELECTION—REGIONAL COMMITTEE MEMBERS. On or before September twenty-fifth of each year, the educational service district superintendent shall call for an election for the purpose of electing members of the regional committee for those positions whose term of office expires in January of the following year. Such notice shall be sent to each eligible voter and shall contain instructions and a copy of the pertinent rules and regulations for the conduct of the election.

NEW SECTION

WAC 180-24-320 ELECTION OF REGIONAL COMMITTEE MEMBERS—CANDIDATES—ELIGIBILITY—FILING. (1) Eligibility. A person is eligible to be a candidate for membership on the regional committee if he or she is a registered voter and a resident of the committee member district for which the candidate files. Eligibility, due to other service, is restricted pursuant to RCW 28A.57.031.

(2) Forms for filing. A person who desires to be a candidate shall complete:

(a) The declaration of candidacy and affidavit form provided for in WAC 180-24-325; and

(b) The biographical data form provided for in WAC 180-24-327: PROVIDED, That a declarant may elect not to submit biographical data.

(3) Filing period. The filing period for candidates for a position on a regional committee is from October first through October fifteenth. Any declaration of candidacy that is not received by the educational service district superintendent on or before 5:00 p.m. October fifteenth shall not be accepted and such a declarant shall not be a candidate: PROVIDED, That any declaration that is postmarked on or before midnight October fifteenth and received by mail on or before 5:00 p.m. October twentieth shall be accepted: PROVIDED FURTHER, That

any declaration received pursuant to the United States mail on or before 5:00 p.m. October twentieth that is not postmarked or legibly postmarked shall also be accepted.

NEW SECTION

WAC 180-24-325 ELECTION OF REGIONAL COMMITTEE MEMBERS—DECLARATION AND AFFIDAVIT OF CANDIDACY FORM. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I,, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No., within the boundary of regional committee member district No., and am a registered voter of the same regional committee member district; That I am aware that, if elected, I cannot concurrently serve as the superintendent of public instruction, a member of the state board of education, an educational service district superintendent, a member of a board of directors of a school district, a member of an educational service district board, a member of a governing board of either a private school or a private school district which conducts any grades kindergarten through twelve, an officer appointed by any such governing board, an employee of a school district, an employee of an educational service district, an employee of the office of the superintendent of public instruction, an employee of a private school, or an employee of a private school district; and That I hereby declare myself a candidate for membership on Educational Service District No. Regional Committee on school district organization for a term of five years beginning the second Monday in January, 19. . . ., subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

Further, I solemnly swear (or affirm) that I will support the Constitution and laws of the state of Washington.

(Signed) _____
Address: _____

SUBSCRIBED and sworn (or affirmed) to before me this . . . day of, 19. . . .

NOTARY PUBLIC in
and for the state
of Washington, residing
at _____

NEW SECTION

WAC 180-24-327 ELECTION OF REGIONAL COMMITTEE MEMBERS—BIOGRAPHICAL DATA FORM. The educational service district superintendent shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted to the educational service district superintendent by a candidate must be camera ready. Biographical data forms shall be reproduced as submitted and distributed by the superintendent with the ballots to each voter. The biographical data form shall require no more information from the candidate than the candidate's name and address and the regional committee district number for which the candidate is filing.

NEW SECTION

WAC 180-24-330 ELECTION OF REGIONAL COMMITTEE MEMBERS—WITHDRAWAL OF CANDIDACY. Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the educational service district superintendent on or before 5:00 p.m. October twentieth. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

A regional committee member district position shall be stricken from the ballot if no candidate files for the position within the time-lines specified in WAC 180-24-320.

Board-member district positions which become vacant after the call of election specified in WAC 180-24-315 shall be filled by appointment by the regional committee pursuant to RCW 28A.57.033 and the appointee shall serve until his or her successor has been elected at the next election called by the educational service district superintendent.

NEW SECTION

WAC 180-24-335 ELECTION OF REGIONAL COMMITTEE MEMBERS—CERTIFICATION OF ELECTORS. The list of eligible voters as authorized by RCW 28A.57.032(3) shall remain open for changes and deletions until 5:00 p.m. October twenty-sixth or, in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The educational service district superintendent as soon thereafter as is practical shall certify the list of electors.

NEW SECTION

WAC 180-24-340 ELECTION OF REGIONAL COMMITTEE MEMBERS—BALLOTS—CONTENTS. Ballots shall be prepared by the educational service district superintendent. The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. There shall be a separate listing of the candidates for each regional committee member district open in the particular educational service district. The educational service district superintendent shall develop voting instructions which shall accompany the ballots.

NEW SECTION

WAC 180-24-345 ELECTION OF REGIONAL COMMITTEE MEMBERS—BALLOTS AND ENVELOPES—MAILING TO VOTERS. (1) On or before November first ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:

- (a) Be labeled "official ballot";
- (b) Be preaddressed with the educational service district superintendent as addressee;
- (c) Have provision for prepaid postage; and
- (d) Have provision for the identification of the voter, mailing address, his or her school district, and educational service district.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and two envelopes to be used for voting purposes and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors as certified by the educational service district superintendent pursuant to WAC 180-24-335.

NEW SECTION

WAC 180-24-350 ELECTION OF REGIONAL COMMITTEE MEMBERS—VOTING—MARKING AND RETURN OF BALLOTS. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.57.032.

(2) Marking of ballots. Each member of a public school district board of directors may vote for one of the candidates in each regional committee district named on his or her ballot by placing an "X" or other mark in the space provided next to the name of a candidate.

(3) Return of ballots. Each member of a public school district board of directors shall complete voting by:

- (a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;
- (b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;
- (c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district, and educational service district;
- (d) Placing the official ballot envelope in the United States mail to the superintendent of the educational service district.

NEW SECTION

WAC 180-24-355 ELECTION OF REGIONAL COMMITTEE MEMBERS—ELECTION BOARD—APPOINTMENT AND COMPOSITION. The educational service district board shall annually appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections, conducted pursuant to this chapter shall be counted by the educational service district superintendent or his or her designee and the election board.

NEW SECTION

WAC 180-24-360 ELECTION OF REGIONAL COMMITTEE MEMBERS—RECEIPT OF BALLOTS AND COUNT OF VOTES. (1) As official ballot envelopes are received by the educational service district superintendent, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters that the voter has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes after November twenty-first and not later than November twenty-fifth or the next business day if the twenty-fifth falls on a Saturday, Sunday, or legal holiday at a date, time and place designated by the educational service district superintendent. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

(4) Each vote cast shall count as one full vote, and a candidate shall be elected by a majority of the total votes cast for all candidates for the particular position.

NEW SECTION

WAC 180-24-365 ELECTION OF REGIONAL COMMITTEE MEMBERS—INELIGIBLE VOTES. The following ballots and votes shall be declared void and shall not be accepted:

- (1) Votes for write-in candidates;
- (2) Votes cast on other than an official ballot provided pursuant to this chapter;
- (3) Ballots which contain a vote for more than one candidate in a regional committee member district;
- (4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;
- (5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;

(6) Ballots received after 5:00 p.m. November sixteenth: PROVIDED, That any ballot that is postmarked on or before midnight November sixteenth and received prior to the initial counting of votes by the election board shall be accepted: PROVIDED FURTHER, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on November twenty-first that is not postmarked or legibly postmarked shall also be accepted; and

(7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

NEW SECTION

WAC 180-24-370 ELECTION OF REGIONAL COMMITTEE MEMBERS—RECOUNT OF VOTES CAST—AUTOMATIC—BY REQUEST. (1) Automatic. A recount of votes cast shall be automatic if the difference between any two viable candidates for the same position is one vote or less than one percent of votes cast for the position, whichever is greater. For the purpose of this section, the term viable candidate shall mean any candidate whose election outcome could be changed if the difference noted above were added to his or her total votes.

(2) Upon request. A recount of votes cast shall be afforded any candidate as a matter of right: PROVIDED, That the request shall be made in writing and received by the educational service district superintendent within seven calendar days after the date upon which the votes were counted by the election board.

NEW SECTION

WAC 180-24-375 ELECTION OF REGIONAL COMMITTEE MEMBERS—CERTIFICATION OF ELECTION. Within ten calendar days after the date upon which the votes were counted, the educational service district superintendent shall officially certify to the superintendent of public instruction the name or names of candidates elected to membership on the regional committee.

NEW SECTION

WAC 180-24-380 ELECTION OF REGIONAL COMMITTEE MEMBERS—RUN OFF ELECTIONS. If no candidate receives a majority of the votes cast, then, not later than the first day of December, the educational service district superintendent shall call a second election to be conducted in the same manner as the first election and at which the candidates shall be the two candidates receiving the highest and next highest number of votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of December, or if not postmarked or the postmark is not legible, if received by mail after 5:00 p.m. of the twenty-first day of December. Votes cast at the second election shall be counted in accordance with WAC 180-24-355, 180-24-360, 180-24-365, and 180-24-370 prior to the second Monday of January next following. The candidate receiving a majority of the votes cast at any such second election shall be declared elected. In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the educational service district superintendent.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-24-005 CHANGES IN ORGANIZATION AND EXTENT OF SCHOOL DISTRICTS—REGULATORY PROVISIONS PURSUANT TO CHAPTER 28A.57 RCW.

WAC 180-24-010 CHANGES IN ORGANIZATION AND EXTENT OF SCHOOL DISTRICTS—GUIDELINES FOR COUNTY COMMITTEES—GENERAL.

WAC 180-24-015 CHANGES IN ORGANIZATION AND EXTENT OF SCHOOL DISTRICTS—PLANNING ORGANIZATIONAL IMPROVEMENTS.

WAC 180-24-020 CHANGES IN ORGANIZATION AND EXTENT OF SCHOOL DISTRICTS—PRINCIPLES AND POLICIES GOVERNING STATE ASSISTANCE IN PROVIDING SCHOOL FACILITIES AS RELATED TO SCHOOL DISTRICT ORGANIZATION.

WAC 180-24-025 CHANGES IN ORGANIZATION AND EXTENT OF SCHOOL DISTRICTS—ADMINISTRATIVE PROCEDURES.

WAC 180-24-030 CHANGES IN ORGANIZATION AND EXTENT OF SCHOOL DISTRICTS—GLOSSARY OF TERMS.

WAC 180-24-100 RULES FOR CLASSIFICATION OF SCHOOL DISTRICTS.

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 February 6, 1987.

Dated: December 24, 1986

By: Duane Kovacevich
Acting Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): WAC 315-02-020 Time and place of meetings; 315-04-190 Compensation; 315-06-120 Payment of prizes—General provisions; 315-11-240 Definitions for Instant Game Number 24 ("Tic-Tac-Toe"); 315-11-241 Criteria for Instant Game Number 24; and 315-11-242 Ticket validation requirements for Instant Game Number 24.

Statutory Authority: RCW 67.70.040.

Specific Statute that Rules are Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-02-020, this amendment deletes the requirement that regular meetings be held only during certain months and only in Olympia, Washington; 315-04-190, this amendment sets the maximum cost of any additional compensation program. It also specifies that each such program must be approved by the commission, and the procedures published by the director prior to implementation of the program; 315-06-120, this amendment allows claims for prizes which will be paid in installments to be submitted in names of more than one winner; 315-11-240, this rule provides definitions of the terms used in Instant Game Number 24 rules; 315-11-241, this rule sets forth criteria for Instant Game Number 24; and 315-11-242, this rule states the ticket validation requirements for Instant Game Number 24.

Reasons Supporting the Proposed Rule(s): WAC 315-02-020, this amendment provides the commission the flexibility to establish a regular meeting schedule which will coincide with the projected commission requirements; 315-04-190, the purpose of this amendment is to provide planning flexibility for the Lottery so that such programs will not have to be game specific nor will such extensive lead time be required; 315-06-120, lottery players frequently pool resources to purchase tickets for a chance to win prizes which will be paid in installments. The current rules, allowing such a prize to be claimed in only one name when more than one person has contributed to the purchase may present estate and distribution problems in the event the claimant dies. This amendment eliminates such problems for installment prize winners; 315-11-240, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-241 and 315-22-242; 315-11-241, licensed agents and players of Instant Game Number 24 need to know how the game will function. Specifying the criteria which apply to Instant Game 24 will provide this information; and 315-11-242, tickets for Instant Game Number 24

WSR 87-01-117
PROPOSED RULES
LOTTERY COMMISSION

[Filed December 24, 1986]

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 315-02-020	Time and place of meetings.
Amd	WAC 315-04-190	Compensation.
Amd	WAC 315-06-120	Payment of prizes—General provisions.
New	WAC 315-11-240	Definitions for Instant Game Number 24 ("Tic-Tac-Toe").
New	WAC 315-11-241	Criteria for Instant Game Number 24.
New	WAC 315-11-242	Ticket validation requirements for Instant Game 24;

that the agency will at 10:00 a.m., Friday, February 6, 1987, in the Washington State Lottery Commission Room, 1200 Cooper Point Road, Olympia, WA 98502, conduct a public hearing on the proposed rules.

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

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.

Agency Personnel Responsible for the Drafting: Frank Edmondson, Contracts Specialists 3, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 586-1088; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Duane Kovacevich, Acting Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-3330, Jerald F. Long, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 586-1065, W. Brent Pennington, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-3387, and Candice Bluechel, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1947.

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 the 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 Requirements: 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 71, filed 3/8/85)

WAC 315-02-020 TIME AND PLACE OF MEETINGS. (1) Regular public meetings of the commission shall be held ~~((on the first Friday of March, June, September, and December, or the preceding business day if that Friday is a holiday))~~ pursuant to the schedule published annually in the Washington State Register. Each such regular meeting shall be held ~~((in Olympia, Washington))~~ at a time and place to be designated by the Director and published in the meeting agenda.

(2) Additional public meetings necessary to discharge the business of the commission may be called from time to time by the chairman or by a quorum of the commission.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 91, filed 5/22/86)

WAC 315-04-190 COMPENSATION. (1) Lottery retailers shall be entitled to a five percent discount from the retail price of the instant game tickets established by rule for each game.

(2) Lottery retailers authorized to sell on-line tickets shall be entitled to a five percent discount from the total of gross on-line ticket sales less on-line ticket cancellations.

(3) Lottery retailers may receive additional compensation through programs including but not limited to additional discounts, retailer games, retailer awards, and retailer bonuses. The total additional compensation provided through such programs shall not exceed \$200,000 per program.

(a) The commission must approve each such program prior to its implementation.

(b) The director shall establish and publish the procedures necessary to implement any such program approval by the commission prior to initiation of the program.

AMENDATORY SECTION (Amending Order 96, filed 12/16/86)

WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS. (1) The director may designate claim centers for the filing of prize claims, and the location of such centers shall be published from time to time by the director.

(2) Claims for prizes shall be submitted as follows:

(a) Prizes paid in a single payment—a claim for a prize shall be entered in the name of a single legal entity as claimant, either one individual or one organization. The claimant must submit his or her social security number (SSN) or the organization's federal employer's identification number (FEIN) when claiming any prize exceeding \$600. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form. Groups, family units, organizations, clubs or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one individual in whose name the claim is to be entered.

(b) Prizes paid in installments—A claim shall be entered in the name of one or more individuals or one organization. The claimant(s) must submit the social security number of each individual who is a claimant for a prize or the organization's federal employer's identification number when claiming a prize exceeding \$600. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form.

(i) All individuals who are the claimant(s) for a prize shall be identified at the time the claim is submitted. Provided, a claimant for an installment prize claimed prior to the effective date of this rule who submitted documentation at the time their claim was submitted that one or more persons shared in that prize may elect to have the prize paid under the provisions of this subsection.

(ii) Federal income tax required to be withheld will be withheld from the total prize prior to distribution to the individual claimants. Tax withheld will be allocated to the individual claimants based on their share of the prize.

(iii) The prize payments will be distributed to the individual claimants based on the share of the prize for each which was indicated at the time the claim is submitted.

(iv) The measuring life for lifetime installment prizes shall be the oldest individual submitted as a claimant who shares in the prize.

(3) Unless otherwise provided in the rules for a specific type of game, a claimant shall sign the back of the ticket and/or complete and sign a claim form approved by the director. The claimant shall submit the claim form and/or claimant's ticket to the lottery in accordance with the director's instructions as stated in the players' manual and/or on the back of the ticket or submit a request for reconstruction of an alleged winning ticket and sufficient evidence to enable reconstruction and that the claimant had submitted a claim for the prize, if any, for that ticket. The claimant, by submitting the claim or request for reconstruction, agrees to the following provisions:

(a) The discharge of the state, its officials, officers, and employees of all further liability upon payment of the prize; and

(b) The authorization to use the claimant's name for publicity purposes upon award of the prize.

(4) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than one hundred eighty days after the official end of that instant game or the on-line drawing for which that on-line ticket was purchased.

(5) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or retailers, or from a lottery retailer; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(6) The Director may delay payment of any prize that exceeds six hundred dollars and debts are owed by the claimant to a state agency or political subdivision, or that the state is authorized to enforce or collect as provided in WAC 315-06-125.

(7) No person entitled to a prize may assign his or her right to claim it except:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; or

(b) For the purpose of paying federal, state or local tax.

(8) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(9) A ticket that has been legally issued by a lottery retailer is a bearer instrument until signed. The person who signs the ticket is considered the bearer of the ticket. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission, director and employees of the commission terminates upon payment.

(10) All prizes shall be paid within a reasonable time after the claims are validated by the director and a winner is determined. Provided, prizes paid for claims validated pursuant to WAC 315-10-070(2) shall not be paid prior to one hundred eighty-one days after the official end of that instant game. The date of the first installment payment of each prize to be paid in installment payments shall be the date the claim is validated. Subsequent installment payments shall be as follows:

(a) If the prize was awarded as the result of a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date of the drawing in accordance with the type of prize awarded; or

(b) If the prize was awarded in a manner other than a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date the claim is validated in accordance with the type of prize awarded.

(11) The director may, at any time, delay any payment in order to review a change in circumstances relative to the prize awarded, the payee, the claim or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each originally scheduled payment date thereafter.

(12) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like, the life of such natural person claiming the prize shall be the measuring life.

(13) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(14) Each lottery retailer shall pay all prizes authorized to be paid by the lottery retailer by these rules during its normal business hours at the location designated on its license.

(15) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

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 315-11-240 DEFINITIONS FOR INSTANT GAME NUMBER 24 ("TIC-TAC-TOE"). (1) Play symbols: The following are the "play symbols": "X" and "O". One of these symbols appears under each of the nine rub-off spots on the front of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which corresponds with and verifies that play symbol. The caption contains four characters which are the corresponding play symbol followed by the three-digit ticket number. One and only one caption appears under each play symbol. For Instant Game Number 24, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u> (Example for ticket number 122)
X	X122
O	O122

(3) Prize symbols: The following are the "prize symbols": "FREE", "\$2.00", "\$5.00", "50.00", "\$500", and "5,000". One of these prize symbols appears under the prize box on the front of the ticket which has the word "PRIZE" printed on the latex covering.

(4) Prize symbol caption - The small printed characters appearing below the prize symbol which verifies and corresponds with that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. Only one caption appears under the prize symbol. For Instant Game Number 24, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
FREE	TICKET
\$2.00	TWO\$
\$5.00	FIVE
50.00	FIFTY
\$500	FIVEHUN
5,000	5-THOU

(5) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The ten-digit number of the form 4000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 24 constitute the "pack number" which starts at 4000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 24, the retailer verification codes 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 retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
TIC	FREE TICKET
TWO	\$2.00
FIV	\$5.00

(8) 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 315-11-241 CRITERIA FOR INSTANT GAME NUMBER 24. (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 3 "X" play symbols or 3 "O" play symbols in any row, column or diagonal beneath the removable covering on the front of the ticket shall win the prize showing the prize box.

(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 payable 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 24 set forth in WAC 315-11-242, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) There will be a total of six bonus drawings held in conjunction with the Instant Game Number 24, however, these bonus drawings shall not be part of or included in the Instant Game Number 24 prize structure. They will be conducted at times and places and pursuant to procedures to be established and announced by the director. The prizes awarded at each of the six bonus drawings will be: first prize - \$50,000, one winner; second prize - \$25,000, two winners; third prize - \$2,000, twenty-five winners; and fourth prize - \$500, thirty-three winners weeks 1, 2, 4 and 5 and 34 winners weeks 3 and 6. In the event that an entry is not included in the bonus drawing process and the director determines that the entry was entitled to participation in the process, the director reserves the right to place that entry into a subsequent bonus drawing process.

(a) To be eligible for entry into the bonus drawings, an entrant must:

(i) Be eligible to win a prize pursuant to chapter 67.70 RCW and Title 315 WAC.

(ii) Collect five non-winning tickets. Non-winning tickets must be from Instant Game Number 24, Tic-Tac-Toe.

(iii) Write or print legible, the entrant's name, address, and telephone number on the one or more non-winning tickets or on a separate sheet of paper. An entry containing more than one name shall be disqualified.

(iv) Place the non-winning tickets in an envelope. An envelope which contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(v) Mail the envelope with proper postage and a legible return address of the entrant to the address specified on the back of the ticket and in the player's brochure ("BONUS DRAWING," WASHINGTON LOTTERY, TACOMA, WASHINGTON 98455), or deliver it in person during normal business hours to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(b) There is no limit to the number of entries a person may submit, but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above.

(c) An entry which contains one or more stolen tickets may be disqualified by the director.

(d) A non-conforming entry, at the sole discretion of the director, may be disqualified.

(e) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the "BONUS DRAWING." All mail not drawn each week will be incinerated unopened.

(f) The lottery shall not be responsible for, nor place in the bonus drawing, any entries mailed or delivered to the wrong address.

(6) The lottery, in conjunction with Instant Game Number 24, shall provide additional compensation for lottery retailers pursuant to WAC 315-04-190(3). The purpose of the program is to increase the sales of lottery tickets by encouraging lottery retailers to actively promote sales by asking customers for the sale. The program will be conducted pursuant to procedures to be established and announced by the director.

(a) The lottery will provide lottery retailers with point-of-sale materials promoting and informing customers of the program.

(b) The program shall be as follows:

(i) Lottery retailers participating in the "Ask for the Sale" program will receive a credit balance for Instant Game Number 24.

(ii) If the lottery retailer does not ask the customer for the sale, upon request of the customer, the lottery retailer shall give the customer a free lottery ticket.

(iii) If the lottery retailer does ask for the sale, the lottery retailer retains the credit balance.

(iv) At the end of the program, the lottery retailer is entitled to retain the credit balance remaining after paying for the free tickets issued to customers who were not asked for the sale.

(v) The lottery shall audit participating lottery retailers program performance through field checks.

(7) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 24; and/or

(b) Vary the number of tickets sold in Instant Game Number 24 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-242 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 24. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 24 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the nine rub-off spots on the front of the ticket.

(b) Each of the nine play symbols must have a caption below and each must agree with its caption.

(c) Exactly one prize symbol must appear under the rub-off material covering the prize box on the front of the ticket.

(d) The prize symbol must have a caption below and it must agree with that caption.

(e) 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 Symbols	Mead 15 Point Font
Captions	Mead 5 x 11 Archer Font
Prize Symbols	Mead 15 Point Font
Prize Symbol Captions	mead 5 x 11 Archer Font
Pack-Ticket Number	Mead 9 x 12 Matrix Font
Validation Number	Mead 9 x 12 Matrix Font
Retailer Verification Code	mead 7 x 12 Matrix Font

(f) Each of the play symbols and their captions, prize symbol and its caption, the validation number, pack-ticket number, and the agent verification code must be printed in black ink.

(g) Each of the play symbols must be exactly one of those described in WAC 315-11-240(1); each of the captions must be exactly one of those described in WAC 315-11-230(2), the prize symbol must be exactly one of those described in WAC 315-11-240(3); and the prize symbol caption must be exactly one of those described in WAC 315-11-240(4).

(2) 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
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- 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.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
4-25-140	AMD-E	86-16-056	16-213-240	NEW-P	86-16-066
4-25-140	AMD-P	86-22-064	16-213-240	NEW-E	86-17-030
4-25-140	AMD-E	86-23-005	16-213-240	NEW	86-20-050
4-25-181	AMD-P	86-19-074	16-213-250	NEW-P	86-16-066
4-25-181	AMD-W	86-20-072	16-213-250	NEW-E	86-17-030
4-25-181	AMD-P	86-20-087	16-213-250	NEW	86-20-050
4-25-280	NEW-P	86-20-087	16-218-010	AMD-P	86-14-098
16-59-030	AMD-E	86-09-001	16-218-010	AMD	86-17-032
16-86-092	AMD-E	86-04-050	16-218-010	AMD-E	86-17-033
16-86-092	AMD-P	86-04-051	16-218-02001	AMD-P	86-14-098
16-86-092	AMD	86-08-055	16-218-02001	AMD	86-17-032
16-101-690	NEW-P	86-23-042	16-218-02001	AMD-E	86-17-033
16-108-010	AMD	86-04-027	16-230-079	NEW-E	86-13-032
16-125-200	NEW-P	86-13-051	16-304-110	AMD-P	86-09-090
16-125-200	NEW	86-17-014	16-304-110	AMD	86-13-014
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16-125-210	NEW	86-17-014	16-304-130	AMD	86-13-014
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16-154-010	NEW	86-18-040	16-316-355	AMD	86-13-014
16-154-020	NEW-P	86-13-050	16-316-370	AMD-P	86-09-090
16-154-020	NEW-C	86-16-033	16-316-370	AMD	86-13-014
16-154-020	NEW-C	86-17-031	16-316-445	AMD-P	86-09-090
16-154-020	NEW	86-18-040	16-316-445	AMD	86-13-014
16-154-030	NEW-P	86-13-050	16-316-525	AMD-P	86-09-090
16-154-030	NEW-C	86-16-033	16-316-525	AMD	86-13-014
16-154-030	NEW-C	86-17-031	16-316-800	AMD-P	86-09-090
16-212-030	AMD-E	86-14-083	16-316-800	AMD	86-13-014
16-212-030	AMD-E	86-20-051	16-316-810	AMD-P	86-09-090
16-212-030	AMD-P	86-22-058	16-316-810	AMD	86-13-014
16-212-030	AMD	87-01-032	16-316-820	AMD-P	86-09-090
16-212-030	AMD-E	87-01-103	16-316-820	AMD	86-13-014
16-212-060	AMD-E	86-14-083	16-316-830	AMD-P	86-09-090
16-212-060	AMD-E	86-20-051	16-316-830	AMD	86-13-014
16-212-060	AMD-P	86-22-058	16-316-832	NEW-P	86-09-090
16-212-060	AMD	87-01-032	16-316-832	NEW	86-13-014
16-212-060	AMD-E	87-01-103	16-316-850	NEW-P	86-09-090
16-212-070	AMD-E	86-14-083	16-316-850	NEW	86-13-014
16-212-070	AMD-E	86-20-051	16-316-860	NEW-P	86-09-090
16-212-070	AMD-P	86-22-058	16-316-860	NEW	86-13-014
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16-212-070	AMD-E	87-01-103	16-316-870	NEW	86-13-014
16-212-082	AMD-E	86-14-083	16-316-880	NEW-P	86-09-090
16-212-082	AMD-E	86-20-051	16-316-880	NEW	86-13-014
16-212-082	AMD-P	86-22-058	16-324	AMD-C	86-14-096
16-212-082	AMD	87-01-032	16-324-375	AMD-P	86-11-063
16-212-082	AMD-E	87-01-103	16-324-375	AMD	86-15-045
16-213-210	AMD-P	86-16-066	16-324-390	AMD-P	86-11-063
16-213-210	AMD	86-20-050	16-324-390	AMD	86-15-045
16-324-400	AMD-P	86-11-063	16-324-400	AMD	86-15-045
16-324-400	AMD	86-15-045	16-324-430	AMD-P	86-11-063
16-324-430	AMD-P	86-11-063	16-324-430	AMD	86-15-045
16-324-445	AMD-P	86-11-063	16-324-445	AMD-P	86-11-063
16-324-445	AMD	86-15-045	16-324-445	AMD	86-15-045
16-324-510	AMD-P	86-11-063	16-324-510	AMD-P	86-11-063
16-324-510	AMD	86-15-045	16-324-510	AMD	86-15-045
16-324-520	AMD-P	86-11-063	16-324-520	AMD-P	86-11-063
16-324-520	AMD	86-15-045	16-324-520	AMD	86-15-045
16-324-530	AMD-P	86-11-063	16-324-530	AMD-P	86-11-063
16-324-530	AMD	86-15-045	16-324-530	AMD	86-15-045
16-324-540	AMD-P	86-11-063	16-324-540	AMD-P	86-11-063
16-324-540	AMD	86-15-045	16-324-540	AMD	86-15-045
16-400-010	AMD-P	86-04-029	16-400-010	AMD-P	86-04-029
16-400-010	AMD-E	86-06-038	16-400-010	AMD-E	86-06-038
16-400-010	AMD	86-08-081	16-400-010	AMD	86-08-081
16-400-040	AMD-P	86-04-029	16-400-040	AMD-P	86-04-029
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16-400-210	AMD	86-08-081	16-400-210	AMD	86-08-081
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16-403-141	NEW	86-14-026	16-403-141	NEW	86-14-026
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16-403-225	AMD	86-10-045	16-403-225	AMD	86-10-045
16-425-001	REP-P	86-04-070	16-425-001	REP-P	86-04-070
16-425-001	REP	86-08-078	16-425-001	REP	86-08-078
16-425-010	REP-P	86-04-070	16-425-010	REP-P	86-04-070
16-425-010	REP	86-08-078	16-425-010	REP	86-08-078
16-425-015	REP-P	86-04-070	16-425-015	REP-P	86-04-070
16-425-015	REP	86-08-078	16-425-015	REP	86-08-078
16-462-001	REP-P	86-04-070	16-462-001	REP-P	86-04-070
16-462-001	REP	86-08-078	16-462-001	REP	86-08-078
16-462-010	AMD-P	86-04-070	16-462-010	AMD-P	86-04-070
16-462-010	AMD	86-08-078	16-462-010	AMD	86-08-078
16-462-015	AMD-P	86-04-070	16-462-015	AMD-P	86-04-070
16-462-015	AMD	86-08-078	16-462-015	AMD	86-08-078
16-462-020	AMD-P	86-04-070	16-462-020	AMD-P	86-04-070
16-462-020	AMD	86-08-078	16-462-020	AMD	86-08-078
16-462-025	AMD-P	86-04-070	16-462-025	AMD-P	86-04-070
16-462-025	AMD	86-08-078	16-462-025	AMD	86-08-078
16-462-030	AMD-P	86-04-070	16-462-030	AMD-P	86-04-070

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-462-030	AMD	86-08-078	16-570-020	NEW	86-16-023	25-48-110	NEW-P	86-09-039
16-462-035	AMD-P	86-04-070	16-570-030	NEW-P	86-12-065	25-48-110	NEW	86-13-001
16-462-035	AMD	86-08-078	16-570-030	NEW-E	86-12-066	25-48-120	NEW-P	86-09-039
16-462-050	NEW-P	86-04-070	16-570-030	NEW-C	86-15-063	25-48-120	NEW	86-13-001
16-462-050	NEW	86-08-078	16-570-030	NEW	86-16-023	25-48-130	NEW-P	86-09-039
16-462-055	NEW-P	86-04-070	16-570-040	NEW-E	86-16-017	25-48-130	NEW	86-13-001
16-462-055	NEW	86-08-078	16-654-050	NEW	86-04-026	25-48-140	NEW-P	86-09-039
16-470-010	AMD-P	86-03-075	16-654-060	NEW	86-04-026	25-48-140	NEW	86-13-001
16-470-010	AMD	86-07-020	16-750-010	AMD-P	86-04-062	30-01-010	NEW	86-08-072
16-470-020	AMD-P	86-03-075	16-750-010	AMD	86-07-024	30-01-020	NEW	86-08-072
16-470-020	AMD	86-07-020	16-750-010	AMD-P	87-01-114	30-01-030	NEW	86-08-072
16-470-100	AMD-P	86-03-075	16-752-001	NEW-E	86-15-054	30-01-040	NEW	86-08-072
16-470-100	AMD	86-07-020	16-752-001	NEW-P	86-16-073	30-01-050	NEW	86-08-072
16-470-200	AMD-P	86-03-075	16-752-001	NEW	86-19-060	30-01-060	NEW	86-08-072
16-470-200	AMD	86-07-020	16-752-005	NEW-E	86-15-054	30-04-010	NEW	86-08-072
16-470-240	NEW-E	86-08-009	16-752-005	NEW-P	86-16-073	30-04-020	NEW	86-08-072
16-470-240	NEW-P	86-10-048	16-752-005	NEW	86-19-060	30-04-030	NEW	86-08-072
16-470-240	NEW	86-14-097	16-752-010	NEW-E	86-15-054	30-04-040	NEW	86-08-072
16-470-300	AMD-P	86-03-075	16-752-010	NEW-P	86-16-073	30-04-050	NEW	86-08-072
16-470-300	AMD	86-07-020	16-752-010	NEW	86-19-060	30-04-050	NEW	86-08-072
16-470-500	NEW-E	86-21-090	24-12-010	AMD-E	86-18-033	30-04-070	NEW	86-08-072
16-470-500	NEW-P	86-23-016	24-12-010	AMD-P	86-18-034	30-04-080	NEW	86-08-072
16-470-510	NEW-E	86-21-090	24-12-010	AMD	86-21-088	30-04-090	NEW	86-08-072
16-470-510	NEW-P	86-23-016	25-24-010	AMD-E	86-08-082	30-04-100	NEW	86-08-072
16-470-520	NEW-E	86-21-090	25-24-020	AMD-E	86-08-082	30-04-110	NEW	86-08-072
16-470-520	NEW-P	86-23-016	25-24-040	AMD-E	86-08-082	30-04-120	NEW	86-08-072
16-470-530	NEW-E	86-21-090	25-24-050	AMD-E	86-08-082	30-08-010	NEW	86-08-072
16-470-530	NEW-P	86-23-016	25-24-060	AMD-E	86-08-082	30-08-020	NEW	86-08-072
16-488	AMD-C	86-17-049	25-24-070	AMD-E	86-08-082	30-08-030	NEW	86-08-072
16-488-001	REP-P	86-14-023	25-42-010	NEW-P	86-09-038	30-08-040	NEW	86-08-072
16-488-001	REP	86-19-002	25-42-010	NEW	86-13-002	30-08-050	NEW	86-08-072
16-488-002	NEW-P	86-14-023	25-42-020	NEW-P	86-09-038	30-08-060	NEW	86-08-072
16-488-002	NEW	86-19-002	25-42-020	NEW	86-13-002	30-08-070	NEW	86-08-072
16-488-005	REP-P	86-14-023	25-42-030	NEW-P	86-09-038	30-12-010	NEW	86-08-072
16-488-005	REP	86-19-002	25-42-030	NEW	86-13-002	30-12-020	NEW	86-08-072
16-488-006	NEW-P	86-14-023	25-42-040	NEW-P	86-09-038	30-12-030	NEW	86-08-072
16-488-006	NEW	86-19-002	25-42-040	NEW	86-13-002	30-12-040	NEW	86-08-072
16-488-010	AMD-P	86-14-023	25-42-050	NEW-P	86-09-038	30-12-050	NEW	86-08-072
16-488-010	AMD	86-19-002	25-42-050	NEW	86-13-002	30-12-060	NEW	86-08-072
16-488-015	AMD-P	86-14-023	25-42-060	NEW-P	86-09-038	30-12-070	NEW	86-08-072
16-488-015	AMD	86-19-002	25-42-060	NEW	86-13-002	30-12-080	NEW	86-08-072
16-488-020	REP-P	86-14-023	25-42-070	NEW-P	86-09-038	30-12-090	NEW	86-08-072
16-488-020	REP	86-19-002	25-42-070	NEW	86-13-002	30-12-100	NEW	86-08-072
16-488-025	AMD-P	86-14-023	25-42-080	NEW-P	86-09-038	30-12-110	NEW	86-08-072
16-488-025	AMD	86-19-002	25-42-080	NEW	86-13-002	30-12-120	NEW	86-08-072
16-488-030	AMD-P	86-14-023	25-42-090	NEW-P	86-09-038	30-12-130	NEW	86-08-072
16-488-030	AMD	86-19-002	25-42-090	NEW	86-13-002	30-12-140	NEW	86-08-072
16-488-035	REP-P	86-14-023	25-42-100	NEW-P	86-09-038	30-12-150	NEW	86-08-072
16-488-035	REP	86-19-002	25-42-100	NEW	86-13-002	30-12-160	NEW	86-08-072
16-488-040	REP-P	86-14-023	25-42-110	NEW-P	86-09-038	30-12-170	NEW	86-08-072
16-488-040	REP	86-19-002	25-42-110	NEW	86-13-002	30-16-010	NEW-P	86-24-038
16-488-990	NEW-P	86-14-023	25-42-120	NEW-P	86-09-038	30-16-020	NEW-P	86-24-038
16-488-990	NEW	86-19-002	25-42-120	NEW	86-13-002	30-16-030	NEW-P	86-24-038
16-488-995	NEW-P	86-14-023	25-42-130	NEW-P	86-09-038	30-16-040	NEW-P	86-24-038
16-488-995	NEW	86-19-002	25-42-130	NEW	86-13-002	30-16-050	NEW-P	86-24-038
16-524-040	AMD-P	86-06-045	25-48-010	NEW-P	86-09-039	30-16-060	NEW-P	86-24-038
16-524-040	AMD	86-13-057	25-48-010	NEW	86-13-001	30-16-070	NEW-P	86-24-038
16-536-040	AMD-P	86-09-079	25-48-020	NEW-P	86-09-039	30-16-080	NEW-P	86-24-038
16-536-040	AMD-E	86-15-001	25-48-020	NEW	86-13-001	30-16-090	NEW-P	86-24-038
16-536-040	AMD	86-15-002	25-48-030	NEW-P	86-09-039	30-16-100	NEW-P	86-24-038
16-560-06001	AMD-P	86-07-051	25-48-030	NEW	86-13-001	30-16-110	NEW-P	86-24-038
16-560-06001	AMD	86-14-066	25-48-040	NEW-P	86-09-039	30-16-120	NEW-P	86-24-038
16-561-010	AMD-P	86-06-046	25-48-040	NEW	86-13-001	30-20-010	NEW-P	86-24-038
16-561-010	AMD	86-13-012	25-48-050	NEW-P	86-09-039	30-20-020	NEW-P	86-24-038
16-561-020	AMD-P	86-06-046	25-48-050	NEW	86-13-001	30-20-030	NEW-P	86-24-038
16-561-020	AMD	86-13-012	25-48-060	NEW-P	86-09-039	30-20-040	NEW-P	86-24-038
16-561-040	AMD-P	86-06-046	25-48-060	NEW	86-13-001	30-20-050	NEW-P	86-24-038
16-561-040	AMD	86-13-012	25-48-070	NEW-P	86-09-039	30-20-060	NEW-P	86-24-038
16-561-041	AMD-P	86-06-046	25-48-070	NEW	86-13-001	30-20-070	NEW-P	86-24-038
16-561-041	AMD	86-13-012	25-48-080	NEW-P	86-09-039	30-20-080	NEW-P	86-24-038
16-570-010	NEW-P	86-12-065	25-48-080	NEW	86-13-001	30-20-090	NEW-P	86-24-038
16-570-010	NEW-E	86-12-066	25-48-090	NEW-P	86-09-039	30-20-100	NEW-P	86-24-038
16-570-010	NEW-C	86-15-063	25-48-090	NEW	86-13-001	30-20-110	NEW-P	86-24-038
16-570-010	NEW	86-16-023	25-48-100	NEW-P	86-09-039	30-20-120	NEW-P	86-24-038
16-570-020	NEW-P	86-12-065	25-48-100	NEW	86-13-001	30-24-010	NEW-P	86-24-038
16-570-020	NEW-E	86-12-066	25-48-105	NEW-P	86-09-039	30-24-020	NEW-P	86-24-038
16-570-020	NEW-C	86-15-063	25-48-105	NEW	86-13-001	30-24-030	NEW-P	86-24-038

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
30-24-040	NEW-P	86-24-038	51-12-411	AMD-E	86-06-059	100-100-1910	NEW-P	86-16-084
30-24-050	NEW-P	86-24-038	51-12-411	AMD	86-11-013	100-100-1989	NEW-P	86-16-084
30-24-060	NEW-P	86-24-038	51-12-426	AMD-P	86-06-058	100-100-1989	NEW	86-21-084
30-24-070	NEW-P	86-24-038	51-12-426	AMD-E	86-06-059	100-100-900	NEW	86-21-084
30-24-080	NEW-P	86-24-038	51-12-426	AMD	86-11-013	100-101-010	NEW-E	86-14-013
30-24-090	NEW-P	86-24-038	51-12-426	AMD-P	86-16-071	100-101-020	NEW-E	86-14-013
30-24-100	NEW-P	86-24-038	51-12-426	AMD	86-20-024	100-101-030	NEW-E	86-14-013
30-28-010	NEW-P	86-24-038	51-12-601	AMD-P	86-06-058	100-101-040	NEW-E	86-14-013
30-28-020	NEW-P	86-24-038	51-12-601	AMD-E	86-06-059	100-101-050	NEW-E	86-14-013
30-28-030	NEW-P	86-24-038	51-12-601	AMD	86-11-013	100-101-052	NEW-E	86-14-013
30-28-040	NEW-P	86-24-038	51-12-601	AMD-P	86-16-071	100-101-060	NEW-E	86-14-013
30-32-010	NEW-P	86-24-038	51-12-601	AMD	86-20-024	100-101-070	NEW-E	86-14-013
30-32-020	NEW-P	86-24-038	51-12-602	AMD-P	86-06-058	100-101-075	NEW-E	86-14-013
30-32-030	NEW-P	86-24-038	51-12-602	AMD-E	86-06-059	100-101-080	NEW-E	86-14-013
30-32-040	NEW-P	86-24-038	51-12-602	AMD	86-11-013	100-101-085	NEW-E	86-14-013
30-32-050	NEW-P	86-24-038	51-12-608	AMD-P	86-06-058	100-101-1989	NEW-E	86-14-013
30-32-060	NEW-P	86-24-038	51-12-608	AMD-E	86-06-059	100-101-900	NEW-E	86-14-013
30-32-070	NEW-P	86-24-038	51-12-608	AMD	86-11-013	106-08-001	AMD-P	86-20-045
30-32-080	NEW-P	86-24-038	51-16-060	AMD-P	86-20-095	106-08-001	AMD	86-23-007
30-36-010	NEW-P	86-24-038	51-16-060	AMD	86-24-041	106-72	AMD-P	86-20-045
30-36-020	NEW-P	86-24-038	60-12-010	AMD-P	86-21-130	106-72	AMD	86-23-007
30-36-030	NEW-P	86-24-038	60-12-010	AMD	87-01-013	106-72-005	NEW-P	86-20-045
30-36-040	NEW-P	86-24-038	67-35-150	AMD-P	86-04-063	106-72-005	NEW	86-23-007
30-36-050	NEW-P	86-24-038	67-35-150	AMD	86-08-010	106-72-010	REP-P	86-20-045
30-36-060	NEW-P	86-24-038	67-35-230	AMD-P	86-04-063	106-72-010	REP	86-23-007
30-36-070	NEW-P	86-24-038	67-35-230	AMD	86-08-010	106-72-015	NEW-P	86-20-045
30-36-080	NEW-P	86-24-038	82-50-021	AMD-P	86-14-065	106-72-015	NEW	86-23-007
30-36-090	NEW-P	86-24-038	82-50-021	AMD	86-17-001	106-72-025	NEW-P	86-20-045
30-36-100	NEW-P	86-24-038	82-60-010	NEW-E	86-16-018	106-72-025	NEW	86-23-007
30-36-110	NEW-P	86-24-038	82-60-020	NEW-E	86-16-018	106-72-100	REP-P	86-20-045
30-40-010	NEW-P	86-24-038	82-60-030	NEW-E	86-16-018	106-72-100	REP	86-23-007
30-40-020	NEW-P	86-24-038	98-20-020	NEW-P	86-12-068	106-72-110	REP-P	86-20-045
30-40-030	NEW-P	86-24-038	98-20-020	NEW-C	86-15-036	106-72-110	REP	86-23-007
30-40-040	NEW-P	86-24-038	98-20-020	NEW	86-17-063	106-72-120	REP-P	86-20-045
30-40-050	NEW-P	86-24-038	100-100-010	REP-E	86-14-013	106-72-120	REP	86-23-007
30-40-060	NEW-P	86-24-038	100-100-010	AMD-P	86-16-084	106-72-140	REP-P	86-20-045
30-40-070	NEW-P	86-24-038	100-100-010	AMD	86-21-084	106-72-140	REP	86-23-007
30-40-080	NEW-P	86-24-038	100-100-020	REP-E	86-14-013	106-72-230	REP-P	86-20-045
30-40-090	NEW-P	86-24-038	100-100-020	AMD-P	86-16-084	106-72-230	REP	86-23-007
30-44-010	NEW-P	86-24-038	100-100-020	AMD	86-21-084	106-72-250	AMD-P	86-20-045
30-44-020	NEW-P	86-24-038	100-100-030	REP-E	86-14-013	106-72-250	AMD	86-23-007
30-44-030	NEW-P	86-24-038	100-100-030	AMD-P	86-16-084	106-72-260	REP-P	86-20-045
30-44-040	NEW-P	86-24-038	100-100-030	AMD	86-21-084	106-72-260	REP	86-23-007
30-44-050	NEW-P	86-24-038	100-100-040	REP-E	86-14-013	106-72-270	REP-P	86-20-045
30-48-010	NEW-P	86-24-038	100-100-040	AMD-P	86-16-084	106-72-270	REP	86-23-007
30-48-020	NEW-P	86-24-038	100-100-040	AMD	86-21-084	106-72-400	NEW-P	86-20-045
30-48-030	NEW-P	86-24-038	100-100-050	REP-E	86-14-013	106-72-400	NEW	86-23-007
30-48-040	NEW-P	86-24-038	100-100-050	AMD-P	86-16-084	106-72-410	NEW-P	86-20-045
30-48-050	NEW-P	86-24-038	100-100-050	AMD	86-21-084	106-72-410	NEW	86-23-007
30-48-060	NEW-P	86-24-038	100-100-052	NEW-P	86-16-084	106-72-420	NEW-P	86-20-045
30-48-070	NEW-P	86-24-038	100-100-052	NEW	86-21-084	106-72-420	NEW	86-23-007
50-12-120	NEW-P	86-23-015	100-100-060	REP-E	86-14-013	106-72-430	NEW-P	86-20-045
50-12-130	NEW-P	86-23-015	100-100-060	AMD-P	86-16-084	106-72-430	NEW	86-23-007
50-12-140	NEW-P	86-23-015	100-100-060	AMD	86-21-084	106-72-440	NEW-P	86-20-045
50-12-150	NEW-P	86-23-015	100-100-070	REP-E	86-14-013	106-72-440	NEW	86-23-007
50-12-160	NEW-P	86-23-015	100-100-070	AMD-P	86-16-084	106-72-450	NEW-P	86-20-045
50-12-170	NEW-P	86-23-015	100-100-070	AMD	86-21-084	106-72-450	NEW	86-23-007
50-12-180	NEW-P	86-23-015	100-100-075	REP-E	86-14-013	106-72-460	NEW-P	86-20-045
50-12-190	NEW-P	86-23-015	100-100-075	AMD-P	86-16-084	106-72-460	NEW	86-23-007
50-12-200	NEW-P	86-23-015	100-100-075	AMD	86-21-084	106-72-470	NEW-P	86-20-045
51-10	AMD-P	86-14-094	100-100-080	REP-E	86-14-013	106-72-470	NEW	86-23-007
51-10	AMD	86-24-040	100-100-080	AMD-P	86-16-084	106-72-480	NEW-P	86-20-045
51-12-102	AMD-P	86-06-058	100-100-080	AMD	86-21-084	106-72-480	NEW	86-23-007
51-12-102	AMD-E	86-06-059	100-100-085	NEW-P	86-16-084	106-72-490	NEW-P	86-20-045
51-12-102	AMD	86-11-013	100-100-085	NEW	86-21-084	106-72-490	NEW	86-23-007
51-12-102	AMD-P	86-16-071	100-100-090	REP-E	86-14-013	106-72-500	NEW-P	86-20-045
51-12-102	AMD	86-20-024	100-100-100	REP-E	86-14-013	106-72-500	NEW	86-23-007
51-12-201	AMD-P	86-16-071	100-100-1100	NEW-P	86-16-084	106-72-510	NEW-P	86-20-045
51-12-201	AMD	86-20-024	100-100-1200	NEW-P	86-16-084	106-72-510	NEW	86-23-007
51-12-304	AMD-P	86-16-071	100-100-1300	NEW-P	86-16-084	106-72-520	NEW-P	86-20-045
51-12-304	AMD	86-20-024	100-100-1400	NEW-P	86-16-084	106-72-520	NEW	86-23-007
51-12-402	AMD-P	86-16-071	100-100-1500	NEW-P	86-16-084	106-72-530	NEW-P	86-20-045
51-12-402	AMD	86-20-024	100-100-1525	NEW-P	86-16-084	106-72-530	NEW	86-23-007
51-12-404	AMD-P	86-06-058	100-100-1550	NEW-P	86-16-084	106-72-540	NEW-P	86-20-045
51-12-404	AMD-E	86-06-059	100-100-1600	NEW-P	86-16-084	106-72-540	NEW	86-23-007
51-12-404	AMD	86-11-013	100-100-1700	NEW-P	86-16-084	106-72-550	NEW-P	86-20-045
51-12-411	AMD-P	86-06-058	100-100-1900	NEW-P	86-16-084	106-72-550	NEW	86-23-007

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
106-140-001	REP	86-23-007	106-156	AMD-P	86-20-045	106-156-078	REP	86-23-007
106-140-020	AMD-P	86-20-045	106-156	AMD	86-23-007	106-156-079	REP-P	86-20-045
106-140-020	AMD	86-23-007	106-156-011	AMD-P	86-20-045	106-156-079	REP	86-23-007
106-140-021	AMD-P	86-20-045	106-156-011	AMD	86-23-007	106-156-080	REP-P	86-20-045
106-140-021	AMD	86-23-007	106-156-016	REP-P	86-20-045	106-156-080	REP	86-23-007
106-140-023	NEW-P	86-20-045	106-156-016	REP	86-23-007	106-156-081	REP-P	86-20-045
106-140-023	NEW	86-23-007	106-156-017	REP-P	86-20-045	106-156-081	REP	86-23-007
106-140-025	NEW-P	86-20-045	106-156-017	REP	86-23-007	106-156-082	REP-P	86-20-045
106-140-025	NEW	86-23-007	106-156-020	REP-P	86-20-045	106-156-082	REP	86-23-007
106-140-027	NEW-P	86-20-045	106-156-020	REP	86-23-007	106-160-005	AMD-P	86-20-045
106-140-027	NEW	86-23-007	106-156-021	REP-P	86-20-045	106-160-005	AMD	86-23-007
106-140-030	REP-P	86-20-045	106-156-021	REP	86-23-007	106-160-007	REP-P	86-20-045
106-140-030	REP	86-23-007	106-156-022	REP-P	86-20-045	106-160-007	REP	86-23-007
106-140-040	AMD-P	86-20-045	106-156-022	REP	86-23-007	106-160-010	AMD-P	86-20-045
106-140-040	AMD	86-23-007	106-156-023	REP-P	86-20-045	106-160-010	AMD	86-23-007
106-140-053	REP-P	86-20-045	106-156-023	REP	86-23-007	106-160-036	REP-P	86-20-045
106-140-053	REP	86-23-007	106-156-024	REP-P	86-20-045	106-160-036	REP	86-23-007
106-140-101	REP-P	86-20-045	106-156-024	REP	86-23-007	106-164-901	REP-P	86-20-045
106-140-101	REP	86-23-007	106-156-025	REP-P	86-20-045	106-164-901	REP	86-23-007
106-140-120	AMD-P	86-20-045	106-156-025	REP	86-23-007	106-164-910	REP-P	86-20-045
106-140-120	AMD	86-23-007	106-156-026	REP-P	86-20-045	106-164-910	REP	86-23-007
106-140-121	AMD-P	86-20-045	106-156-026	REP	86-23-007	106-164-911	REP-P	86-20-045
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106-140-133	NEW	86-23-007	106-156-030	REP-P	86-20-045	106-164-913	REP	86-23-007
106-140-135	NEW-P	86-20-045	106-156-030	REP	86-23-007	106-164-914	REP-P	86-20-045
106-140-135	NEW	86-23-007	106-156-040	REP-P	86-20-045	106-164-914	REP	86-23-007
106-140-137	NEW-P	86-20-045	106-156-040	REP	86-23-007	106-172-711	AMD-P	86-20-045
106-140-137	NEW	86-23-007	106-156-041	REP-P	86-20-045	106-172-711	AMD	86-23-007
106-140-140	REP-P	86-20-045	106-156-041	REP	86-23-007	106-172-721	AMD-P	86-20-045
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106-140-145	REP	86-23-007	106-156-052	REP-P	86-20-045	106-172-731	AMD	86-23-007
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106-140-146	REP	86-23-007	106-156-053	REP-P	86-20-045	106-172-733	AMD	86-23-007
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106-140-150	REP	86-23-007	106-156-054	REP-P	86-20-045	106-172-763	AMD	86-23-007
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106-140-157	REP-P	86-20-045	106-156-061	REP	86-23-007	106-276-030	AMD-P	86-20-045
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106-140-159	REP	86-23-007	106-156-063	REP-P	86-20-045	106-276-060	AMD	86-23-007
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106-140-410	NEW	86-23-007	106-156-065	REP-P	86-20-045	106-276-110	AMD	86-23-007
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106-140-600	NEW	86-23-007	106-156-071	REP-P	86-20-045	106-325-010	NEW	86-23-007
106-140-601	NEW-P	86-20-045	106-156-071	REP	86-23-007	113-12-075	NEW-P	86-07-057
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106-140-605	NEW	86-23-007	106-156-073	REP-P	86-20-045	113-12-080	AMD	86-10-039
106-140-632	NEW-P	86-20-045	106-156-073	REP	86-23-007	113-12-087	NEW-P	87-01-086
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106-140-640	NEW	86-23-007	106-156-075	REP-P	86-20-045	113-12-195	AMD-P	87-01-086
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106-140-660	NEW	86-23-007	106-156-076	REP-P	86-20-045	114-12-115	NEW-P	86-03-082
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118-06-060	REP-P 86-06-037	132K-04-080	AMD-P 86-11-047	132Q-01-050	NEW 86-04-010
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118-07-020	REP-P 86-06-037	132K-04-130	AMD-P 86-11-047	132Q-08-040	REP-P 87-01-043
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118-07-040	REP-P 86-06-037	132K-12-180	AMD-P 86-11-047	132Q-08-060	REP-P 87-01-043
118-07-050	REP-P 86-06-037	132K-12-180	AMD 86-15-020	132Q-08-070	REP-P 87-01-043
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139-10-240	NEW-P	86-15-072	173-14-130	AMD-P	86-05-052	173-22-060	AMD-P	86-05-052
139-10-240	NEW	86-19-021	173-14-130	AMD	86-12-011	173-22-060	AMD	86-12-011
139-10-310	NEW-P	86-15-072	173-14-140	AMD-P	86-05-052	173-22-0602	NEW-P	86-05-052
139-10-310	NEW	86-19-021	173-14-140	AMD	86-12-011	173-22-0602	NEW	86-12-011
139-10-320	NEW-P	86-15-072	173-14-150	AMD-P	86-05-052	173-22-0604	NEW-P	86-05-052
139-10-320	NEW	86-19-021	173-14-150	AMD	86-12-011	173-22-0604	NEW	86-12-011
139-10-410	NEW-P	86-15-072	173-14-180	AMD-P	86-05-052	173-22-0606	NEW-P	86-05-052
139-10-410	NEW	86-19-021	173-14-180	AMD	86-12-011	173-22-0606	NEW	86-12-011
139-10-420	NEW-P	86-15-072	173-19	AMD-C	86-08-098	173-22-0608	NEW-P	86-05-052
139-10-420	NEW	86-19-021	173-19-020	AMD-P	86-05-052	173-22-0608	NEW	86-12-011
139-10-510	NEW-P	86-15-072	173-19-020	AMD	86-12-011	173-22-0610	NEW-P	86-05-052
139-10-510	NEW	86-19-021	173-19-044	AMD-P	86-05-052	173-22-0610	NEW	86-12-011
139-10-520	NEW-P	86-15-072	173-19-044	AMD	86-12-011	173-22-0612	NEW-P	86-05-052
139-10-520	NEW	86-19-021	173-19-050	AMD-P	86-05-052	173-22-0612	NEW	86-12-011
139-14-010	REP-P	86-15-072	173-19-050	AMD	86-12-011	173-22-0614	NEW-P	86-05-052
139-14-010	REP	86-19-021	173-19-060	AMD-P	86-05-052	173-22-0614	NEW	86-12-011
139-15-110	NEW-P	86-15-072	173-19-060	AMD	86-12-011	173-22-0616	NEW-P	86-05-052
139-15-110	NEW	86-19-021	173-19-061	NEW-P	86-05-052	173-22-0616	NEW	86-12-011
139-16-010	REP-P	86-15-072	173-19-061	NEW	86-12-011	173-22-0618	NEW-P	86-05-052
139-16-010	REP	86-19-021	173-19-062	AMD-P	86-05-052	173-22-0618	NEW	86-12-011
139-18-010	REP-P	86-15-072	173-19-062	AMD	86-12-011	173-22-0620	NEW-P	86-05-052
139-18-010	REP	86-19-021	173-19-064	AMD-P	86-05-052	173-22-0620	NEW	86-12-011
139-20-020	REP-P	86-15-072	173-19-064	AMD	86-12-011	173-22-0622	NEW-P	86-05-052
139-20-020	REP	86-19-021	173-19-130	AMD	86-04-040	173-22-0622	NEW	86-12-011
139-22-010	REP-P	86-15-072	173-19-130	AMD-P	86-06-060	173-22-0624	NEW-P	86-05-052
139-22-010	REP	86-19-021	173-19-130	AMD-C	86-11-003	173-22-0624	NEW	86-12-011
139-22-020	REP-P	86-15-072	173-19-130	AMD	86-12-069	173-22-0626	NEW-P	86-05-052
139-22-020	REP	86-19-021	173-19-1404	AMD-P	86-11-066	173-22-0626	NEW	86-12-011
139-28-010	REP-P	86-15-072	173-19-1404	AMD	86-16-003	173-22-0628	NEW-P	86-05-052
139-28-010	REP	86-19-021	173-19-220	AMD-P	86-07-068	173-22-0628	NEW	86-12-011
139-32-010	REP-P	86-15-072	173-19-220	AMD-C	86-11-032	173-22-0630	NEW-P	86-05-052
139-32-010	REP	86-19-021	173-19-220	AMD	86-12-071	173-22-0630	NEW	86-12-011
139-36-020	REP-P	86-15-072	173-19-2512	AMD-P	86-06-061	173-22-0632	NEW-P	86-05-052
139-36-020	REP	86-19-021	173-19-2512	AMD-C	86-11-002	173-22-0632	NEW	86-12-011
139-36-030	REP-P	86-15-072	173-19-2512	AMD	86-12-070	173-22-0634	NEW-P	86-05-052
139-36-030	REP	86-19-021	173-19-2519	AMD-P	86-16-075	173-22-0634	NEW	86-12-011
139-36-031	REP-P	86-15-072	173-19-2519	AMD-C	86-20-064	173-22-0636	NEW-P	86-05-052
139-36-031	REP	86-19-021	173-19-2519	AMD	86-21-110	173-22-0636	NEW	86-12-011
139-36-032	REP-P	86-15-072	173-19-2521	AMD-P	86-17-068	173-22-0638	NEW-P	86-05-052
139-36-032	REP	86-19-021	173-19-2521	AMD	86-21-109	173-22-0638	NEW	86-12-011
139-36-033	REP-P	86-15-072	173-19-2521	AMD-P	86-24-066	173-22-0640	NEW-P	86-05-052
139-36-033	REP	86-19-021	173-19-2523	AMD-P	86-21-108	173-22-0640	NEW	86-12-011
139-36-040	REP-P	86-15-072	173-19-2523	AMD-C	86-22-077	173-22-0642	NEW-P	86-05-052
139-36-040	REP	86-19-021	173-19-2523	AMD	87-01-060	173-22-0642	NEW	86-12-011
139-36-041	REP-P	86-15-072	173-19-3210	AMD-P	86-14-110	173-22-0644	NEW-P	86-05-052
139-36-041	REP	86-19-021	173-19-3210	AMD-C	86-17-069	173-22-0644	NEW	86-12-011
139-36-050	REP-P	86-15-072	173-19-3210	AMD	86-19-048	173-22-0646	NEW-P	86-05-052
139-36-050	REP	86-19-021	173-19-330	AMD-P	86-11-068	173-22-0646	NEW	86-12-011
139-36-051	REP-P	86-15-072	173-19-330	AMD-C	86-16-002	173-22-0648	NEW-P	86-05-052
139-36-051	REP	86-19-021	173-19-330	AMD-C	86-17-071	173-22-0648	NEW	86-12-011
139-36-060	REP-P	86-15-072	173-19-330	AMD	86-18-052	173-22-0650	NEW-P	86-05-052
139-36-060	REP	86-19-021	173-19-3514	AMD-P	86-11-067	173-22-0650	NEW	86-12-011
139-36-061	REP-P	86-15-072	173-19-3514	AMD	86-16-004	173-22-0652	NEW-P	86-05-052
139-36-061	REP	86-19-021	173-19-3701	AMD-C	86-06-057	173-22-0652	NEW	86-12-011
139-40-010	REP-P	86-15-072	173-19-3701	AMD	86-07-049	173-22-0654	NEW-P	86-05-052
139-40-010	REP	86-19-021	173-19-380	AMD-P	86-08-100	173-22-0654	NEW	86-12-011
139-50-010	REP-P	86-15-072	173-19-380	AMD	86-12-072	173-22-0656	NEW-P	86-05-052

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173-22-0656	NEW	86-12-011	173-220-150	AMD	86-06-040	173-301-303	REP	86-03-034
173-22-0658	NEW-P	86-05-052	173-222-010	NEW	86-06-040	173-301-304	REP	86-03-034
173-22-0658	NEW	86-12-011	173-222-015	NEW	86-06-040	173-301-305	REP	86-03-034
173-22-0660	NEW-P	86-05-052	173-222-020	NEW	86-06-040	173-301-306	REP	86-03-034
173-22-0660	NEW	86-12-011	173-222-030	NEW	86-06-040	173-301-307	REP	86-03-034
173-22-0662	NEW-P	86-05-052	173-222-040	NEW	86-06-040	173-301-308	REP	86-03-034
173-22-0662	NEW	86-12-011	173-222-050	NEW	86-06-040	173-301-309	REP	86-03-034
173-22-0664	NEW-P	86-05-052	173-222-060	NEW	86-06-040	173-301-310	REP	86-03-034
173-22-0664	NEW	86-12-011	173-222-070	NEW	86-06-040	173-301-320	REP	86-03-034
173-22-0666	NEW-P	86-05-052	173-222-080	NEW	86-06-040	173-301-350	REP	86-03-034
173-22-0666	NEW	86-12-011	173-222-090	NEW	86-06-040	173-301-351	REP	86-03-034
173-22-0668	NEW-P	86-05-052	173-222-100	NEW	86-06-040	173-301-352	REP	86-03-034
173-22-0668	NEW	86-12-011	173-222-110	NEW	86-06-040	173-301-353	REP	86-03-034
173-22-0670	NEW-P	86-05-052	173-245-010	NEW-P	86-22-055	173-301-354	REP	86-03-034
173-22-0670	NEW	86-12-011	173-245-015	NEW-P	86-22-055	173-301-355	REP	86-03-034
173-22-0672	NEW-P	86-05-052	173-245-020	NEW-P	86-22-055	173-301-356	REP	86-03-034
173-22-0672	NEW	86-12-011	173-245-030	NEW-P	86-22-055	173-301-357	REP	86-03-034
173-22-0674	NEW-P	86-05-052	173-245-040	NEW-P	86-22-055	173-301-358	REP	86-03-034
173-22-0674	NEW	86-12-011	173-245-050	NEW-P	86-22-055	173-301-359	REP	86-03-034
173-22-0676	NEW-P	86-05-052	173-245-055	NEW-P	86-22-055	173-301-400	REP	86-03-034
173-22-0676	NEW	86-12-011	173-245-060	NEW-P	86-22-055	173-301-401	REP	86-03-034
173-22-0678	NEW-P	86-05-052	173-245-070	NEW-P	86-22-055	173-301-402	REP	86-03-034
173-22-0678	NEW	86-12-011	173-245-075	NEW-P	86-22-055	173-301-450	REP	86-03-034
173-80-080	NEW-E	86-15-005	173-245-080	NEW-P	86-22-055	173-301-451	REP	86-03-034
173-80-080	NEW-P	86-15-083	173-245-084	NEW-P	86-22-055	173-301-452	REP	86-03-034
173-80-080	NEW	86-19-041	173-245-090	NEW-P	86-22-055	173-301-453	REP	86-03-034
173-90-010	NEW-E	86-15-004	173-301-100	REP	86-03-034	173-301-454	REP	86-03-034
173-90-010	NEW-P	86-15-084	173-301-101	REP	86-03-034	173-301-455	REP	86-03-034
173-90-010	NEW	86-19-042	173-301-105	REP	86-03-034	173-301-456	REP	86-03-034
173-90-015	NEW-E	86-15-004	173-301-110	REP	86-03-034	173-301-457	REP	86-03-034
173-90-015	NEW-P	86-15-084	173-301-120	REP	86-03-034	173-301-500	REP	86-03-034
173-90-015	NEW	86-19-042	173-301-121	REP	86-03-034	173-301-610	REP	86-03-034
173-90-020	NEW-E	86-15-004	173-301-122	REP	86-03-034	173-301-611	REP	86-03-034
173-90-020	NEW-P	86-15-084	173-301-123	REP	86-03-034	173-301-625	REP	86-03-034
173-90-020	NEW	86-19-042	173-301-124	REP	86-03-034	173-301-626	REP	86-03-034
173-90-040	NEW-E	86-15-004	173-301-125	REP	86-03-034	173-303-010	AMD-P	86-07-069
173-90-040	NEW-P	86-15-084	173-301-126	REP	86-03-034	173-303-010	AMD	86-12-057
173-90-040	NEW	86-19-042	173-301-140	REP	86-03-034	173-303-016	AMD-P	86-07-069
173-90-050	NEW-E	86-15-004	173-301-141	REP	86-03-034	173-303-016	AMD	86-12-057
173-90-050	NEW-P	86-15-084	173-301-142	REP	86-03-034	173-303-017	AMD-P	86-07-069
173-90-050	NEW	86-19-042	173-301-143	REP	86-03-034	173-303-017	AMD	86-12-057
173-90-060	NEW-E	86-15-004	173-301-150	REP	86-03-034	173-303-040	AMD-P	86-07-069
173-90-060	NEW-P	86-15-084	173-301-151	REP	86-03-034	173-303-040	AMD	86-12-057
173-90-060	NEW	86-19-042	173-301-152	REP	86-03-034	173-303-045	AMD-P	86-07-069
173-90-070	NEW-E	86-15-004	173-301-153	REP	86-03-034	173-303-045	AMD	86-12-057
173-90-070	NEW-P	86-15-084	173-301-154	REP	86-03-034	173-303-060	AMD-P	86-07-069
173-90-070	NEW	86-19-042	173-301-155	REP	86-03-034	173-303-060	AMD	86-12-057
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173-134A-085	NEW	86-04-057	173-301-157	REP	86-03-034	173-303-070	AMD	86-12-057
173-145-010	AMD-P	86-22-054	173-301-158	REP	86-03-034	173-303-071	AMD-P	86-07-069
173-145-020	AMD-P	86-22-054	173-301-159	REP	86-03-034	173-303-071	AMD	86-12-057
173-145-030	AMD-P	86-22-054	173-301-160	REP	86-03-034	173-303-081	AMD-P	86-07-069
173-145-040	AMD-P	86-22-054	173-301-161	REP	86-03-034	173-303-081	AMD	86-12-057
173-145-050	AMD-P	86-22-054	173-301-162	REP	86-03-034	173-303-082	AMD-P	86-07-069
173-145-060	AMD-P	86-22-054	173-301-163	REP	86-03-034	173-303-082	AMD	86-12-057
173-145-070	AMD-P	86-22-054	173-301-164	REP	86-03-034	173-303-084	AMD-P	86-07-069
173-145-080	AMD-P	86-22-054	173-301-180	REP	86-03-034	173-303-084	AMD	86-12-057
173-145-090	AMD-P	86-22-054	173-301-181	REP	86-03-034	173-303-090	AMD-P	86-07-069
173-145-100	AMD-P	86-22-054	173-301-182	REP	86-03-034	173-303-090	AMD	86-12-057
173-145-110	AMD-P	86-22-054	173-301-183	REP	86-03-034	173-303-101	AMD-P	86-07-069
173-145-120	AMD-P	86-22-054	173-301-184	REP	86-03-034	173-303-101	AMD	86-12-057
173-145-130	AMD-P	86-22-054	173-301-185	REP	86-03-034	173-303-102	AMD-P	86-07-069
173-145-140	AMD-P	86-22-054	173-301-186	REP	86-03-034	173-303-102	AMD	86-12-057
173-145-150	REP-P	86-22-054	173-301-187	REP	86-03-034	173-303-110	AMD-P	86-07-069
173-145-155	NEW-P	86-22-054	173-301-188	REP	86-03-034	173-303-110	AMD	86-12-057
173-216-010	AMD	86-06-040	173-301-189	REP	86-03-034	173-303-120	AMD-P	86-07-069
173-216-020	AMD	86-06-040	173-301-190	REP	86-03-034	173-303-120	AMD	86-12-057
173-216-030	AMD	86-06-040	173-301-191	REP	86-03-034	173-303-121	AMD-P	86-07-069
173-216-050	AMD	86-06-040	173-301-192	REP	86-03-034	173-303-121	AMD	86-12-057
173-216-060	AMD	86-06-040	173-301-193	REP	86-03-034	173-303-141	AMD-P	86-07-069
173-216-070	AMD	86-06-040	173-301-194	REP	86-03-034	173-303-141	AMD	86-12-057
173-216-110	AMD	86-06-040	173-301-195	REP	86-03-034	173-303-160	AMD-P	86-07-069
173-216-130	AMD	86-06-040	173-301-196	REP	86-03-034	173-303-160	AMD	86-12-057
173-216-150	NEW	86-06-040	173-301-197	REP	86-03-034	173-303-161	AMD-P	86-07-069
173-220-040	AMD	86-06-040	173-301-300	REP	86-03-034	173-303-161	AMD	86-12-057
173-220-045	AMD	86-06-040	173-301-301	REP	86-03-034	173-303-170	AMD-P	86-07-069
173-220-060	AMD	86-06-040	173-301-302	REP	86-03-034	173-303-170	AMD	86-12-057

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173-303-180	AMD-P	86-07-069	173-325-010	NEW-P	86-10-043	173-516-010	NEW-W	86-05-019
173-303-180	AMD	86-12-057	173-325-010	NEW-C	86-11-069	173-516-020	NEW-W	86-05-019
173-303-200	AMD-P	86-07-069	173-325-010	NEW-E	86-15-007	173-516-030	NEW-W	86-05-019
173-303-200	AMD	86-12-057	173-325-010	NEW	86-15-008	173-516-040	NEW-W	86-05-019
173-303-201	NEW-P	86-07-069	173-325-020	NEW-E	86-09-017	173-516-050	NEW-W	86-05-019
173-303-201	NEW	86-12-057	173-325-020	NEW-P	86-10-043	173-516-060	NEW-W	86-05-019
173-303-210	AMD-P	86-07-069	173-325-020	NEW-C	86-11-069	173-516-070	NEW-W	86-05-019
173-303-210	AMD	86-12-057	173-325-020	NEW-E	86-15-007	173-516-080	NEW-W	86-05-019
173-303-220	AMD-P	86-07-069	173-325-020	NEW	86-15-008	173-516-090	NEW-W	86-05-019
173-303-220	AMD	86-12-057	173-325-030	NEW-E	86-09-017	173-516-100	NEW-W	86-05-019
173-303-230	AMD-P	86-07-069	173-325-030	NEW-P	86-10-043	173-555-015	NEW-P	86-10-062
173-303-230	AMD	86-12-057	173-325-030	NEW-C	86-11-069	173-555-015	NEW-W	86-12-048
173-303-240	AMD-P	86-07-069	173-325-030	NEW-E	86-15-007	173-555-015	NEW-P	86-13-066
173-303-240	AMD	86-12-057	173-325-030	NEW	86-15-008	173-555-015	NEW-W	86-18-051
173-303-280	AMD-P	86-07-069	173-325-040	NEW-E	86-09-017	173-555-020	AMD-P	86-10-062
173-303-280	AMD	86-12-057	173-325-040	NEW-P	86-10-043	173-555-020	AMD-W	86-12-048
173-303-360	AMD-P	86-07-069	173-325-040	NEW-C	86-11-069	173-555-020	AMD-P	86-13-066
173-303-360	AMD	86-12-057	173-325-040	NEW-E	86-15-007	173-555-020	AMD-W	86-18-051
173-303-380	AMD-P	86-07-069	173-325-040	NEW	86-15-008	173-555-030	AMD-P	86-10-062
173-303-380	AMD	86-12-057	173-325-050	NEW-E	86-09-017	173-555-030	AMD-W	86-12-048
173-303-390	AMD-P	86-07-069	173-325-050	NEW-P	86-10-043	173-555-030	AMD-P	86-13-066
173-303-390	AMD	86-12-057	173-325-050	NEW-C	86-11-069	173-555-030	AMD-W	86-18-051
173-303-395	AMD-P	86-07-069	173-325-050	NEW-E	86-15-007	173-555-040	AMD-P	86-10-062
173-303-395	AMD	86-12-057	173-325-050	NEW	86-15-008	173-555-040	AMD-W	86-12-048
173-303-400	AMD-P	86-07-069	173-326-010	NEW-E	86-23-052	173-555-040	AMD-P	86-13-066
173-303-400	AMD	86-12-057	173-326-020	NEW-E	86-23-052	173-555-040	AMD-W	86-18-051
173-303-420	AMD-P	86-22-047	173-326-030	NEW-E	86-23-052	173-555-060	AMD-P	86-10-062
173-303-500	AMD-P	86-07-069	173-326-040	NEW-E	86-23-052	173-555-060	AMD-W	86-12-048
173-303-500	AMD	86-12-057	173-403-030	AMD-P	86-19-069	173-555-060	AMD-P	86-13-066
173-303-505	AMD-P	86-07-069	173-403-030	AMD	86-23-014	173-555-060	AMD-W	86-18-051
173-303-505	AMD	86-12-057	173-403-110	AMD-P	86-19-069	173-555-065	NEW-P	86-10-062
173-303-510	AMD-P	86-07-069	173-403-110	AMD	86-23-014	173-555-065	NEW-W	86-12-048
173-303-510	AMD	86-12-057	173-403-140	REP-P	86-19-069	173-555-065	NEW-P	86-13-066
173-303-515	AMD-P	86-07-069	173-403-140	REP	86-23-014	173-555-065	NEW-W	86-18-051
173-303-515	AMD	86-12-057	173-403-141	NEW-P	86-19-069	173-555-070	AMD-P	86-10-062
173-303-520	AMD-P	86-07-069	173-403-141	NEW	86-23-014	173-555-070	AMD-W	86-12-048
173-303-520	AMD	86-12-057	173-403-145	NEW-P	86-19-069	173-555-070	AMD-P	86-13-066
173-303-525	NEW-P	86-07-069	173-403-145	NEW	86-23-014	173-555-070	AMD-W	86-18-051
173-303-525	NEW	86-12-057	173-422	AMD-C	86-24-064	173-555-080	NEW-P	86-10-062
173-303-600	AMD-P	86-07-069	173-422-130	AMD-P	86-21-087	173-555-080	NEW-W	86-12-048
173-303-600	AMD	86-12-057	173-434-010	NEW-P	86-22-071	173-555-080	NEW-P	86-13-066
173-303-630	AMD-P	86-07-069	173-434-020	NEW-P	86-22-071	173-555-080	NEW-W	86-18-051
173-303-630	AMD	86-12-057	173-434-030	NEW-P	86-22-071	173-591-010	NEW-P	86-10-071
173-303-640	AMD-P	86-07-069	173-434-050	NEW-P	86-22-071	173-591-010	NEW	86-15-029
173-303-640	AMD	86-12-057	173-434-100	NEW-P	86-22-071	173-591-020	NEW-P	86-10-071
173-303-650	AMD-P	86-07-069	173-434-110	NEW-P	86-22-071	173-591-020	NEW	86-15-029
173-303-650	AMD	86-12-057	173-434-120	NEW-P	86-22-071	173-591-030	NEW-P	86-10-071
173-303-655	AMD-P	86-07-069	173-434-130	NEW-P	86-22-071	173-591-030	NEW	86-15-029
173-303-655	AMD	86-12-057	173-434-160	NEW-P	86-22-071	173-591-040	NEW-P	86-10-071
173-303-660	AMD-P	86-07-069	173-434-170	NEW-P	86-22-071	173-591-040	NEW	86-15-029
173-303-660	AMD	86-12-057	173-434-190	NEW-P	86-22-071	173-591-050	NEW-P	86-10-071
173-303-665	AMD-P	86-07-069	173-434-200	NEW-P	86-22-071	173-591-050	NEW	86-15-029
173-303-665	AMD	86-12-057	173-434-210	NEW-P	86-22-071	173-591-060	NEW-P	86-10-071
173-303-670	AMD-P	86-07-069	173-480-010	NEW-P	86-04-092	173-591-060	NEW	86-15-029
173-303-670	AMD	86-12-057	173-480-010	NEW-C	86-07-067	173-591-070	NEW-P	86-10-071
173-303-802	AMD-P	86-07-069	173-480-010	NEW	86-10-053	173-591-070	NEW	86-15-029
173-303-802	AMD	86-12-057	173-480-020	NEW-P	86-04-092	173-591-080	NEW-P	86-10-071
173-303-804	AMD-P	86-07-069	173-480-020	NEW-C	86-07-067	173-591-080	NEW	86-15-029
173-303-804	AMD	86-12-057	173-480-020	NEW	86-10-053	173-591-090	NEW-P	86-10-071
173-303-805	AMD-P	86-07-069	173-480-030	NEW-P	86-04-092	173-591-090	NEW	86-15-029
173-303-805	AMD	86-12-057	173-480-030	NEW-C	86-07-067	173-591-100	NEW-P	86-10-071
173-303-806	AMD-P	86-07-069	173-480-030	NEW	86-10-053	173-591-100	NEW	86-15-029
173-303-806	AMD	86-12-057	173-480-040	NEW-P	86-04-092	173-591-110	NEW-P	86-10-071
173-303-910	AMD-P	86-07-069	173-480-040	NEW-C	86-07-067	173-591-110	NEW	86-15-029
173-303-910	AMD	86-12-057	173-480-040	NEW	86-10-053	173-591-120	NEW-P	86-10-071
173-303-960	NEW-P	86-07-069	173-480-050	NEW-P	86-04-092	173-591-120	NEW	86-15-029
173-303-960	NEW	86-12-057	173-480-050	NEW-C	86-07-067	173-591-130	NEW-P	86-10-071
173-303-9902	AMD-P	86-07-069	173-480-050	NEW	86-10-053	173-591-130	NEW	86-15-029
173-303-9902	AMD	86-12-057	173-480-060	NEW-P	86-04-092	173-592-010	NEW-P	86-10-072
173-303-9903	AMD-P	86-07-069	173-480-060	NEW-C	86-07-067	173-592-010	NEW	86-15-030
173-303-9903	AMD	86-12-057	173-480-060	NEW	86-10-053	173-592-020	NEW-P	86-10-072
173-303-9904	AMD-P	86-07-069	173-480-070	NEW-P	86-04-092	173-592-020	NEW	86-15-030
173-303-9904	AMD	86-12-057	173-480-070	NEW-C	86-07-067	173-592-030	NEW-P	86-10-072
173-303-9905	AMD-P	86-07-069	173-480-070	NEW	86-10-053	173-592-030	NEW	86-15-030
173-303-9905	AMD	86-12-057	173-480-080	NEW-P	86-04-092	173-592-040	NEW-P	86-10-072
173-304-012	NEW-P	86-21-125	173-480-080	NEW-C	86-07-067	173-592-040	NEW	86-15-030
173-325-010	NEW-E	86-09-017	173-480-080	NEW	86-10-053	173-592-050	NEW-P	86-10-072

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180-79-231	NEW-P	86-09-097	182-12-210	NEW	86-16-061	204-65-050	NEW-P	87-01-020
180-79-233	NEW-P	86-09-097	182-12-220	NEW-P	86-13-044	204-65-060	NEW-P	87-01-020
180-85-005	NEW-P	86-09-098	182-12-220	NEW-E	86-13-045	210-01-010	NEW-P	86-10-056
180-85-005	NEW	86-13-018	182-12-220	NEW	86-16-061	210-01-010	NEW	86-14-002
180-85-010	NEW-P	86-09-098	192-12-005	NEW-P	86-23-056	210-01-020	NEW-P	86-10-056
180-85-010	NEW	86-13-018	192-12-011	NEW-P	86-23-056	210-01-020	NEW	86-14-002
180-85-015	NEW-P	86-09-098	192-12-012	NEW-P	86-23-056	210-01-030	NEW-P	86-10-056
180-85-015	NEW	86-13-018	192-12-025	AMD-P	86-11-044	210-01-030	NEW	86-14-002
180-85-020	NEW-P	86-09-098	192-12-025	AMD	86-14-031	210-01-040	NEW-P	86-10-056
180-85-020	NEW	86-13-018	192-12-066	NEW-P	86-22-062	210-01-040	NEW	86-14-002
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180-85-030	NEW-P	86-09-098	192-12-134	REP-P	86-22-062	210-01-060	NEW-P	86-10-056
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180-85-035	NEW-P	86-09-098	192-12-141	AMD-P	86-23-056	210-01-070	NEW-P	86-10-056
180-85-035	NEW	86-13-018	192-12-158	NEW-E	86-24-039	210-01-070	NEW	86-14-002
180-85-040	NEW-P	86-09-098	192-12-158	NEW-P	86-24-053	210-01-080	NEW-P	86-10-056
180-85-040	NEW	86-13-018	192-23	AMD-P	86-23-056	210-01-080	NEW	86-14-002
180-85-045	NEW-P	86-09-098	192-23-001	AMD-P	86-23-056	210-01-090	NEW-P	86-10-056
180-85-045	NEW	86-13-018	192-23-011	AMD-P	86-23-056	210-01-090	NEW	86-14-002
180-85-075	NEW-P	86-09-098	192-23-012	AMD-P	86-23-056	210-01-100	NEW-P	86-10-056
180-85-075	NEW	86-13-018	192-23-014	AMD-P	86-23-056	210-01-100	NEW	86-14-002
180-85-080	NEW-P	86-09-098	192-23-015	AMD-P	86-23-056	210-01-110	NEW-P	86-10-056
180-85-080	NEW	86-13-018	192-23-016	AMD-P	86-23-056	210-01-110	NEW	86-14-002
180-85-100	NEW-P	86-09-098	192-23-018	NEW-P	86-23-056	210-01-120	NEW-P	86-10-056
180-85-100	NEW	86-13-018	192-23-051	AMD-P	86-23-056	210-01-120	NEW	86-14-002
180-85-105	NEW-P	86-09-098	192-23-800	AMD-P	86-23-056	210-01-130	NEW-P	86-10-056
180-85-105	NEW	86-13-018	192-23-810	AMD-P	86-23-056	210-01-130	NEW	86-14-002
180-85-110	NEW-P	86-09-098	192-28-105	AMD-P	86-14-095	212-32-005	AMD-P	86-08-063
180-85-110	NEW	86-13-018	192-28-105	AMD	86-17-023	212-32-005	AMD	86-12-062
180-85-115	NEW-P	86-09-098	192-28-110	AMD-P	86-14-095	212-32-015	AMD-P	86-08-063
180-85-115	NEW	86-13-018	192-28-110	AMD	86-17-023	212-32-015	AMD	86-12-062
180-85-120	NEW-P	86-09-098	192-28-115	AMD-P	86-14-095	212-32-035	AMD-P	86-08-063
180-85-120	NEW	86-13-018	192-28-115	AMD	86-17-023	212-32-035	AMD	86-12-062
180-85-130	NEW-P	86-09-098	192-28-120	AMD-P	86-14-095	212-32-040	AMD-P	86-08-063
180-85-130	NEW	86-13-018	192-28-120	AMD	86-17-023	212-32-040	AMD	86-12-062
180-85-135	NEW-P	86-09-098	192-28-125	AMD-P	86-14-095	212-32-045	AMD-P	86-08-063
180-85-135	NEW	86-13-018	192-28-125	AMD	86-17-023	212-32-045	AMD	86-12-062
180-85-200	NEW-P	86-09-098	192-40-010	NEW-P	86-05-022	212-32-050	AMD-P	86-08-063
180-85-200	NEW	86-13-018	192-40-010	NEW	86-08-073	212-32-050	AMD	86-12-062
180-85-205	NEW-P	86-09-098	192-40-020	NEW-P	86-05-022	212-32-070	AMD-P	86-08-063
180-85-205	NEW	86-13-018	192-40-020	NEW	86-08-073	212-32-070	AMD	86-12-062
180-85-210	NEW-P	86-09-098	192-40-030	NEW-P	86-05-022	212-32-075	AMD-P	86-08-063
180-85-210	NEW	86-13-018	192-40-030	NEW	86-08-073	212-32-075	AMD	86-12-062
180-85-215	NEW-P	86-09-098	192-40-040	NEW-P	86-05-022	212-32-080	AMD-P	86-08-063
180-85-215	NEW	86-13-018	192-40-040	NEW	86-08-073	212-32-080	AMD	86-12-062
180-85-220	NEW-P	86-09-098	192-40-050	NEW-P	86-05-022	212-32-085	AMD-P	86-08-063
180-85-220	NEW	86-13-018	192-40-050	NEW	86-08-073	212-32-085	AMD	86-12-062
180-85-225	NEW-P	86-09-098	192-40-060	NEW-P	86-05-022	212-32-095	AMD-P	86-08-063
180-85-225	NEW	86-13-018	192-40-060	NEW	86-08-073	212-32-095	AMD	86-12-062
182-08-120	AMD-P	86-13-044	192-40-070	NEW-P	86-05-022	212-32-100	AMD-P	86-08-063
182-08-120	AMD-E	86-13-045	192-40-070	NEW	86-08-073	212-32-100	AMD	86-12-062
182-08-120	AMD	86-16-061	192-40-080	NEW-P	86-05-022	212-32-110	NEW-P	86-08-063
182-08-160	AMD-P	86-13-044	192-40-080	NEW	86-08-073	212-32-110	NEW	86-12-062
182-08-160	AMD-E	86-13-045	192-40-090	NEW-P	86-05-022	212-32-115	NEW-P	86-08-063
182-08-160	AMD	86-16-061	192-40-090	NEW	86-08-073	212-32-115	NEW	86-12-062
182-08-170	AMD-P	86-13-044	192-40-100	NEW-P	86-05-022	212-32-120	NEW-P	86-08-063
182-08-170	AMD-E	86-13-045	192-40-100	NEW	86-08-073	212-32-120	NEW	86-12-062
182-08-170	AMD	86-16-061	192-40-110	NEW-P	86-05-022	212-32-125	NEW-P	86-08-063
182-08-220	NEW-P	86-13-044	192-40-110	NEW	86-08-073	212-32-125	NEW	86-12-062
182-08-220	NEW-E	86-13-045	192-40-120	NEW-P	86-05-022	212-32-130	NEW-P	86-08-063
182-08-220	NEW	86-16-061	204-41-010	NEW-P	86-17-072	212-32-130	NEW	86-12-062
182-12-115	AMD-P	86-13-043	204-41-010	NEW	86-20-037	212-32-135	NEW-P	86-08-063
182-12-115	AMD-E	86-16-062	204-41-020	NEW-P	86-17-072	212-32-135	NEW	86-12-062
182-12-115	AMD-P	86-17-025	204-41-020	NEW	86-20-037	212-32-140	NEW-P	86-08-063
182-12-115	AMD-E	86-21-041	204-41-030	NEW-P	86-17-072	212-32-140	NEW	86-12-062
182-12-115	AMD	86-21-042	204-41-030	NEW	86-20-037	212-32-145	NEW-P	86-08-063
182-12-122	AMD-P	86-13-044	204-41-040	NEW-P	86-17-072	212-32-145	NEW	86-12-062
182-12-122	AMD-E	86-13-045	204-41-040	NEW	86-20-037	212-32-150	NEW-P	86-08-063
182-12-122	AMD	86-16-061	204-41-050	NEW-P	86-17-072	212-32-150	NEW	86-12-062
182-12-126	NEW-P	86-13-044	204-41-050	NEW	86-20-037	212-32-155	NEW-P	86-08-063
182-12-126	NEW-E	86-13-045	204-41-060	NEW-P	86-17-072	212-32-155	NEW	86-12-062
182-12-126	NEW	86-16-061	204-41-070	NEW-P	86-17-072	212-32-160	NEW-P	86-08-063
182-12-160	AMD-C	86-05-020	204-65-010	NEW-P	87-01-020	212-32-160	NEW	86-12-062
182-12-160	AMD	86-06-003	204-65-020	NEW-P	87-01-020	212-52-001	AMD-P	86-08-064
182-12-210	NEW-P	86-13-044	204-65-030	NEW-P	87-01-020	212-52-001	AMD	86-11-038
182-12-210	NEW-E	86-13-045	204-65-040	NEW-P	87-01-020	212-52-002	NEW-P	86-08-064

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-52-002	NEW	86-11-038	220-24-02000J	NEW-E	86-10-007	220-32-03000C	REP-E	86-21-102
212-52-005	AMD-P	86-08-064	220-24-02000J	REP-E	86-10-015	220-32-03000D	NEW-E	86-21-012
212-52-005	AMD	86-11-038	220-24-02000K	NEW-E	86-10-015	220-32-03000Y	NEW-E	86-06-013
212-52-012	AMD-P	86-08-064	220-24-02000K	REP-E	86-11-016	220-32-03000Z	NEW-E	86-14-012
212-52-012	AMD	86-11-038	220-24-02000L	NEW-E	86-11-016	220-32-03000Z	REP-E	86-19-029
212-52-016	NEW-P	86-08-064	220-24-02000L	REP-E	86-11-043	220-32-04100I	NEW-E	86-12-013
212-52-016	NEW	86-11-038	220-24-02000M	NEW-E	86-11-043	220-32-042	REP-P	86-05-040
212-52-018	NEW-P	86-08-064	220-24-02000M	REP-E	86-12-012	220-32-042	REP	86-08-039
212-52-018	NEW	86-11-038	220-24-02000N	NEW-E	86-12-012	220-32-05100A	NEW-E	86-19-027
212-52-020	AMD-P	86-08-064	220-24-02000N	REP-E	86-12-032	220-32-05100A	REP-E	86-20-047
212-52-020	AMD	86-11-038	220-24-02000O	NEW-E	86-12-032	220-32-05100B	NEW-E	86-20-047
212-52-025	AMD-P	86-08-064	220-24-02000P	NEW-E	86-16-036	220-32-05100B	REP-E	86-20-096
212-52-025	AMD	86-11-038	220-24-02000P	REP-E	86-16-074	220-32-05100C	NEW-E	86-20-047
212-52-027	AMD-P	86-08-064	220-24-02000Q	NEW-E	86-16-074	220-32-05100C	REP-E	86-20-096
212-52-027	AMD	86-11-038	220-24-02000Q	REP-E	86-16-083	220-32-05100D	NEW-E	86-20-096
212-52-028	NEW-P	86-08-064	220-24-02000R	NEW-E	86-16-083	220-32-05100D	REP-E	86-21-028
212-52-028	NEW	86-11-038	220-28-01000A	NEW-E	86-17-008	220-32-05100E	NEW-E	86-20-096
212-52-030	AMD-P	86-08-064	220-28-601	NEW-E	86-15-017	220-32-05100E	REP-E	86-21-028
212-52-030	AMD	86-11-038	220-28-601	REP-E	86-15-055	220-32-05100F	NEW-E	86-21-028
212-52-037	AMD-P	86-08-064	220-28-602	NEW-E	86-15-055	220-32-05100F	REP-E	86-21-062
212-52-037	AMD	86-11-038	220-28-602	REP-E	86-16-015	220-32-05100G	NEW-E	86-21-062
212-52-040	REP-P	86-08-064	220-28-603	NEW-E	86-16-015	220-32-05100W	NEW-E	86-14-012
212-52-040	REP	86-11-038	220-28-603	REP-E	86-16-032	220-32-05100W	REP-E	86-17-043
212-52-041	NEW-P	86-08-064	220-28-604	NEW-E	86-16-032	220-32-05100X	NEW-E	86-17-043
212-52-041	NEW	86-11-038	220-28-604	REP-E	86-16-050	220-32-05100X	REP-E	86-18-076
212-52-045	AMD-P	86-08-064	220-28-605	NEW-E	86-16-050	220-32-05100Y	NEW-E	86-18-076
212-52-045	AMD	86-11-038	220-28-605	REP-E	86-17-011	220-32-05100Y	REP-E	86-19-011
212-52-050	AMD-P	86-08-064	220-28-606	NEW-E	86-17-011	220-32-05100Z	NEW-E	86-19-010
212-52-050	AMD	86-11-038	220-28-606	REP-E	86-17-042	220-32-05100Z	REP-E	86-20-047
212-52-055	AMD-P	86-08-064	220-28-607	NEW-E	86-17-042	220-32-05500Q	NEW-E	86-11-050
212-52-055	AMD	86-11-038	220-28-607	REP-E	86-18-047	220-32-05500Q	REP-E	86-12-014
212-52-060	AMD-P	86-08-064	220-28-608	NEW-E	86-18-047	220-32-05500P	NEW-E	86-12-014
212-52-060	AMD	86-11-038	220-28-608	REP-E	86-19-009	220-32-05500P	REP-E	86-12-055
212-52-065	REP-P	86-08-064	220-28-609	NEW-E	86-19-009	220-32-05500R	NEW-E	86-12-055
212-52-065	REP	86-11-038	220-28-609	REP-E	86-19-018	220-32-05500R	REP-E	86-17-060
212-52-070	AMD-P	86-08-064	220-28-610	NEW-E	86-19-018	220-32-05500S	NEW-E	86-17-060
212-52-070	AMD	86-11-038	220-28-610	REP-E	86-19-047	220-32-05900I	NEW-E	86-09-015
212-52-075	AMD-P	86-08-064	220-28-611	NEW-E	86-19-047	220-32-05900J	NEW-E	86-10-005
212-52-075	AMD	86-11-038	220-28-611	REP-E	86-20-004	220-36-020	AMD-P	86-10-075
212-52-080	AMD-P	86-08-064	220-28-612	NEW-E	86-20-004	220-36-020	AMD	86-15-016
212-52-080	AMD	86-11-038	220-28-612	REP-E	86-20-007	220-36-021	AMD-P	86-10-075
212-52-085	AMD-P	86-08-064	220-28-613	NEW-E	86-20-007	220-36-021	AMD	86-15-016
212-52-085	AMD	86-11-038	220-28-613	REP-E	86-20-033	220-36-02100A	NEW-E	86-21-069
212-52-090	AMD-P	86-08-064	220-28-614	NEW-E	86-20-033	220-36-02100A	REP-E	86-21-100
212-52-090	AMD	86-11-038	220-28-614	REP-E	86-20-049	220-36-02100B	NEW-E	86-21-100
212-52-095	AMD-P	86-08-064	220-28-615	NEW-E	86-20-049	220-36-02100B	REP-E	86-21-121
212-52-095	AMD	86-11-038	220-28-615	REP-E	86-20-057	220-36-02100C	NEW-E	86-21-121
212-52-100	AMD-P	86-08-064	220-28-616	NEW-E	86-20-057	220-36-02100C	REP-E	86-22-014
212-52-100	AMD	86-11-038	220-28-616	REP-E	86-21-006	220-36-02100D	NEW-E	86-22-014
212-52-105	AMD-P	86-08-064	220-28-617	NEW-E	86-21-006	220-36-02100D	REP-E	86-22-022
212-52-105	AMD	86-11-038	220-28-617	REP-E	86-21-044	220-36-02100E	NEW-E	86-22-022
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212-52-112	NEW	86-11-038	220-28-618	REP-E	86-22-007	220-36-02100F	NEW-E	86-22-035
212-52-115	AMD-P	86-08-064	220-28-619	NEW-E	86-22-007	220-36-02100F	REP-E	86-23-012
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220-57-13000I	NEW-E	86-15-056	220-57-43500B	NEW-E	86-21-105	220-69-241	AMD	86-19-043
220-57-13000I	REP-E	86-21-098	220-57-43500B	REP-E	86-22-033	220-69-242	AMD-P	86-15-086
220-57-13000J	NEW-E	86-21-098	220-57-43500C	NEW-E	86-22-033	220-69-242	AMD	86-19-043
220-57-13000J	REP-E	86-23-008	220-57-43500C	REP-E	86-23-032	220-69-243	NEW-P	86-15-086
220-57-13500H	NEW-E	86-15-056	220-57-43500D	NEW-E	86-23-032	220-69-243	NEW	86-19-043
220-57-13500H	REP-E	86-21-098	220-57-450	AMD-C	86-03-089	220-69-250	AMD-P	86-15-086
220-57-13500I	NEW-E	86-21-098	220-57-450	AMD	86-09-020	220-69-250	AMD	86-19-043
220-57-13500I	REP-E	86-23-008	220-57-45000D	NEW-E	86-21-105	220-69-250	AMD-P	86-15-086
220-57-138	AMD-C	86-03-089	220-57-45000D	REP-E	86-22-033	220-69-254	AMD	86-19-043
220-57-138	AMD	86-09-020	220-57-45000E	NEW-E	86-22-033	220-69-25402	REP-P	86-15-086
220-57-140	AMD-C	86-03-089	220-57-455	AMD-C	86-03-089	220-69-25402	REP	86-19-043
220-57-140	AMD	86-09-020	220-57-455	AMD	86-09-020	220-69-255	REP-P	86-15-086
220-57-14000E	NEW-E	86-21-015	220-57-46000P	NEW-E	86-11-051	220-69-255	REP	86-19-043
220-57-14000F	NEW-E	86-21-070	220-57-46000P	REP-E	86-13-013	220-69-25501	REP-P	86-15-086
220-57-15500F	NEW-E	86-13-013	220-57-46000Q	NEW-E	86-13-013	220-69-25501	REP	86-19-043
220-57-160	AMD-C	86-03-089	220-57-46000R	NEW-E	86-21-098	220-69-260	AMD-P	86-15-086
220-57-160	AMD	86-09-020	220-57-46000R	REP-E	86-23-008	220-69-260	AMD	86-19-043
220-57-16000A	NEW-E	86-16-022	220-57-46000S	NEW-E	86-23-022	220-69-26000A	NEW-E	86-08-024
220-57-16000A	REP-E	86-21-068	220-57-49500E	NEW-E	86-19-059	220-69-26000B	NEW-E	86-14-028
220-57-16000B	NEW-E	86-17-028	220-57-49500E	REP-E	86-20-032	220-69-262	AMD-P	86-15-086

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220-69-264	AMD-P	86-15-086	230-04-201	AMD-C	86-13-054	230-46-110	NEW-C	86-13-054
220-69-264	AMD	86-19-043	230-04-201	AMD	86-13-055	230-46-120	NEW-P	86-05-045
220-69-26401	AMD-P	86-15-086	230-04-201	AMD-C	86-17-055	230-46-120	NEW-C	86-11-004
220-69-26401	AMD	86-19-043	230-04-900	NEW-P	86-09-040	230-46-140	NEW-P	86-05-045
220-69-26402	REP-P	86-15-086	230-04-900	NEW	86-13-055	230-46-140	NEW-C	86-11-004
220-69-26402	REP	86-19-043	230-08-010	AMD	86-07-037	230-46-140	NEW-C	86-13-054
220-69-265	REP-P	86-15-086	230-08-010	AMD-P	86-15-027	232-12-001	AMD-P	86-14-102
220-69-265	REP	86-19-043	230-08-010	AMD	86-19-056	232-12-001	AMD-P	86-17-053
220-69-26501	REP-P	86-15-086	230-08-080	AMD-P	86-05-044	232-12-001	AMD	86-21-017
220-69-26501	REP	86-19-043	230-08-080	AMD	86-09-036	232-12-04506	NEW-E	86-03-017
220-69-272	AMD-P	86-15-086	230-08-100	AMD-P	86-09-040	232-12-04507	NEW-E	86-04-021
220-69-272	AMD	86-19-043	230-08-100	AMD-P	86-10-042	232-12-091	AMD-P	86-05-047
220-69-273	AMD-P	86-15-086	230-08-100	AMD	86-13-055	232-12-091	AMD	86-09-023
220-69-273	AMD	86-19-043	230-08-100	REP-P	86-15-027	232-12-167	REP-P	86-14-102
220-69-274	AMD-P	86-15-086	230-08-130	AMD-P	86-15-027	232-12-167	REP-P	86-17-053
220-69-274	AMD	86-19-043	230-08-130	AMD	86-19-056	232-12-167	REP	86-21-017
220-69-280	AMD-P	86-15-086	230-08-160	AMD-P	86-15-027	232-12-168	NEW-P	86-14-102
220-69-280	AMD	86-19-043	230-08-160	AMD	86-19-056	232-12-168	NEW-P	86-17-053
220-69-300	AMD-P	86-15-086	230-08-165	NEW-P	86-11-005	232-12-168	NEW	86-21-017
220-69-300	AMD	86-19-043	230-08-165	NEW-C	86-15-026	232-12-169	NEW-P	86-24-021
220-76-010	AMD-P	86-15-086	230-08-165	NEW-C	86-17-054	232-12-189	AMD	86-03-054
220-76-010	AMD	86-19-043	230-12-040	AMD-P	86-09-040	232-12-241	AMD	86-03-055
220-76-01000A	NEW-E	86-10-027	230-12-040	AMD	86-13-055	232-12-241	AMD-P	86-14-103
220-76-015	AMD-P	86-15-086	230-12-075	NEW-P	86-19-055	232-12-241	AMD-W	86-16-035
220-76-015	AMD	86-19-043	230-12-075	NEW	86-24-025	232-12-241	AMD-P	86-17-052
220-76-01500A	NEW-E	86-10-027	230-12-240	NEW-P	86-13-053	232-12-241	AMD	86-21-009
220-76-016	REP-P	86-15-086	230-12-310	AMD-P	86-09-040	232-12-292	NEW-P	86-17-096
220-76-016	REP	86-19-043	230-12-310	AMD-P	86-13-053	232-12-292	NEW	86-21-010
220-76-020	AMD-P	86-15-086	230-12-310	AMD-P	86-14-076	232-12-804	AMD	86-03-052
220-76-020	AMD	86-19-043	230-12-310	AMD-P	86-17-056	232-12-806	REP	86-03-053
220-76-02000A	NEW-E	86-10-027	230-12-310	AMD	86-21-060	232-12-807	NEW	86-03-053
220-76-025	REP-P	86-15-086	230-20-010	AMD-P	86-05-044	232-12-809	AMD-P	86-05-049
220-76-025	REP	86-19-043	230-20-010	AMD	86-09-036	232-12-809	AMD	86-09-024
220-87-010	NEW-P	86-24-065	230-20-064	AMD-P	86-07-043	232-16-289	REP-P	86-14-105
220-87-020	NEW-P	86-24-065	230-20-064	AMD-C	86-13-054	232-16-289	REP	86-18-010
222-34-010	AMD-P	86-17-079	230-20-064	AMD-C	86-17-055	232-16-380	AMD-P	86-14-104
222-34-010	AMD	86-21-040	230-20-100	AMD-P	86-05-044	232-16-380	AMD-W	86-17-004
222-34-020	AMD-P	86-17-079	230-20-100	AMD	86-09-036	232-16-630	REP-P	86-14-105
222-34-020	AMD	86-21-040	230-20-240	AMD-P	86-05-044	232-16-630	REP	86-18-010
222-34-030	AMD-P	86-17-079	230-20-240	AMD	86-09-036	232-16-650	REP-P	86-14-105
222-34-030	AMD	86-21-040	230-20-246	AMD-P	86-05-044	232-16-650	REP	86-18-010
222-34-050	AMD-P	86-17-079	230-20-246	AMD	86-09-036	232-16-670	REP-P	86-14-105
222-34-050	AMD	86-21-040	230-20-380	AMD-P	86-24-027	232-16-670	REP	86-18-010
230-02-020	AMD-P	86-11-005	230-30-050	AMD	86-07-037	232-28-108	REP-P	86-12-054
230-02-020	AMD	86-15-025	230-30-060	AMD-P	86-21-061	232-28-108	REP	86-16-028
230-02-110	AMD-P	86-15-027	230-30-070	AMD-P	86-21-061	232-28-109	NEW-P	86-12-054
230-02-110	AMD	86-19-056	230-40-010	AMD-P	86-15-059	232-28-109	NEW	86-16-028
230-02-120	AMD-P	86-15-027	230-40-010	AMD	86-19-056	232-28-210	REP-P	86-09-084
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230-02-125	NEW-P	86-15-027	230-40-055	AMD-C	86-15-026	232-28-211	NEW-P	86-05-050
230-02-125	NEW	86-19-056	230-40-055	AMD	86-17-057	232-28-211	NEW-W	86-06-027
230-02-130	AMD-P	86-15-027	230-40-070	AMD-P	86-09-040	232-28-212	NEW-P	86-09-084
230-02-130	AMD	86-19-056	230-40-070	AMD	86-13-055	232-28-212	NEW	86-16-020
230-02-135	NEW-P	86-15-027	230-40-120	AMD-P	86-11-005	232-28-212	NEW-E	86-16-027
230-02-135	NEW	86-19-056	230-40-120	AMD	86-15-025	232-28-21201	NEW-P	86-17-095
230-02-270	AMD-P	86-15-027	230-40-310	AMD-P	86-09-040	232-28-21201	NEW	86-21-011
230-02-270	AMD	86-19-056	230-40-310	AMD	86-13-055	232-28-409	REP-P	86-14-106
230-02-350	AMD-P	86-11-005	230-40-400	AMD-P	86-11-005	232-28-409	REP	86-18-020
230-02-350	AMD-C	86-15-026	230-46-010	AMD-P	86-03-035	232-28-410	NEW-P	86-14-106
230-02-350	AMD-P	86-15-027	230-46-010	AMD	86-08-007	232-28-410	NEW	86-18-020
230-02-350	AMD	86-17-057	230-46-020	AMD-P	86-03-035	232-28-508	REP-P	86-12-053
230-02-350	AMD-C	86-19-054	230-46-020	AMD	86-08-007	232-28-508	REP	86-18-019
230-02-350	AMD-P	86-19-055	230-46-030	REP-P	86-03-035	232-28-509	NEW-P	86-12-053
230-02-350	AMD-C	86-22-010	230-46-030	REP	86-07-044	232-28-509	NEW	86-18-019
230-02-350	AMD	86-24-025	230-46-040	REP-P	86-03-035	232-28-61423	NEW-E	86-05-051
230-02-350	AMD-C	86-24-026	230-46-040	REP	86-07-044	232-28-615	REP-P	86-14-102
230-02-360	NEW-P	86-15-027	230-46-050	REP-P	86-03-035	232-28-615	REP	86-24-023
230-02-360	NEW	86-19-056	230-46-050	REP	86-07-044	232-28-61502	NEW-E	86-03-002
230-02-370	NEW-P	86-15-027	230-46-060	REP-P	86-03-035	232-28-61506	NEW-E	86-03-018
230-02-370	NEW	86-19-056	230-46-060	REP	86-07-044	232-28-61507	NEW-E	86-07-030
230-02-380	NEW-P	86-15-027	230-46-100	NEW-P	86-05-045	232-28-61508	NEW-E	86-06-029
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230-04-060	AMD-P	86-09-040	230-46-100	NEW-C	86-11-004	232-28-61508	NEW-E	86-18-044
230-04-060	AMD-P	86-13-053	230-46-100	NEW-C	86-13-054	232-28-61509	NEW-E	86-08-060
230-04-060	AMD	86-17-057	230-46-110	NEW-P	86-05-045	232-28-61510	NEW-E	86-08-061
230-04-201	AMD-P	86-07-043	230-46-110	NEW-P	86-07-036	232-28-61511	NEW-E	86-09-071

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232-28-61511	NEW	86-12-046	248-19-327	NEW	86-06-030	250-61-020	NEW-P	86-13-067
232-28-61511	REP-P	86-17-053	248-19-330	AMD	86-06-030	250-61-020	NEW-E	86-18-017
232-28-61511	REP	86-24-022	248-19-340	AMD	86-06-030	250-61-020	NEW-C	86-20-082
232-28-61511	REP	86-24-062	248-19-350	AMD	86-06-030	250-61-020	NEW	86-24-003
232-28-61512	NEW-E	86-13-041	248-19-373	AMD-P	86-09-049	250-61-030	NEW-P	86-13-067
232-28-61512	NEW-E	86-19-020	248-19-373	AMD	86-12-044	250-61-030	NEW-E	86-18-017
232-28-61513	NEW-E	86-16-029	248-19-400	AMD	86-06-030	250-61-030	NEW-C	86-20-082
232-28-61514	NEW-E	86-18-061	248-19-403	AMD	86-06-030	250-61-030	NEW	86-24-003
232-28-61515	NEW-E	86-16-030	248-19-405	AMD	86-06-030	250-61-040	NEW-P	86-13-067
232-28-61516	NEW-E	86-22-030	248-19-410	AMD	86-06-030	250-61-040	NEW-E	86-18-017
232-28-61517	NEW-E	86-21-001	248-19-415	AMD	86-06-030	250-61-040	NEW-C	86-20-082
232-28-61518	NEW-E	87-01-010	248-19-420	AMD	86-06-030	250-61-040	NEW	86-24-003
232-28-61518	REP-E	87-01-078	248-19-430	AMD	86-06-030	250-61-050	NEW-P	86-13-067
232-28-616	NEW-P	86-14-102	248-19-440	AMD	86-06-030	250-61-050	NEW-E	86-18-017
232-28-616	NEW	86-24-023	248-19-450	AMD	86-06-030	250-61-050	NEW-C	86-20-082
232-28-707	REP	86-06-028	248-19-460	AMD	86-06-030	250-61-050	NEW	86-24-003
232-28-708	NEW	86-06-028	248-19-470	AMD	86-06-030	250-61-060	NEW-P	86-13-067
232-28-708	REP-P	86-24-061	248-19-475	AMD	86-06-030	250-61-060	NEW-E	86-18-017
232-28-709	NEW-P	86-24-061	248-19-480	AMD	86-06-030	250-61-060	NEW-C	86-20-082
232-28-807	REP-P	86-05-048	248-21-002	AMD-P	86-03-070	250-61-060	NEW	86-24-003
232-28-807	REP	86-12-045	248-21-002	AMD	86-08-002	250-61-070	NEW-P	86-13-067
232-28-808	NEW-P	86-05-048	248-21-002	AMD	86-04-031	250-61-070	NEW-E	86-18-017
232-28-808	NEW	86-12-045	248-29-010	AMD	86-04-031	250-61-070	NEW-C	86-20-082
240-10-010	AMD-P	86-05-023	248-29-020	AMD	86-04-031	250-61-070	NEW	86-24-003
240-10-010	AMD	86-08-070	248-29-030	AMD	86-04-031	250-61-080	NEW-P	86-13-067
240-10-030	AMD-P	86-05-023	248-29-040	AMD	86-04-031	250-61-080	NEW-E	86-18-017
240-10-030	AMD	86-08-070	248-29-050	AMD	86-04-031	250-61-080	NEW-C	86-20-082
240-10-040	AMD-P	86-05-023	248-29-060	AMD	86-04-031	250-61-080	NEW	86-24-003
240-10-040	AMD	86-08-070	248-29-070	AMD	86-04-031	250-61-090	NEW-P	86-13-067
240-10-055	NEW-P	86-05-023	248-29-080	AMD	86-04-031	250-61-090	NEW-E	86-18-017
240-10-055	NEW	86-08-070	248-29-090	AMD	86-04-031	250-61-090	NEW-C	86-20-082
248-14-080	AMD-P	86-24-073	248-40-040	AMD-P	86-10-074	250-61-090	NEW	86-24-003
248-14-090	AMD-P	86-24-073	248-40-040	AMD	86-14-008	250-61-100	NEW-P	86-13-067
248-14-235	AMD-P	86-16-039	248-40-050	AMD-P	86-10-074	250-61-100	NEW-E	86-18-017
248-14-235	AMD	86-20-018	248-40-050	AMD	86-14-008	250-61-100	NEW-C	86-20-082
248-14-240	AMD-P	86-16-039	248-100-175	REP	86-05-013	250-61-100	NEW	86-24-003
248-14-240	AMD	86-20-018	248-140-010	AMD-P	86-03-070	250-61-110	NEW-P	86-13-067
248-16-900	AMD-P	86-03-070	248-140-010	AMD	86-08-002	250-61-110	NEW-E	86-18-017
248-16-900	AMD	86-08-002	248-140-140	AMD-P	86-03-070	250-61-110	NEW-C	86-20-082
248-16-999	AMD-P	86-03-070	248-140-140	AMD	86-08-002	250-61-110	NEW	86-24-003
248-16-999	AMD	86-08-002	248-140-150	AMD-P	86-03-070	250-61-120	NEW-P	86-13-067
248-18-001	AMD-P	86-03-070	248-140-150	AMD	86-08-002	250-61-120	NEW-E	86-18-017
248-18-001	AMD	86-08-002	248-140-220	AMD-P	86-03-070	250-61-120	NEW-C	86-20-082
248-18-010	AMD-P	86-03-070	248-140-220	AMD	86-08-002	250-61-120	NEW	86-24-003
248-18-010	AMD	86-08-002	248-554-001	AMD-P	86-18-064	250-61-130	NEW-P	86-13-067
248-18-031	AMD-P	86-23-026	248-554-001	AMD-E	86-18-065	250-61-130	NEW-E	86-18-017
248-18-040	AMD-P	86-05-005	248-554-001	AMD	86-22-039	250-61-130	NEW-C	86-20-082
248-18-040	AMD	86-08-086	248-554-005	AMD-P	86-18-064	250-61-130	NEW	86-24-003
248-18-245	AMD-P	86-03-070	248-554-005	AMD-E	86-18-065	250-61-140	NEW-P	86-13-067
248-18-245	AMD	86-08-002	248-554-005	AMD	86-22-039	250-61-140	NEW-E	86-18-017
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248-18-320	REP-P	86-24-008	248-554-010	AMD-E	86-18-065	250-61-140	NEW	86-24-003
248-18-321	NEW-P	86-24-008	248-554-010	AMD	86-22-039	250-61-150	NEW-P	86-13-067
248-18-515	AMD-P	86-03-070	248-554-015	AMD-P	86-18-064	250-61-150	NEW-E	86-18-017
248-18-515	AMD	86-08-002	248-554-015	AMD-E	86-18-065	250-61-150	NEW-C	86-20-082
248-18-662	NEW-P	86-24-008	248-554-015	AMD	86-22-039	250-61-150	NEW	86-24-003
248-18-663	NEW-P	86-24-008	248-554-018	NEW-P	86-18-064	250-61-160	NEW-P	86-13-067
248-18-718	AMD-P	86-03-070	248-554-018	NEW-E	86-18-065	250-61-160	NEW-E	86-18-017
248-18-718	AMD	86-08-002	248-554-018	NEW	86-22-039	250-61-160	NEW-C	86-20-082
248-18-999	AMD-P	86-03-070	248-554-020	AMD-P	86-18-064	250-61-160	NEW	86-24-003
248-18-999	AMD	86-08-002	248-554-020	AMD-E	86-18-065	250-61-170	NEW-C	86-20-082
248-18-99902	AMD-P	87-01-070	248-554-020	AMD	86-22-039	250-61-170	NEW	86-24-003
248-19-200	REP	86-06-030	248-554-030	AMD-P	86-18-064	250-61-180	NEW-C	86-20-082
248-19-210	AMD	86-06-030	248-554-030	AMD-E	86-18-065	250-61-180	NEW	86-24-003
248-19-220	AMD	86-06-030	248-554-030	AMD	86-22-039	250-61-190	NEW-C	86-20-082
248-19-230	AMD	86-06-030	250-20-021	AMD-P	86-09-033	250-61-190	NEW	86-24-003
248-19-240	AMD	86-06-030	250-20-021	AMD-E	86-09-034	251-01-005	NEW-P	86-06-052
248-19-260	AMD	86-06-030	250-20-021	AMD	86-12-077	251-01-005	NEW	86-09-078
248-19-270	AMD	86-06-030	250-40-050	AMD-E	86-04-038	251-01-010	NEW-P	86-06-052
248-19-280	AMD	86-06-030	250-40-050	AMD-E	86-07-041	251-01-010	NEW	86-09-078
248-19-290	REP	86-06-030	250-40-050	AMD-P	86-07-042	251-01-015	NEW-P	86-06-052
248-19-295	NEW	86-06-030	250-40-050	AMD	86-10-014	251-01-015	NEW	86-09-078
248-19-300	AMD	86-06-030	250-61	REVIEW	86-20-094	251-01-020	NEW-P	86-06-052
248-19-310	AMD	86-06-030	250-61-010	NEW-P	86-13-067	251-01-020	NEW	86-09-078
248-19-320	AMD	86-06-030	250-61-010	NEW-E	86-18-017	251-01-025	NEW-P	86-06-052
248-19-325	REP	86-06-030	250-61-010	NEW-C	86-20-082	251-01-025	NEW	86-09-078

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
251-01-030	NEW-P	86-06-052	251-01-230	NEW-P	86-06-052	251-01-415	NEW	86-09-078
251-01-030	NEW	86-09-078	251-01-230	NEW	86-09-078	251-01-420	NEW-P	86-06-052
251-01-035	NEW-P	86-06-052	251-01-235	NEW-P	86-06-052	251-01-420	NEW	86-09-078
251-01-035	NEW	86-09-078	251-01-235	NEW	86-09-078	251-01-425	NEW-P	86-06-052
251-01-040	NEW-P	86-06-052	251-01-240	NEW-P	86-06-052	251-01-425	NEW	86-09-078
251-01-040	NEW	86-09-078	251-01-240	NEW	86-09-078	251-01-430	NEW-P	86-06-052
251-01-045	NEW-P	86-06-052	251-01-245	NEW-P	86-06-052	251-01-430	NEW	86-09-078
251-01-045	NEW	86-09-078	251-01-245	NEW	86-09-078	251-01-435	NEW-P	86-06-052
251-01-050	NEW-P	86-06-052	251-01-250	NEW-P	86-06-052	251-01-435	NEW	86-09-078
251-01-050	NEW	86-09-078	251-01-250	NEW	86-09-078	251-01-440	NEW-P	86-06-052
251-01-055	NEW-P	86-06-052	251-01-255	NEW-P	86-06-052	251-01-440	NEW	86-09-078
251-01-055	NEW	86-09-078	251-01-255	NEW	86-09-078	251-01-445	NEW-P	86-06-052
251-01-060	NEW-P	86-06-052	251-01-260	NEW-P	86-06-052	251-01-445	NEW	86-09-078
251-01-060	NEW	86-09-078	251-01-260	NEW	86-09-078	251-01-450	NEW-P	86-06-052
251-01-065	NEW-P	86-06-052	251-01-265	NEW-P	86-06-052	251-01-450	NEW	86-09-078
251-01-065	NEW	86-09-078	251-01-265	NEW	86-09-078	251-01-455	NEW-P	86-06-052
251-01-070	NEW-P	86-06-052	251-01-270	NEW-P	86-06-052	251-01-455	NEW	86-09-078
251-01-070	NEW	86-09-078	251-01-270	NEW	86-09-078	251-01-460	NEW-P	86-06-052
251-01-075	NEW-P	86-06-052	251-01-275	NEW-P	86-06-052	251-01-460	NEW	86-09-078
251-01-075	NEW	86-09-078	251-01-275	NEW	86-09-078	251-04-020	AMD	86-03-081
251-01-080	NEW-P	86-06-052	251-01-280	NEW-P	86-06-052	251-04-020	AMD-P	86-04-076
251-01-080	NEW	86-09-078	251-01-280	NEW	86-09-078	251-04-020	AMD	86-06-034
251-01-085	NEW-P	86-06-052	251-01-285	NEW-P	86-06-052	251-04-020	REP-P	86-06-052
251-01-085	NEW	86-09-078	251-01-285	NEW	86-09-078	251-04-020	REP	86-09-078
251-01-100	NEW-P	86-06-052	251-01-290	NEW-P	86-06-052	251-04-040	AMD-P	86-23-047
251-01-100	NEW	86-09-078	251-01-290	NEW	86-09-078	251-04-050	AMD-P	86-06-052
251-01-105	NEW-P	86-06-052	251-01-295	NEW-P	86-06-052	251-04-050	AMD	86-09-077
251-01-105	NEW	86-09-078	251-01-295	NEW	86-09-078	251-05-060	AMD-P	86-23-047
251-01-110	NEW-P	86-06-052	251-01-300	NEW-P	86-06-052	251-09-020	AMD-W	86-08-091
251-01-110	NEW	86-09-078	251-01-300	NEW	86-09-078	251-09-030	AMD-W	86-08-091
251-01-115	NEW-P	86-06-052	251-01-300	AMD-P	86-23-047	251-09-030	AMD-P	86-08-102
251-01-115	NEW	86-09-078	251-01-305	NEW-P	86-06-052	251-09-030	AMD	86-12-006
251-01-120	NEW-P	86-06-052	251-01-305	NEW	86-09-078	251-10-020	AMD-P	86-24-074
251-01-120	NEW	86-09-078	251-01-310	NEW-P	86-06-052	251-10-025	AMD-P	86-10-066
251-01-125	NEW-P	86-06-052	251-01-310	NEW	86-09-078	251-10-025	AMD-E	86-12-037
251-01-125	NEW	86-09-078	251-01-315	NEW-P	86-06-052	251-10-025	AMD	86-14-041
251-01-130	NEW-P	86-06-052	251-01-315	NEW	86-09-078	251-10-030	AMD-P	86-23-047
251-01-130	NEW	86-09-078	251-01-320	NEW-P	86-06-052	251-10-055	AMD-P	86-23-047
251-01-135	NEW-P	86-06-052	251-01-320	NEW	86-09-078	251-10-105	NEW	86-06-033
251-01-135	NEW	86-09-078	251-01-325	NEW-P	86-06-052	251-10-108	NEW-P	86-24-077
251-01-140	NEW-P	86-06-052	251-01-325	NEW	86-09-078	251-10-110	AMD-C	86-04-011
251-01-140	NEW	86-09-078	251-01-330	NEW-P	86-06-052	251-10-110	AMD	86-06-033
251-01-145	NEW-P	86-06-052	251-01-330	NEW	86-09-078	251-10-110	AMD-W	86-08-091
251-01-145	NEW	86-09-078	251-01-335	NEW-P	86-06-052	251-10-111	NEW	86-06-033
251-01-150	NEW-P	86-06-052	251-01-335	NEW	86-09-078	251-10-115	NEW-W	86-08-091
251-01-150	NEW	86-09-078	251-01-340	NEW-P	86-06-052	251-10-115	NEW-P	86-24-075
251-01-155	NEW-P	86-06-052	251-01-340	NEW	86-09-078	251-10-115	NEW-P	86-24-076
251-01-155	NEW	86-09-078	251-01-345	NEW-P	86-06-052	251-10-120	AMD-W	86-08-091
251-01-160	NEW-P	86-06-052	251-01-345	NEW	86-09-078	251-10-195	AMD-P	86-23-047
251-01-160	NEW	86-09-078	251-01-350	NEW-P	86-06-052	251-12-240	AMD-P	86-23-047
251-01-165	NEW-P	86-06-052	251-01-350	NEW	86-09-078	251-14-050	AMD-P	86-04-077
251-01-165	NEW	86-09-078	251-01-355	NEW-P	86-06-052	251-14-050	AMD-P	86-04-078
251-01-170	NEW-P	86-06-052	251-01-355	NEW	86-09-078	251-14-050	AMD-C	86-08-038
251-01-170	NEW	86-09-078	251-01-360	NEW-P	86-06-052	251-14-050	AMD	86-09-076
251-01-175	NEW-P	86-06-052	251-01-360	NEW	86-09-078	251-14-050	AMD-P	86-23-047
251-01-175	NEW	86-09-078	251-01-365	NEW-P	86-06-052	251-14-060	AMD-P	86-04-078
251-01-180	NEW-P	86-06-052	251-01-365	NEW	86-09-078	251-14-060	AMD-C	86-08-038
251-01-180	NEW	86-09-078	251-01-370	NEW-P	86-06-052	251-14-060	AMD	86-09-076
251-01-185	NEW-P	86-06-052	251-01-370	NEW	86-09-078	251-14-080	AMD-W	86-08-091
251-01-185	NEW	86-09-078	251-01-375	NEW-P	86-06-052	251-14-080	AMD-P	86-10-064
251-01-190	NEW-P	86-06-052	251-01-375	NEW	86-09-078	251-14-080	AMD-P	86-10-065
251-01-190	NEW	86-09-078	251-01-380	NEW-P	86-06-052	251-14-080	AMD	86-14-042
251-01-190	AMD-P	86-23-047	251-01-380	NEW	86-09-078	251-14-082	NEW-W	86-08-091
251-01-195	NEW-P	86-06-052	251-01-385	NEW-P	86-06-052	251-14-082	NEW-P	86-10-064
251-01-195	NEW	86-09-078	251-01-385	NEW	86-09-078	251-14-082	NEW	86-14-042
251-01-200	NEW-P	86-06-052	251-01-390	NEW-P	86-06-052	251-14-083	NEW-W	86-08-091
251-01-200	NEW	86-09-078	251-01-390	NEW	86-09-078	251-14-083	NEW-P	86-10-064
251-01-205	NEW-P	86-06-052	251-01-395	NEW-P	86-06-052	251-14-083	NEW	86-14-042
251-01-205	NEW	86-09-078	251-01-395	NEW	86-09-078	251-14-084	NEW-W	86-08-091
251-01-210	NEW-P	86-06-052	251-01-400	NEW-P	86-06-052	251-14-084	NEW-P	86-10-065
251-01-210	NEW	86-09-078	251-01-400	NEW	86-09-078	251-14-085	NEW-W	86-08-091
251-01-215	NEW-P	86-06-052	251-01-400	AMD-P	86-23-047	251-14-085	NEW-P	86-10-064
251-01-215	NEW	86-09-078	251-01-405	NEW-P	86-06-052	251-14-085	NEW	86-14-042
251-01-220	NEW-P	86-06-052	251-01-405	NEW	86-09-078	251-14-086	NEW-W	86-08-091
251-01-220	NEW	86-09-078	251-01-410	NEW-P	86-06-052	251-14-086	NEW-P	86-10-064
251-01-225	NEW-P	86-06-052	251-01-410	NEW	86-09-078	251-14-086	NEW	86-14-042
251-01-225	NEW	86-09-078	251-01-415	NEW-P	86-06-052	251-14-087	NEW-W	86-08-091

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
251-14-087	NEW-P	86-10-064	254-20-080	NEW-E	86-17-091	260-13-250	NEW	86-13-056
251-14-087	NEW	86-14-042	254-20-080	NEW-C	86-20-031	260-13-260	NEW-P	86-09-092
251-14-090	AMD-W	86-08-091	254-20-080	NEW	86-21-103	260-13-260	NEW	86-13-056
251-18-035	AMD	86-06-034	254-20-090	NEW-P	86-17-090	260-13-270	NEW-P	86-09-092
251-18-041	AMD	86-03-081	254-20-090	NEW-E	86-17-091	260-13-270	NEW	86-13-056
251-18-060	AMD	86-06-034	254-20-090	NEW-C	86-20-031	260-13-280	NEW-P	86-09-092
251-18-176	AMD-P	86-23-047	254-20-090	NEW	86-21-103	260-13-280	NEW	86-13-056
251-18-180	AMD	86-03-081	254-20-090	AMD-P	86-22-057	260-13-290	NEW-P	86-09-092
251-18-240	AMD	86-06-034	254-20-090	AMD-E	86-23-048	260-13-290	NEW	86-13-056
251-18-250	REP	86-06-034	254-20-100	NEW-P	86-17-090	260-13-300	NEW-P	86-09-092
251-18-350	AMD-P	86-23-047	254-20-100	NEW-E	86-17-091	260-13-300	NEW	86-13-056
251-18-390	REP	86-06-034	254-20-100	NEW-C	86-20-031	260-13-310	NEW-P	86-09-092
251-22-040	AMD-P	86-04-079	254-20-100	NEW	86-21-103	260-13-310	NEW	86-13-056
251-22-040	AMD	86-08-037	254-20-110	NEW-P	86-17-090	260-13-320	NEW-P	86-09-092
251-22-040	AMD-P	86-23-047	254-20-110	NEW-E	86-17-091	260-13-320	NEW	86-13-056
251-22-045	AMD-P	86-23-047	254-20-110	NEW-C	86-20-031	260-13-330	NEW-P	86-09-092
251-22-240	AMD-P	86-15-028	254-20-110	NEW	86-21-103	260-13-330	NEW	86-13-056
251-22-240	AMD-W	86-23-004	254-20-120	NEW-P	86-17-090	260-13-330	AMD-P	86-15-082
251-23-010	NEW	86-06-034	254-20-120	NEW-E	86-17-091	260-13-330	AMD	86-21-081
251-23-020	NEW	86-06-034	254-20-120	NEW-C	86-20-031	260-13-340	NEW-P	86-09-092
251-23-030	NEW	86-06-034	254-20-120	NEW	86-21-103	260-13-340	NEW	86-13-056
251-23-040	NEW	86-06-034	260-12-160	AMD-P	86-04-042	260-13-350	NEW-P	86-09-092
251-23-040	AMD-P	86-23-047	260-13-010	NEW-P	86-09-092	260-13-350	NEW	86-13-056
251-23-050	NEW	86-06-034	260-13-010	NEW	86-13-056	260-13-360	NEW-P	86-09-092
251-23-050	AMD-P	86-23-047	260-13-020	NEW-P	86-09-092	260-13-360	NEW	86-13-056
251-23-060	NEW	86-06-034	260-13-020	NEW	86-13-056	260-13-370	NEW-P	86-09-092
251-23-060	AMD-P	86-23-047	260-13-020	AMD-P	86-15-082	260-13-370	NEW	86-13-056
251-25-010	NEW-P	86-10-066	260-13-020	AMD	86-21-081	260-13-380	NEW-P	86-09-092
251-25-010	NEW-E	86-12-037	260-13-030	NEW-P	86-09-092	260-13-380	NEW	86-13-056
251-25-010	NEW	86-14-041	260-13-030	NEW	86-13-056	260-13-390	NEW-P	86-09-092
251-25-020	NEW-P	86-10-066	260-13-040	NEW-P	86-09-092	260-13-390	NEW	86-13-056
251-25-020	NEW-E	86-12-037	260-13-040	NEW	86-13-056	260-13-400	NEW-P	86-09-092
251-25-020	NEW	86-14-041	260-13-050	NEW-P	86-09-092	260-13-400	NEW	86-13-056
251-25-030	NEW-P	86-10-066	260-13-060	NEW	86-13-056	260-13-410	NEW-P	86-09-092
251-25-030	NEW-E	86-12-037	260-13-060	NEW-P	86-09-092	260-13-410	NEW	86-13-056
251-25-030	NEW	86-14-041	260-13-070	NEW	86-13-056	260-13-420	NEW-P	86-09-092
251-25-040	NEW-P	86-10-066	260-13-070	NEW-P	86-09-092	260-13-420	NEW	86-13-056
251-25-040	NEW-E	86-12-037	260-13-070	NEW	86-13-056	260-13-430	NEW-P	86-09-092
251-25-040	NEW	86-14-041	260-13-080	NEW-P	86-09-092	260-13-430	NEW	86-13-056
251-25-050	NEW-P	86-10-066	260-13-080	NEW	86-13-056	260-13-440	NEW-P	86-09-092
251-25-050	NEW-E	86-12-037	260-13-090	NEW-P	86-09-092	260-13-440	NEW	86-13-056
251-25-050	NEW	86-14-041	260-13-090	NEW	86-13-056	260-13-450	NEW-P	86-09-092
253-16-070	AMD-P	86-22-023	260-13-100	NEW-P	86-09-092	260-13-450	NEW	86-13-056
253-16-070	AMD	87-01-035	260-13-100	NEW	86-13-056	260-13-460	NEW-P	86-09-092
253-16-090	AMD-P	86-22-023	260-13-110	NEW-P	86-09-092	260-13-460	NEW-P	86-15-086
253-16-090	AMD	87-01-035	260-13-110	NEW	86-13-056	260-13-460	NEW	86-21-081
253-16-100	AMD-P	86-22-023	260-13-120	NEW-P	86-09-092	260-13-470	NEW-P	86-09-092
253-16-100	AMD	87-01-035	260-13-120	NEW	86-13-056	260-13-470	NEW-P	86-15-086
254-20-010	NEW-P	86-17-090	260-13-130	NEW-P	86-09-092	260-13-470	NEW	86-21-081
254-20-010	NEW-E	86-17-091	260-13-130	NEW	86-13-056	260-13-480	NEW-P	86-15-086
254-20-010	NEW-C	86-20-031	260-13-140	NEW-P	86-09-092	260-13-480	NEW	86-21-081
254-20-010	NEW	86-21-103	260-13-140	NEW	86-13-056	260-13-490	NEW-P	86-15-086
254-20-020	NEW-P	86-17-090	260-13-150	NEW-P	86-09-092	260-13-490	NEW	86-21-081
254-20-020	NEW-E	86-17-091	260-13-150	NEW	86-13-056	260-13-500	NEW-P	86-15-086
254-20-020	NEW-C	86-20-031	260-13-160	NEW-P	86-09-092	260-16-040	AMD-P	86-04-042
254-20-020	NEW	86-21-103	260-13-160	NEW	86-13-056	260-16-040	AMD-P	86-15-082
254-20-030	NEW-P	86-17-090	260-13-160	AMD-P	86-15-082	260-16-040	AMD	86-21-081
254-20-030	NEW-E	86-17-091	260-13-160	AMD	86-21-081	260-16-050	NEW-P	86-04-042
254-20-030	NEW-C	86-20-031	260-13-170	NEW-P	86-09-092	260-16-050	NEW-P	86-15-082
254-20-030	NEW	86-21-103	260-13-170	NEW	86-13-056	260-16-050	NEW	86-21-081
254-20-040	NEW-P	86-17-090	260-13-180	NEW-P	86-09-092	260-16-060	NEW-P	86-15-082
254-20-040	NEW-E	86-17-091	260-13-180	NEW	86-13-056	260-16-060	NEW	86-21-081
254-20-040	NEW-C	86-20-031	260-13-190	NEW-P	86-09-092	260-16-070	NEW-P	86-15-082
254-20-040	NEW	86-21-103	260-13-190	NEW	86-13-056	260-16-070	NEW	86-21-081
254-20-050	NEW-P	86-17-090	260-13-190	AMD-P	86-15-082	260-16-080	NEW-P	86-15-082
254-20-050	NEW-E	86-17-091	260-13-190	AMD	86-21-081	260-16-080	NEW	86-21-081
254-20-050	NEW-C	86-20-031	260-13-200	NEW-P	86-09-092	260-36-020	AMD-P	86-04-042
254-20-050	NEW	86-21-103	260-13-200	NEW	86-13-056	260-36-020	AMD-E	86-05-017
254-20-060	NEW-P	86-17-090	260-13-210	NEW-P	86-09-092	260-36-020	AMD	86-09-072
254-20-060	NEW-E	86-17-091	260-13-210	NEW	86-13-056	260-36-030	AMD-P	86-04-042
254-20-060	NEW-C	86-20-031	260-13-220	NEW-P	86-09-092	260-36-030	AMD-E	86-05-017
254-20-060	NEW	86-21-103	260-13-220	NEW	86-13-056	260-36-030	AMD	86-09-072
254-20-070	NEW-P	86-17-090	260-13-230	NEW-P	86-09-092	260-36-040	AMD-P	86-04-042
254-20-070	NEW-E	86-17-091	260-13-230	NEW	86-13-056	260-36-040	AMD-E	86-05-017
254-20-070	NEW-C	86-20-031	260-13-240	NEW-P	86-09-092	260-36-040	AMD	86-09-072
254-20-070	NEW	86-21-103	260-13-240	NEW	86-13-056	260-36-080	AMD-P	86-04-042
254-20-080	NEW-P	86-17-090	260-13-250	NEW-P	86-09-092	260-36-080	AMD-E	86-05-017

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
260-36-080	AMD	86-09-072	261-50-040	AMD	86-14-081	275-27-220	NEW-E	86-14-046
260-40-100	AMD-P	86-04-042	261-50-040	AMD-P	87-01-053	275-27-220	NEW-P	86-14-060
260-40-100	AMD-E	86-05-017	261-50-045	AMD-P	86-10-046	275-27-220	NEW	86-18-049
260-40-100	AMD	86-09-072	261-50-045	AMD	86-14-081	275-27-230	AMD-E	86-14-046
260-48-035	NEW-P	86-04-042	261-50-045	REP-P	87-01-053	275-27-230	AMD-P	86-14-060
260-48-035	NEW-E	86-05-017	261-50-050	AMD-P	87-01-053	275-27-230	AMD	86-18-049
260-48-035	NEW	86-09-072	261-50-060	AMD-P	87-01-053	275-27-400	AMD-E	86-14-046
260-70-010	AMD-P	86-04-042	261-50-090	AMD-P	86-10-046	275-27-400	AMD-P	86-14-060
260-70-010	AMD	86-09-072	261-50-090	AMD	86-14-081	275-27-400	AMD	86-18-049
260-72-010	AMD-P	86-15-082	261-50-090	AMD-P	87-01-053	275-27-500	AMD-E	86-14-046
260-72-010	AMD	86-21-081	263-12-007	AMD	86-03-021	275-27-500	AMD-P	86-14-060
261-02-050	NEW-P	86-08-077	263-12-015	AMD	86-03-021	275-27-500	AMD	86-18-049
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261-20	AMD-P	86-20-083	263-12-125	AMD	86-03-021	284-19-200	AMD	86-20-039
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261-40-155	NEW-C	86-22-009	275-16-030	AMD	86-17-075	284-51-070	AMD-W	86-19-084
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261-40-470	AMD	86-11-041	275-27	AMD-P	86-14-060	284-78-050	NEW	86-18-043
261-40-480	AMD-P	86-08-077	275-27	AMD	86-18-049	284-78-060	NEW-E	86-14-069
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296-20-010	AMD-C 86-03-050	296-20-1102	AMD-C 86-04-036	296-21-086	AMD-C 86-04-036
296-20-010	AMD-C 86-04-036	296-20-1102	AMD 86-06-032	296-21-086	AMD 86-06-032
296-20-010	AMD 86-06-032	296-20-1103	AMD-P 86-15-011	296-21-090	AMD-C 86-03-050
296-20-010	AMD-P 86-15-011	296-20-121	AMD-C 86-03-050	296-21-090	AMD-C 86-04-036
296-20-010	AMD 86-20-074	296-20-121	AMD-C 86-04-036	296-21-090	AMD 86-06-032
296-20-01002	AMD-P 86-15-011	296-20-121	AMD 86-06-032	296-21-095	AMD-C 86-03-050
296-20-01002	AMD 86-20-074	296-20-125	AMD-C 86-03-050	296-21-095	AMD-C 86-04-036
296-20-01002	AMD 86-20-074	296-20-125	AMD-C 86-04-036	296-21-095	AMD 86-06-032
296-20-015	AMD-C 86-03-050	296-20-125	AMD 86-06-032	296-21-125	AMD-C 86-03-050
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296-20-015	AMD 86-06-032	296-20-125	AMD 86-20-074	296-21-125	AMD 86-06-032
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296-20-020	AMD-C 86-04-036	296-20-150	AMD-P 86-21-133	296-22-010	AMD-C 86-03-050
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296-20-02001	AMD-C 86-04-036	296-20-170	AMD-C 86-04-036	296-22-010	AMD-P 86-15-011
296-20-02005	NEW-P 86-15-011	296-20-170	AMD 86-06-032	296-22-010	AMD 86-20-074
296-20-02005	NEW 86-20-074	296-20-17001	AMD-C 86-03-050	296-22-010	AMD-P 86-22-059
296-20-02010	NEW-P 86-15-011	296-20-17001	AMD-C 86-04-036	296-22-017	AMD-C 86-03-050
296-20-02010	NEW 86-20-074	296-20-17001	AMD 86-06-032	296-22-017	AMD-C 86-04-036
296-20-02015	NEW-P 86-15-011	296-20-17002	AMD-C 86-03-050	296-22-017	AMD 86-06-032
296-20-02015	NEW 86-20-074	296-20-17002	AMD-C 86-04-036	296-22-017	AMD 86-06-032
296-20-022	NEW-P 86-21-133	296-20-17002	AMD 86-06-032	296-22-020	AMD-C 86-03-050
296-20-023	NEW-C 86-03-050	296-20-17002	AMD 86-06-032	296-22-020	AMD-C 86-04-036
296-20-023	NEW-C 86-04-036	296-21-011	AMD-C 86-03-050	296-22-020	AMD 86-06-032
296-20-023	NEW 86-06-032	296-21-011	AMD-C 86-04-036	296-22-021	AMD-C 86-03-050
296-20-023	AMD-C 86-03-050	296-21-011	AMD 86-06-032	296-22-021	AMD-C 86-04-036
296-20-025	AMD-C 86-04-036	296-21-011	AMD-E 86-22-031	296-22-021	AMD 86-06-032
296-20-025	AMD 86-06-032	296-21-011	AMD-P 86-22-059	296-22-022	AMD-C 86-03-050
296-20-030	AMD-C 86-03-050	296-21-013	AMD-C 86-03-050	296-22-022	AMD-C 86-04-036
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296-20-03001	AMD-C 86-03-050	296-21-027	AMD-C 86-03-050	296-22-023	AMD-C 86-04-036
296-20-03001	AMD-C 86-04-036	296-21-027	AMD-C 86-04-036	296-22-023	AMD 86-06-032
296-20-03001	AMD 86-06-032	296-21-027	AMD 86-06-032	296-22-024	AMD-C 86-03-050
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296-20-03002	AMD-C 86-04-036	296-21-040	AMD-C 86-03-050	296-22-025	AMD-C 86-04-036
296-20-03002	AMD 86-06-032	296-21-040	AMD-C 86-04-036	296-22-025	AMD 86-06-032
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296-20-03003	AMD-C 86-04-036	296-21-045	AMD-C 86-03-050	296-22-026	AMD-C 86-04-036
296-20-03003	AMD 86-06-032	296-21-045	AMD-C 86-04-036	296-22-026	AMD 86-06-032
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296-20-03005	NEW-E 86-13-035	296-21-046	AMD-C 86-03-050	296-22-027	AMD-C 86-04-036
296-20-03005	NEW-E 86-18-024	296-21-046	AMD-C 86-04-036	296-22-027	AMD 86-06-032

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296-23-9409	REP-C	86-03-050	296-23A-256	NEW-P	86-22-059	296-37-570	AMD-P	86-21-132
296-23-9409	REP-C	86-04-036	296-23A-258	NEW-E	86-22-031	296-37-575	AMD-P	86-21-132
296-23-9409	REP	86-06-032	296-23A-258	NEW-P	86-22-059	296-44-005	AMD-P	86-11-072
296-23-9410	REP-C	86-03-050	296-23A-260	NEW-E	86-22-031	296-44-005	AMD	86-16-007
296-23-9410	REP-C	86-04-036	296-23A-260	NEW-P	86-22-059	296-44-011	NEW-P	86-11-072
296-23-9410	REP	86-06-032	296-23A-262	NEW-E	86-22-031	296-44-011	NEW	86-16-007
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296-23-950	NEW	86-06-032	296-23A-264	NEW-P	86-22-059	296-44-013	AMD	86-16-007
296-23-960	NEW-C	86-03-050	296-23A-266	NEW-E	86-22-031	296-44-015	NEW-P	86-11-072
296-23-960	NEW-C	86-04-036	296-23A-266	NEW-P	86-22-059	296-44-015	NEW	86-16-007
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296-23-970	NEW-C	86-03-050	296-23A-300	NEW-P	86-22-059	296-44-017	NEW-P	86-11-072
296-23-970	NEW-C	86-04-036	296-23A-310	NEW-E	86-22-031	296-44-017	NEW	86-16-007
296-23-970	NEW	86-06-032	296-23A-310	NEW-P	86-22-059	296-44-019	REP-P	86-11-072
296-23-980	NEW-C	86-03-050	296-23A-315	NEW-E	86-22-031	296-44-019	REP	86-16-007
296-23-980	NEW-C	86-04-036	296-23A-315	NEW-P	86-22-059	296-44-022	REP-P	86-11-072
296-23-980	NEW	86-06-032	296-23A-320	NEW-E	86-22-031	296-44-022	REP	86-16-007
296-23-980	AMD-P	86-15-011	296-23A-320	NEW-P	86-22-059	296-44-023	NEW-P	86-11-072
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296-23A-100	NEW-P	86-22-059	296-23A-330	NEW-E	86-22-031	296-44-02301	NEW	86-16-007
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296-23A-105	NEW-P	86-22-059	296-23A-335	NEW-E	86-22-031	296-44-02305	NEW	86-16-007
296-23A-110	NEW-E	86-22-031	296-23A-335	NEW-P	86-22-059	296-44-02309	NEW-P	86-11-072
296-23A-110	NEW-P	86-22-059	296-23A-340	NEW-E	86-22-031	296-44-02309	NEW	86-16-007
296-23A-115	NEW-E	86-22-031	296-23A-340	NEW-P	86-22-059	296-44-02315	NEW-P	86-11-072
296-23A-115	NEW-P	86-22-059	296-23A-345	NEW-E	86-22-031	296-44-02315	NEW	86-16-007
296-23A-120	NEW-E	86-22-031	296-23A-345	NEW-P	86-22-059	296-44-02319	NEW-P	86-11-072
296-23A-120	NEW-P	86-22-059	296-23A-350	NEW-E	86-22-031	296-44-02319	NEW	86-16-007
296-23A-125	NEW-E	86-22-031	296-23A-350	NEW-P	86-22-059	296-44-02323	NEW-P	86-11-072
296-23A-125	NEW-P	86-22-059	296-23A-355	NEW-E	86-22-031	296-44-02323	NEW	86-16-007
296-23A-130	NEW-E	86-22-031	296-23A-355	NEW-P	86-22-059	296-44-02329	NEW-P	86-11-072
296-23A-130	NEW-P	86-22-059	296-23A-360	NEW-E	86-22-031	296-44-02329	NEW	86-16-007
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296-23A-135	NEW-P	86-22-059	296-23A-400	NEW-E	86-22-031	296-44-02335	NEW	86-16-007
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296-23A-140	NEW-P	86-22-059	296-23A-410	NEW-E	86-22-031	296-44-02349	NEW	86-16-007
296-23A-145	NEW-E	86-22-031	296-23A-410	NEW-P	86-22-059	296-44-028	REP-P	86-11-072
296-23A-145	NEW-P	86-22-059	296-23A-415	NEW-E	86-22-031	296-44-028	REP	86-16-007
296-23A-150	NEW-E	86-22-031	296-23A-415	NEW-P	86-22-059	296-44-031	REP-P	86-11-072
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296-23A-200	NEW-P	86-22-059	296-23A-425	NEW-E	86-22-031	296-44-034	REP	86-16-007
296-23A-205	NEW-E	86-22-031	296-23A-425	NEW-P	86-22-059	296-44-035	NEW-P	86-11-072
296-23A-205	NEW-P	86-22-059	296-24-21705	AMD	86-03-064	296-44-035	NEW	86-16-007
296-23A-210	NEW-E	86-22-031	296-24-21707	AMD	86-03-064	296-44-03505	NEW-P	86-11-072
296-23A-210	NEW-P	86-22-059	296-24-21711	AMD	86-03-064	296-44-03505	NEW	86-16-007
296-23A-215	NEW-E	86-22-031	296-27-090	AMD	86-03-064	296-44-03509	NEW-P	86-11-072
296-23A-215	NEW-P	86-22-059	296-27-15501	NEW	86-03-064	296-44-03509	NEW	86-16-007
296-23A-220	NEW-E	86-22-031	296-27-15503	NEW	86-03-064	296-44-037	REP-P	86-11-072
296-23A-220	NEW-P	86-22-059	296-27-15505	NEW	86-03-064	296-44-037	REP	86-16-007
296-23A-225	NEW-E	86-22-031	296-27-160	AMD-P	86-22-060	296-44-040	REP-P	86-11-072
296-23A-225	NEW-P	86-22-059	296-27-16001	AMD-P	86-22-060	296-44-040	REP	86-16-007
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296-23A-230	NEW-P	86-22-059	296-27-16003	AMD-P	86-22-060	296-44-041	NEW	86-16-007
296-23A-235	NEW-E	86-22-031	296-27-16004	NEW-P	86-22-060	296-44-04105	NEW-P	86-11-072
296-23A-235	NEW-P	86-22-059	296-27-16005	REP-P	86-22-060	296-44-04105	NEW	86-16-007
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296-23A-240	NEW-P	86-22-059	296-27-16009	AMD	86-03-064	296-44-04109	NEW	86-16-007
296-23A-242	NEW-E	86-22-031	296-27-16009	REP-P	86-22-060	296-44-04125	NEW-P	86-11-072
296-23A-242	NEW-P	86-22-059	296-27-16011	AMD-P	86-22-060	296-44-04125	NEW	86-16-007
296-23A-244	NEW-E	86-22-031	296-27-16013	REP-P	86-22-060	296-44-04129	NEW-P	86-11-072
296-23A-244	NEW-P	86-22-059	296-27-16015	REP-P	86-22-060	296-44-04129	NEW	86-16-007
296-23A-246	NEW-E	86-22-031	296-27-16017	REP-P	86-22-060	296-44-04135	NEW-P	86-11-072
296-23A-246	NEW-P	86-22-059	296-27-16018	NEW-P	86-22-060	296-44-04135	NEW	86-16-007
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296-23A-252	NEW-P	86-22-059	296-27-16026	NEW-P	86-22-060	296-44-049	REP	86-16-007
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296-44-05105	NEW	86-16-007	296-44-094	REP-P	86-11-072	296-44-151	REP	86-16-007
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296-44-05129	NEW	86-16-007	296-44-09819	NEW-P	86-11-072	296-44-166	REP	86-16-007
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296-44-052	REP	86-16-007	296-44-106	REP-P	86-11-072	296-44-17017	NEW	86-16-007
296-44-055	REP-P	86-11-072	296-44-106	REP	86-16-007	296-44-17029	NEW-P	86-11-072
296-44-055	REP	86-16-007	296-44-109	REP-P	86-11-072	296-44-17029	NEW	86-16-007
296-44-058	REP-P	86-11-072	296-44-109	REP	86-16-007	296-44-172	REP-P	86-11-072
296-44-058	REP	86-16-007	296-44-110	NEW-P	86-11-072	296-44-172	REP	86-16-007
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296-44-06517	NEW	86-16-007	296-44-112	REP-P	86-11-072	296-44-18225	NEW	86-16-007
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296-44-067	REP	86-16-007	296-44-115	REP-P	86-11-072	296-44-18239	NEW	86-16-007
296-44-070	REP-P	86-11-072	296-44-115	REP	86-16-007	296-44-18250	NEW-P	86-11-072
296-44-070	REP	86-16-007	296-44-118	REP-P	86-11-072	296-44-18250	NEW	86-16-007
296-44-073	REP-P	86-11-072	296-44-118	REP	86-16-007	296-44-18261	NEW-P	86-11-072
296-44-073	REP	86-16-007	296-44-121	REP-P	86-11-072	296-44-18261	NEW	86-16-007
296-44-074	NEW-P	86-11-072	296-44-121	REP	86-16-007	296-44-18273	NEW-P	86-11-072
296-44-074	NEW	86-16-007	296-44-124	REP-P	86-11-072	296-44-18273	NEW	86-16-007
296-44-07405	NEW-P	86-11-072	296-44-124	REP	86-16-007	296-44-184	REP-P	86-11-072
296-44-07405	NEW	86-16-007	296-44-125	NEW-P	86-11-072	296-44-184	REP	86-16-007
296-44-07411	NEW-P	86-11-072	296-44-125	NEW	86-16-007	296-44-187	REP-P	86-11-072
296-44-07411	NEW	86-16-007	296-44-12505	NEW-P	86-11-072	296-44-187	REP	86-16-007
296-44-07417	NEW-P	86-11-072	296-44-12505	NEW	86-16-007	296-44-190	REP-P	86-11-072
296-44-07417	NEW	86-16-007	296-44-12515	NEW-P	86-11-072	296-44-190	REP	86-16-007
296-44-07423	NEW-P	86-11-072	296-44-12515	NEW	86-16-007	296-44-193	REP-P	86-11-072
296-44-07423	NEW	86-16-007	296-44-127	REP-P	86-11-072	296-44-193	REP	86-16-007
296-44-07427	NEW-P	86-11-072	296-44-127	REP	86-16-007	296-44-194	NEW-P	86-11-072
296-44-07427	NEW	86-16-007	296-44-130	REP-P	86-11-072	296-44-194	NEW	86-16-007
296-44-07433	NEW-P	86-11-072	296-44-130	REP	86-16-007	296-44-19405	NEW-P	86-11-072
296-44-07433	NEW	86-16-007	296-44-133	REP-P	86-11-072	296-44-19405	NEW	86-16-007
296-44-07439	NEW-P	86-11-072	296-44-133	REP	86-16-007	296-44-19421	NEW-P	86-11-072
296-44-07439	NEW	86-16-007	296-44-134	NEW-P	86-11-072	296-44-19421	NEW	86-16-007
296-44-076	REP-P	86-11-072	296-44-134	NEW	86-16-007	296-44-19433	NEW-P	86-11-072
296-44-076	REP	86-16-007	296-44-13405	NEW-P	86-11-072	296-44-19433	NEW	86-16-007
296-44-079	REP-P	86-11-072	296-44-13405	NEW	86-16-007	296-44-196	REP-P	86-11-072
296-44-079	REP	86-16-007	296-44-13415	NEW-P	86-11-072	296-44-196	REP	86-16-007
296-44-082	REP-P	86-11-072	296-44-13415	NEW	86-16-007	296-44-199	REP-P	86-11-072
296-44-082	REP	86-16-007	296-44-13421	NEW-P	86-11-072	296-44-199	REP	86-16-007
296-44-085	REP-P	86-11-072	296-44-13421	NEW	86-16-007	296-44-202	REP-P	86-11-072
296-44-085	REP	86-16-007	296-44-13431	NEW-P	86-11-072	296-44-202	REP	86-16-007
296-44-086	NEW-P	86-11-072	296-44-13431	NEW	86-16-007	296-44-205	REP-P	86-11-072
296-44-086	NEW	86-16-007	296-44-136	REP-P	86-11-072	296-44-205	REP	86-16-007
296-44-08605	NEW-P	86-11-072	296-44-136	REP	86-16-007	296-44-208	REP-P	86-11-072
296-44-08605	NEW	86-16-007	296-44-139	REP-P	86-11-072	296-44-208	REP	86-16-007
296-44-08611	NEW-P	86-11-072	296-44-139	REP	86-16-007	296-44-211	REP-P	86-11-072
296-44-08611	NEW	86-16-007	296-44-142	REP-P	86-11-072	296-44-211	REP	86-16-007
296-44-08619	NEW-P	86-11-072	296-44-142	REP	86-16-007	296-44-212	NEW-P	86-11-072
296-44-08619	NEW	86-16-007	296-44-145	REP-P	86-11-072	296-44-212	NEW	86-16-007
296-44-088	REP-P	86-11-072	296-44-145	REP	86-16-007	296-44-21209	NEW-P	86-11-072
296-44-088	REP	86-16-007	296-44-148	REP-P	86-11-072	296-44-21209	NEW	86-16-007

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-44-21221	NEW-P	86-11-072	296-44-274	REP	86-16-007	296-44-31783	NEW-P	86-11-072
296-44-21221	NEW	86-16-007	296-44-277	REP-P	86-11-072	296-44-31783	NEW	86-16-007
296-44-21230	NEW-P	86-11-072	296-44-277	REP	86-16-007	296-44-31792	NEW-P	86-11-072
296-44-21230	NEW	86-16-007	296-44-278	NEW-P	86-11-072	296-44-31792	NEW	86-16-007
296-44-21241	NEW-P	86-11-072	296-44-278	NEW	86-16-007	296-44-319	REP-P	86-11-072
296-44-21241	NEW	86-16-007	296-44-27809	NEW-P	86-11-072	296-44-319	REP	86-16-007
296-44-21253	NEW-P	86-11-072	296-44-27809	NEW	86-16-007	296-44-322	REP-P	86-11-072
296-44-21253	NEW	86-16-007	296-44-27821	NEW-P	86-11-072	296-44-322	REP	86-16-007
296-44-21265	NEW-P	86-11-072	296-44-27821	NEW	86-16-007	296-44-325	REP-P	86-11-072
296-44-21265	NEW	86-16-007	296-44-27833	NEW-P	86-11-072	296-44-325	REP	86-16-007
296-44-21273	NEW-P	86-11-072	296-44-27833	NEW	86-16-007	296-44-328	REP-P	86-11-072
296-44-21273	NEW	86-16-007	296-44-27847	NEW-P	86-11-072	296-44-328	REP	86-16-007
296-44-21279	NEW-P	86-11-072	296-44-27847	NEW	86-16-007	296-44-331	REP-P	86-11-072
296-44-21279	NEW	86-16-007	296-44-280	REP-P	86-11-072	296-44-331	REP	86-16-007
296-44-21287	NEW-P	86-11-072	296-44-280	REP	86-16-007	296-44-334	REP-P	86-11-072
296-44-21287	NEW	86-16-007	296-44-283	REP-P	86-11-072	296-44-334	REP	86-16-007
296-44-21295	NEW-P	86-11-072	296-44-283	REP	86-16-007	296-44-337	REP-P	86-11-072
296-44-21295	NEW	86-16-007	296-44-286	REP-P	86-11-072	296-44-337	REP	86-16-007
296-44-214	REP-P	86-11-072	296-44-286	REP	86-16-007	296-44-340	REP-P	86-11-072
296-44-214	REP	86-16-007	296-44-289	REP-P	86-11-072	296-44-340	REP	86-16-007
296-44-217	REP-P	86-11-072	296-44-289	REP	86-16-007	296-44-343	REP-P	86-11-072
296-44-217	REP	86-16-007	296-44-292	REP-P	86-11-072	296-44-343	REP	86-16-007
296-44-220	REP-P	86-11-072	296-44-292	REP	86-16-007	296-44-346	REP-P	86-11-072
296-44-220	REP	86-16-007	296-44-295	REP-P	86-11-072	296-44-346	REP	86-16-007
296-44-223	REP-P	86-11-072	296-44-295	REP	86-16-007	296-44-349	REP-P	86-11-072
296-44-223	REP	86-16-007	296-44-29501	NEW-P	86-11-072	296-44-349	REP	86-16-007
296-44-226	REP-P	86-11-072	296-44-29501	NEW	86-16-007	296-44-350	NEW-P	86-11-072
296-44-226	REP	86-16-007	296-44-29509	NEW-P	86-11-072	296-44-350	NEW	86-16-007
296-44-229	REP-P	86-11-072	296-44-29509	NEW	86-16-007	296-44-35009	NEW-P	86-11-072
296-44-229	REP	86-16-007	296-44-29515	NEW-P	86-11-072	296-44-35009	NEW	86-16-007
296-44-232	REP-P	86-11-072	296-44-29515	NEW	86-16-007	296-44-35021	NEW-P	86-11-072
296-44-232	REP	86-16-007	296-44-29523	NEW-P	86-11-072	296-44-35021	NEW	86-16-007
296-44-235	REP-P	86-11-072	296-44-29523	NEW	86-16-007	296-44-352	REP-P	86-11-072
296-44-235	REP	86-16-007	296-44-29529	NEW-P	86-11-072	296-44-352	REP	86-16-007
296-44-238	REP-P	86-11-072	296-44-29529	NEW	86-16-007	296-44-355	REP-P	86-11-072
296-44-238	REP	86-16-007	296-44-29539	NEW-P	86-11-072	296-44-355	REP	86-16-007
296-44-241	REP-P	86-11-072	296-44-29539	NEW	86-16-007	296-44-358	REP-P	86-11-072
296-44-241	REP	86-16-007	296-44-29541	NEW-P	86-11-072	296-44-358	REP	86-16-007
296-44-242	NEW-P	86-11-072	296-44-29541	NEW	86-16-007	296-44-361	REP-P	86-11-072
296-44-242	NEW	86-16-007	296-44-29551	NEW-P	86-11-072	296-44-361	REP	86-16-007
296-44-24205	NEW-P	86-11-072	296-44-29551	NEW	86-16-007	296-44-364	REP-P	86-11-072
296-44-24205	NEW	86-16-007	296-44-29563	NEW-P	86-11-072	296-44-364	REP	86-16-007
296-44-24213	NEW-P	86-11-072	296-44-29563	NEW	86-16-007	296-44-365	NEW-P	86-11-072
296-44-24213	NEW	86-16-007	296-44-29572	NEW-P	86-11-072	296-44-365	NEW	86-16-007
296-44-24221	NEW-P	86-11-072	296-44-29572	NEW	86-16-007	296-44-36518	NEW-P	86-11-072
296-44-24221	NEW	86-16-007	296-44-298	REP-P	86-11-072	296-44-36518	NEW	86-16-007
296-44-24233	NEW-P	86-11-072	296-44-298	REP	86-16-007	296-44-36527	NEW-P	86-11-072
296-44-24233	NEW	86-16-007	296-44-301	REP-P	86-11-072	296-44-36527	NEW	86-16-007
296-44-244	REP-P	86-11-072	296-44-301	REP	86-16-007	296-44-36539	NEW-P	86-11-072
296-44-244	REP	86-16-007	296-44-304	REP-P	86-11-072	296-44-36539	NEW	86-16-007
296-44-247	REP-P	86-11-072	296-44-304	REP	86-16-007	296-44-36551	NEW-P	86-11-072
296-44-247	REP	86-16-007	296-44-307	REP-P	86-11-072	296-44-36551	NEW	86-16-007
296-44-250	REP-P	86-11-072	296-44-307	REP	86-16-007	296-44-36563	NEW-P	86-11-072
296-44-250	REP	86-16-007	296-44-310	REP-P	86-11-072	296-44-36563	NEW	86-16-007
296-44-253	REP-P	86-11-072	296-44-310	REP	86-16-007	296-44-36575	NEW-P	86-11-072
296-44-253	REP	86-16-007	296-44-313	REP-P	86-11-072	296-44-36575	NEW	86-16-007
296-44-256	REP-P	86-11-072	296-44-313	REP	86-16-007	296-44-367	REP-P	86-11-072
296-44-256	REP	86-16-007	296-44-316	REP-P	86-11-072	296-44-367	REP	86-16-007
296-44-259	REP-P	86-11-072	296-44-316	REP	86-16-007	296-44-373	REP-P	86-11-072
296-44-259	REP	86-16-007	296-44-317	NEW-P	86-11-072	296-44-373	REP	86-16-007
296-44-262	REP-P	86-11-072	296-44-317	NEW	86-16-007	296-44-376	REP-P	86-11-072
296-44-262	REP	86-16-007	296-44-31709	NEW-P	86-11-072	296-44-376	REP	86-16-007
296-44-263	NEW-P	86-11-072	296-44-31709	NEW	86-16-007	296-44-379	REP-P	86-11-072
296-44-263	NEW	86-16-007	296-44-31719	NEW-P	86-11-072	296-44-379	REP	86-16-007
296-44-26309	NEW-P	86-11-072	296-44-31719	NEW	86-16-007	296-44-382	REP-P	86-11-072
296-44-26309	NEW	86-16-007	296-44-31729	NEW-P	86-11-072	296-44-382	REP	86-16-007
296-44-26321	NEW-P	86-11-072	296-44-31729	NEW	86-16-007	296-44-385	REP-P	86-11-072
296-44-26321	NEW	86-16-007	296-44-31738	NEW-P	86-11-072	296-44-385	REP	86-16-007
296-44-26333	NEW-P	86-11-072	296-44-31738	NEW	86-16-007	296-44-386	NEW-P	86-11-072
296-44-26333	NEW	86-16-007	296-44-31749	NEW-P	86-11-072	296-44-386	NEW	86-16-007
296-44-265	REP-P	86-11-072	296-44-31749	NEW	86-16-007	296-44-38609	NEW-P	86-11-072
296-44-265	REP	86-16-007	296-44-31757	NEW-P	86-11-072	296-44-38609	NEW	86-16-007
296-44-268	REP-P	86-11-072	296-44-31757	NEW	86-16-007	296-44-38628	NEW-P	86-11-072
296-44-268	REP	86-16-007	296-44-31765	NEW-P	86-11-072	296-44-38628	NEW	86-16-007
296-44-271	REP-P	86-11-072	296-44-31765	NEW	86-16-007	296-44-38641	NEW-P	86-11-072
296-44-271	REP	86-16-007	296-44-31772	NEW-P	86-11-072	296-44-38641	NEW	86-16-007
296-44-274	REP-P	86-11-072	296-44-31772	NEW	86-16-007	296-44-38653	NEW-P	86-11-072

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-44-38653	NEW	86-16-007	296-44-44033	NEW-P	86-11-072	296-44-505	REP	86-16-007
296-44-388	REP-P	86-11-072	296-44-44033	NEW	86-16-007	296-44-508	REP-P	86-11-072
296-44-388	REP	86-16-007	296-44-44047	NEW-P	86-11-072	296-44-508	REP	86-16-007
296-44-391	REP-P	86-11-072	296-44-44047	NEW	86-16-007	296-44-511	REP-P	86-11-072
296-44-391	REP	86-16-007	296-44-442	REP-P	86-11-072	296-44-511	REP	86-16-007
296-44-394	REP-P	86-11-072	296-44-442	REP	86-16-007	296-44-514	REP-P	86-11-072
296-44-394	REP	86-16-007	296-44-445	REP-P	86-11-072	296-44-514	REP	86-16-007
296-44-397	REP-P	86-11-072	296-44-445	REP	86-16-007	296-44-517	REP-P	86-11-072
296-44-397	REP	86-16-007	296-44-448	REP-P	86-11-072	296-44-517	REP	86-16-007
296-44-398	NEW-P	86-11-072	296-44-448	REP	86-16-007	296-44-520	REP-P	86-11-072
296-44-398	NEW	86-16-007	296-44-451	REP-P	86-11-072	296-44-520	REP	86-16-007
296-44-39809	NEW-P	86-11-072	296-44-451	REP	86-16-007	296-44-523	REP-P	86-11-072
296-44-39809	NEW	86-16-007	296-44-452	NEW-P	86-11-072	296-44-523	REP	86-16-007
296-44-39823	NEW-P	86-11-072	296-44-452	NEW	86-16-007	296-44-526	REP-P	86-11-072
296-44-39823	NEW	86-16-007	296-44-45209	NEW-P	86-11-072	296-44-526	REP	86-16-007
296-44-39842	NEW-P	86-11-072	296-44-45209	NEW	86-16-007	296-44-529	REP-P	86-11-072
296-44-39842	NEW	86-16-007	296-44-45219	NEW-P	86-11-072	296-44-529	REP	86-16-007
296-44-39855	NEW-P	86-11-072	296-44-45219	NEW	86-16-007	296-44-532	REP-P	86-11-072
296-44-39855	NEW	86-16-007	296-44-45231	NEW-P	86-11-072	296-44-532	REP	86-16-007
296-44-400	REP-P	86-11-072	296-44-45231	NEW	86-16-007	296-44-535	REP-P	86-11-072
296-44-400	REP	86-16-007	296-44-45243	NEW-P	86-11-072	296-44-535	REP	86-16-007
296-44-403	REP-P	86-11-072	296-44-45243	NEW	86-16-007	296-44-538	REP-P	86-11-072
296-44-403	REP	86-16-007	296-44-45257	NEW-P	86-11-072	296-44-538	REP	86-16-007
296-44-406	REP-P	86-11-072	296-44-454	REP-P	86-11-072	296-44-541	REP-P	86-11-072
296-44-406	REP	86-16-007	296-44-454	REP	86-16-007	296-44-541	REP	86-16-007
296-44-409	REP-P	86-11-072	296-44-454	REP-P	86-11-072	296-44-544	REP-P	86-11-072
296-44-409	REP	86-16-007	296-44-457	REP-P	86-11-072	296-44-544	REP	86-16-007
296-44-412	REP-P	86-11-072	296-44-457	REP	86-16-007	296-44-547	REP-P	86-11-072
296-44-412	REP	86-16-007	296-44-460	REP-P	86-11-072	296-44-547	REP	86-16-007
296-44-413	NEW-P	86-11-072	296-44-460	REP	86-16-007	296-44-550	REP-P	86-11-072
296-44-413	NEW	86-16-007	296-44-463	REP-P	86-11-072	296-44-550	REP	86-16-007
296-44-41309	NEW-P	86-11-072	296-44-463	REP	86-16-007	296-44-553	REP-P	86-11-072
296-44-41309	NEW	86-16-007	296-44-466	REP-P	86-11-072	296-44-553	REP	86-16-007
296-44-41321	NEW-P	86-11-072	296-44-466	REP	86-16-007	296-44-556	REP-P	86-11-072
296-44-41321	NEW	86-16-007	296-44-467	NEW-P	86-11-072	296-44-556	REP	86-16-007
296-44-41333	NEW-P	86-11-072	296-44-467	NEW	86-16-007	296-44-559	REP-P	86-11-072
296-44-41333	NEW	86-16-007	296-44-46709	NEW-P	86-11-072	296-44-559	REP	86-16-007
296-44-41341	NEW-P	86-11-072	296-44-46709	NEW	86-16-007	296-44-562	REP-P	86-11-072
296-44-41341	NEW	86-16-007	296-44-46733	NEW-P	86-11-072	296-44-562	REP	86-16-007
296-44-41359	NEW-P	86-11-072	296-44-46733	NEW	86-16-007	296-44-565	REP-P	86-11-072
296-44-41359	NEW	86-16-007	296-44-46739	NEW-P	86-11-072	296-44-565	REP	86-16-007
296-44-415	REP-P	86-11-072	296-44-46739	NEW	86-16-007	296-44-568	REP-P	86-11-072
296-44-415	REP	86-16-007	296-44-46747	NEW-P	86-11-072	296-44-568	REP	86-16-007
296-44-418	REP-P	86-11-072	296-44-46747	NEW	86-16-007	296-44-571	REP-P	86-11-072
296-44-418	REP	86-16-007	296-44-46755	NEW-P	86-11-072	296-44-571	REP	86-16-007
296-44-421	REP-P	86-11-072	296-44-46755	NEW	86-16-007	296-44-574	REP-P	86-11-072
296-44-421	REP	86-16-007	296-44-46761	NEW-P	86-11-072	296-44-574	REP	86-16-007
296-44-424	REP-P	86-11-072	296-44-46761	NEW	86-16-007	296-44-577	REP-P	86-11-072
296-44-424	REP	86-16-007	296-44-469	REP-P	86-11-072	296-44-577	REP	86-16-007
296-44-425	NEW-P	86-11-072	296-44-469	REP	86-16-007	296-44-580	REP-P	86-11-072
296-44-425	NEW	86-16-007	296-44-472	REP-P	86-11-072	296-44-580	REP	86-16-007
296-44-42509	NEW-P	86-11-072	296-44-472	REP	86-16-007	296-44-583	REP-P	86-11-072
296-44-42509	NEW	86-16-007	296-44-478	REP-P	86-11-072	296-44-583	REP	86-16-007
296-44-42521	NEW-P	86-11-072	296-44-478	REP	86-16-007	296-44-586	REP-P	86-11-072
296-44-42521	NEW	86-16-007	296-44-481	REP-P	86-11-072	296-44-586	REP	86-16-007
296-44-42533	NEW-P	86-11-072	296-44-481	REP	86-16-007	296-44-589	REP-P	86-11-072
296-44-42533	NEW	86-16-007	296-44-484	REP-P	86-11-072	296-44-589	REP	86-16-007
296-44-42541	NEW-P	86-11-072	296-44-484	REP	86-16-007	296-44-592	REP-P	86-11-072
296-44-42541	NEW	86-16-007	296-44-487	REP-P	86-11-072	296-44-592	REP	86-16-007
296-44-42559	NEW-P	86-11-072	296-44-487	REP	86-16-007	296-44-595	REP-P	86-11-072
296-44-42559	NEW	86-16-007	296-44-490	REP-P	86-11-072	296-44-595	REP	86-16-007
296-44-427	REP-P	86-11-072	296-44-490	REP	86-16-007	296-44-598	REP-P	86-11-072
296-44-427	REP	86-16-007	296-44-491	NEW-P	86-11-072	296-44-598	REP	86-16-007
296-44-430	REP-P	86-11-072	296-44-491	NEW	86-16-007	296-44-601	REP-P	86-11-072
296-44-430	REP	86-16-007	296-44-49109	NEW-P	86-11-072	296-44-601	REP	86-16-007
296-44-433	REP-P	86-11-072	296-44-49109	NEW	86-16-007	296-44-604	REP-P	86-11-072
296-44-433	REP	86-16-007	296-44-49121	NEW-P	86-11-072	296-44-604	REP	86-16-007
296-44-436	REP-P	86-11-072	296-44-49121	NEW	86-16-007	296-44-607	REP-P	86-11-072
296-44-436	REP	86-16-007	296-44-493	REP-P	86-11-072	296-44-607	REP	86-16-007
296-44-439	REP-P	86-11-072	296-44-493	REP	86-16-007	296-44-610	REP-P	86-11-072
296-44-439	REP	86-16-007	296-44-496	REP-P	86-11-072	296-44-610	REP	86-16-007
296-44-440	NEW-P	86-11-072	296-44-496	REP	86-16-007	296-44-613	REP-P	86-11-072
296-44-440	NEW	86-16-007	296-44-499	REP-P	86-11-072	296-44-613	REP	86-16-007
296-44-44009	NEW-P	86-11-072	296-44-499	REP	86-16-007	296-44-616	REP-P	86-11-072
296-44-44009	NEW	86-16-007	296-44-502	REP-P	86-11-072	296-44-616	REP	86-16-007
296-44-44021	NEW-P	86-11-072	296-44-502	REP	86-16-007	296-44-619	REP-P	86-11-072
296-44-44021	NEW	86-16-007	296-44-505	REP-P	86-11-072	296-44-619	REP	86-16-007

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-44-622	REP-P	86-11-072	296-44-736	REP	86-16-007	296-52-110	REP	86-10-044
296-44-622	REP	86-16-007	296-44-739	REP-P	86-11-072	296-52-120	REP-P	86-05-026
296-44-625	REP-P	86-11-072	296-44-742	REP	86-16-007	296-52-120	REP	86-10-044
296-44-625	REP	86-16-007	296-44-742	REP-P	86-11-072	296-52-140	REP-P	86-05-026
296-44-628	REP-P	86-11-072	296-44-742	REP	86-16-007	296-52-140	REP	86-10-044
296-44-628	REP	86-16-007	296-44-745	REP-P	86-11-072	296-52-150	REP-P	86-05-026
296-44-631	REP-P	86-11-072	296-44-745	REP	86-16-007	296-52-150	REP	86-10-044
296-44-631	REP	86-16-007	296-44-748	REP-P	86-11-072	296-52-160	REP-P	86-05-026
296-44-634	REP-P	86-11-072	296-44-748	REP	86-16-007	296-52-160	REP	86-10-044
296-44-634	REP	86-16-007	296-44-751	REP-P	86-11-072	296-52-165	REP-P	86-05-026
296-44-637	REP-P	86-11-072	296-44-751	REP	86-16-007	296-52-165	REP	86-10-044
296-44-637	REP	86-16-007	296-44-754	REP-P	86-11-072	296-52-167	REP-P	86-05-026
296-44-640	REP-P	86-11-072	296-44-754	REP	86-16-007	296-52-167	REP	86-10-044
296-44-640	REP	86-16-007	296-44-757	REP-P	86-11-072	296-52-170	REP-P	86-05-026
296-44-643	REP-P	86-11-072	296-44-757	REP	86-16-007	296-52-170	REP	86-10-044
296-44-643	REP	86-16-007	296-44-760	REP-P	86-11-072	296-52-180	REP-P	86-05-026
296-44-646	REP-P	86-11-072	296-44-760	REP	86-16-007	296-52-180	REP	86-10-044
296-44-646	REP	86-16-007	296-44-763	REP-P	86-11-072	296-52-190	REP-P	86-05-026
296-44-649	REP-P	86-11-072	296-44-763	REP	86-16-007	296-52-190	REP	86-10-044
296-44-649	REP	86-16-007	296-44-766	REP-P	86-11-072	296-52-200	REP-P	86-05-026
296-44-652	REP-P	86-11-072	296-44-766	REP	86-16-007	296-52-200	REP	86-10-044
296-44-652	REP	86-16-007	296-46-348	NEW-P	86-14-077	296-52-220	REP-P	86-05-026
296-44-655	REP-P	86-11-072	296-46-348	NEW-E	86-14-078	296-52-220	REP	86-10-044
296-44-655	REP	86-16-007	296-46-348	NEW	86-18-041	296-52-230	REP-P	86-05-026
296-44-658	REP-P	86-11-072	296-46-360	AMD-P	86-14-077	296-52-230	REP	86-10-044
296-44-658	REP	86-16-007	296-46-360	AMD-E	86-14-078	296-52-260	REP-P	86-05-026
296-44-661	REP-P	86-11-072	296-46-360	AMD	86-18-041	296-52-260	REP	86-10-044
296-44-661	REP	86-16-007	296-46-600	NEW-P	86-14-077	296-52-270	REP-P	86-05-026
296-44-664	REP-P	86-11-072	296-46-600	NEW-E	86-14-078	296-52-270	REP	86-10-044
296-44-664	REP	86-16-007	296-46-600	NEW	86-18-041	296-52-330	REP-P	86-05-026
296-44-667	REP-P	86-11-072	296-46-680	NEW-P	86-14-077	296-52-330	REP	86-10-044
296-44-667	REP	86-16-007	296-46-680	NEW-E	86-14-078	296-52-350	REP-P	86-05-026
296-44-670	REP-P	86-11-072	296-46-680	NEW	86-18-041	296-52-350	REP	86-10-044
296-44-670	REP	86-16-007	296-46-915	NEW-P	86-14-077	296-52-360	REP-P	86-05-026
296-44-673	REP-P	86-11-072	296-46-915	NEW-E	86-14-078	296-52-360	REP	86-10-044
296-44-673	REP	86-16-007	296-46-915	NEW	86-18-041	296-52-370	REP-P	86-05-026
296-44-676	REP-P	86-11-072	296-46-920	NEW-P	86-14-077	296-52-370	REP	86-10-044
296-44-676	REP	86-16-007	296-46-920	NEW-E	86-14-078	296-52-380	REP-P	86-05-026
296-44-679	REP-P	86-11-072	296-46-920	NEW	86-18-041	296-52-380	REP	86-10-044
296-44-679	REP	86-16-007	296-46-930	NEW-P	86-14-077	296-52-390	REP-P	86-05-026
296-44-682	REP-P	86-11-072	296-46-930	NEW-E	86-14-078	296-52-390	REP	86-10-044
296-44-682	REP	86-16-007	296-46-930	NEW	86-18-041	296-52-400	REP-P	86-05-026
296-44-685	REP-P	86-11-072	296-46-940	NEW-P	86-14-077	296-52-400	REP	86-10-044
296-44-685	REP	86-16-007	296-46-940	NEW-E	86-14-078	296-52-401	NEW-P	86-05-026
296-44-688	REP-P	86-11-072	296-46-940	NEW	86-18-041	296-52-401	NEW	86-10-044
296-44-688	REP	86-16-007	296-46-950	NEW-P	86-14-077	296-52-405	NEW-P	86-05-026
296-44-691	REP-P	86-11-072	296-46-950	NEW-E	86-14-078	296-52-405	NEW	86-10-044
296-44-691	REP	86-16-007	296-46-950	NEW	86-18-041	296-52-409	NEW-P	86-05-026
296-44-694	REP-P	86-11-072	296-52-010	REP-P	86-05-026	296-52-409	NEW	86-10-044
296-44-694	REP	86-16-007	296-52-010	REP	86-10-044	296-52-413	NEW-P	86-05-026
296-44-697	REP-P	86-11-072	296-52-012	REP-P	86-05-026	296-52-413	NEW	86-10-044
296-44-697	REP	86-16-007	296-52-012	REP	86-10-044	296-52-417	NEW-P	86-05-026
296-44-700	REP-P	86-11-072	296-52-020	REP-P	86-05-026	296-52-417	NEW	86-10-044
296-44-700	REP	86-16-007	296-52-020	REP	86-10-044	296-52-421	NEW-P	86-05-026
296-44-703	REP-P	86-11-072	296-52-025	REP-P	86-05-026	296-52-421	NEW	86-10-044
296-44-703	REP	86-16-007	296-52-025	REP	86-10-044	296-52-425	NEW-P	86-05-026
296-44-706	REP-P	86-11-072	296-52-027	REP-P	86-05-026	296-52-425	NEW	86-10-044
296-44-706	REP	86-16-007	296-52-027	REP	86-10-044	296-52-429	NEW-P	86-05-026
296-44-709	REP-P	86-11-072	296-52-030	REP-P	86-05-026	296-52-429	NEW	86-10-044
296-44-709	REP	86-16-007	296-52-030	REP	86-10-044	296-52-433	NEW-P	86-05-026
296-44-712	REP-P	86-11-072	296-52-040	REP-P	86-05-026	296-52-433	NEW	86-10-044
296-44-712	REP	86-16-007	296-52-040	REP	86-10-044	296-52-437	NEW-P	86-05-026
296-44-715	REP-P	86-11-072	296-52-043	REP-P	86-05-026	296-52-437	NEW	86-10-044
296-44-715	REP	86-16-007	296-52-043	REP	86-10-044	296-52-441	NEW-P	86-05-026
296-44-718	REP-P	86-11-072	296-52-050	REP-P	86-05-026	296-52-441	NEW	86-10-044
296-44-718	REP	86-16-007	296-52-050	REP	86-10-044	296-52-445	NEW-P	86-05-026
296-44-721	REP-P	86-11-072	296-52-060	REP-P	86-05-026	296-52-445	NEW	86-10-044
296-44-721	REP	86-16-007	296-52-060	REP	86-10-044	296-52-449	NEW-P	86-05-026
296-44-724	REP-P	86-11-072	296-52-080	REP-P	86-05-026	296-52-449	NEW	86-10-044
296-44-724	REP	86-16-007	296-52-080	REP	86-10-044	296-52-453	NEW-P	86-05-026
296-44-727	REP-P	86-11-072	296-52-090	REP-P	86-05-026	296-52-453	NEW	86-10-044
296-44-727	REP	86-16-007	296-52-090	REP	86-10-044	296-52-457	NEW-P	86-05-026
296-44-730	REP-P	86-11-072	296-52-095	REP-P	86-05-026	296-52-457	NEW	86-10-044
296-44-730	REP	86-16-007	296-52-095	REP	86-10-044	296-52-461	NEW-P	86-05-026
296-44-733	REP-P	86-11-072	296-52-100	REP-P	86-05-026	296-52-461	NEW	86-10-044
296-44-733	REP	86-16-007	296-52-100	REP	86-10-044	296-52-465	NEW-P	86-05-026
296-44-736	REP-P	86-11-072	296-52-110	REP-P	86-05-026	296-52-465	NEW	86-10-044

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-52-469	NEW-P	86-05-026	296-56-60125	AMD	86-03-064	296-62-05417	AMD-C	86-10-001
296-52-469	NEW	86-10-044	296-56-60127	AMD	86-03-064	296-62-05417	AMD-C	86-10-035
296-52-473	NEW-P	86-05-026	296-56-60129	AMD	86-03-064	296-62-05417	AMD	86-12-004
296-52-473	NEW	86-10-044	296-56-60131	AMD	86-03-064	296-62-05425	AMD-P	86-06-051
296-52-477	NEW-P	86-05-026	296-56-60133	AMD	86-03-064	296-62-05425	AMD-C	86-10-001
296-52-477	NEW	86-10-044	296-56-60135	AMD	86-03-064	296-62-05425	AMD-C	86-10-035
296-52-481	NEW-P	86-05-026	296-56-60139	AMD	86-03-064	296-62-05425	AMD	86-12-004
296-52-481	NEW	86-10-044	296-56-60141	AMD	86-03-064	296-62-05427	NEW-P	86-06-051
296-52-485	NEW-P	86-05-026	296-56-60143	AMD	86-03-064	296-62-05427	NEW-C	86-10-001
296-52-485	NEW	86-10-044	296-56-60145	AMD	86-03-064	296-62-05427	NEW-C	86-10-035
296-52-489	NEW-P	86-05-026	296-56-60147	AMD	86-03-064	296-62-05427	NEW	86-12-004
296-52-489	NEW	86-10-044	296-56-60151	AMD	86-03-064	296-62-07306	AMD-P	86-11-071
296-52-493	NEW-P	86-05-026	296-56-60153	AMD	86-03-064	296-62-07306	AMD	86-16-009
296-52-493	NEW	86-10-044	296-56-60155	AMD	86-03-064	296-62-07329	AMD-P	86-11-071
296-52-497	NEW-P	86-05-026	296-56-60157	AMD	86-03-064	296-62-07329	AMD	86-16-009
296-52-497	NEW	86-10-044	296-56-60159	AMD	86-03-064	296-62-07341	AMD-P	86-11-071
296-52-501	NEW-P	86-05-026	296-56-60161	AMD	86-03-064	296-62-07341	AMD	86-16-009
296-52-501	NEW	86-10-044	296-56-60167	AMD	86-03-064	296-62-07345	AMD-P	86-11-071
296-52-505	NEW-P	86-05-026	296-56-60169	AMD	86-03-064	296-62-07345	AMD	86-16-009
296-52-505	NEW	86-10-044	296-56-60171	AMD	86-03-064	296-62-07353	AMD-P	86-11-071
296-52-509	NEW-P	86-05-026	296-56-60180	AMD	86-03-064	296-62-07353	AMD	86-16-009
296-52-509	NEW	86-10-044	296-56-60183	AMD	86-03-064	296-62-07515	AMD-P	86-11-071
296-56-60001	AMD	86-03-064	296-56-60189	AMD	86-03-064	296-62-07515	AMD	86-16-009
296-56-60003	AMD	86-03-064	296-56-60191	AMD	86-03-064	296-62-14533	AMD-P	86-11-071
296-56-60005	AMD	86-03-064	296-56-60193	AMD	86-03-064	296-62-14533	AMD	86-16-009
296-56-60007	AMD	86-03-064	296-56-60195	AMD	86-03-064	296-62-14543	NEW-P	86-11-071
296-56-60009	AMD	86-03-064	296-56-60199	AMD	86-03-064	296-62-14543	NEW	86-16-009
296-56-60011	AMD	86-03-064	296-56-60201	AMD	86-03-064	296-62-20009	AMD-P	86-11-071
296-56-60017	AMD	86-03-064	296-56-60205	AMD	86-03-064	296-62-20009	AMD	86-16-009
296-56-60019	AMD	86-03-064	296-56-60207	AMD	86-03-064	296-62-20011	AMD-P	86-11-071
296-56-60023	AMD	86-03-064	296-56-60209	AMD	86-03-064	296-62-20011	AMD	86-16-009
296-56-60025	AMD	86-03-064	296-56-60211	AMD	86-03-064	296-63-001	NEW-P	86-18-070
296-56-60027	AMD	86-03-064	296-56-60215	AMD	86-03-064	296-63-001	NEW	86-23-003
296-56-60029	AMD	86-03-064	296-56-60217	AMD	86-03-064	296-63-003	NEW-P	86-18-070
296-56-60031	AMD	86-03-064	296-56-60219	AMD	86-03-064	296-63-003	NEW	86-23-003
296-56-60037	AMD	86-03-064	296-56-60221	AMD	86-03-064	296-63-005	NEW-P	86-18-070
296-56-60039	AMD	86-03-064	296-56-60223	AMD	86-03-064	296-63-005	NEW	86-23-003
296-56-60041	AMD	86-03-064	296-56-60229	AMD	86-03-064	296-63-007	NEW-P	86-18-070
296-56-60043	AMD	86-03-064	296-56-60231	AMD	86-03-064	296-63-007	NEW	86-23-003
296-56-60049	AMD	86-03-064	296-56-60233	AMD	86-03-064	296-63-009	NEW-P	86-18-070
296-56-60051	AMD	86-03-064	296-56-60235	AMD	86-03-064	296-63-009	NEW	86-23-003
296-56-60053	AMD	86-03-064	296-56-60237	AMD	86-03-064	296-63-011	NEW-P	86-18-070
296-56-60055	AMD	86-03-064	296-56-60239	AMD	86-03-064	296-63-011	NEW	86-23-003
296-56-60057	AMD	86-03-064	296-56-60241	AMD	86-03-064	296-63-013	NEW-P	86-18-070
296-56-60059	AMD	86-03-064	296-56-60243	AMD	86-03-064	296-63-013	NEW	86-23-003
296-56-60060	AMD	86-03-064	296-56-60245	AMD	86-03-064	296-63-015	NEW-P	86-18-070
296-56-60062	AMD	86-03-064	296-56-60249	AMD	86-03-064	296-63-015	NEW	86-23-003
296-56-60065	AMD	86-03-064	296-56-60251	AMD	86-03-064	296-64-400	REP-P	86-06-051
296-56-60067	AMD	86-03-064	296-56-60253	AMD	86-03-064	296-64-400	REP	86-12-004
296-56-60069	AMD	86-03-064	296-56-990	REP	86-03-064	296-64-405	REP-P	86-06-051
296-56-60073	AMD	86-03-064	296-56-99001	REP	86-03-064	296-64-405	REP	86-12-004
296-56-60075	AMD	86-03-064	296-56-99002	AMD	86-03-064	296-64-410	REP-P	86-06-051
296-56-60077	AMD	86-03-064	296-56-99003	AMD	86-03-064	296-64-410	REP	86-12-004
296-56-60079	AMD	86-03-064	296-56-99004	REP	86-03-064	296-64-415	REP-P	86-06-051
296-56-60081	AMD	86-03-064	296-56-99005	REP	86-03-064	296-64-415	REP	86-12-004
296-56-60083	AMD	86-03-064	296-56-99006	REP	86-03-064	296-64-420	REP-P	86-06-051
296-56-60085	AMD	86-03-064	296-62-05403	AMD-P	86-06-051	296-64-420	REP	86-12-004
296-56-60087	AMD	86-03-064	296-62-05403	AMD-C	86-10-001	296-64-425	REP-P	86-06-051
296-56-60089	AMD	86-03-064	296-62-05403	AMD-C	86-10-035	296-64-425	REP	86-12-004
296-56-60091	AMD	86-03-064	296-62-05403	AMD	86-12-004	296-81-007	AMD	86-03-024
296-56-60093	AMD	86-03-064	296-62-05405	AMD-P	86-06-051	296-81-010	AMD	86-03-024
296-56-60095	AMD	86-03-064	296-62-05405	AMD-C	86-10-001	296-81-260	AMD	86-03-024
296-56-60097	AMD	86-03-064	296-62-05405	AMD-C	86-10-035	296-83-010	REP	86-03-025
296-56-60098	AMD	86-03-064	296-62-05405	AMD	86-12-004	296-83-015	REP	86-03-025
296-56-60101	AMD	86-03-064	296-62-05407	AMD-P	86-06-051	296-83-020	REP	86-03-025
296-56-60103	AMD	86-03-064	296-62-05407	AMD-C	86-10-001	296-83-025	REP	86-03-025
296-56-60107	AMD	86-03-064	296-62-05407	AMD-C	86-10-035	296-83-030	REP	86-03-025
296-56-60109	AMD	86-03-064	296-62-05407	AMD	86-12-004	296-83-035	REP	86-03-025
296-56-60110	AMD	86-03-064	296-62-05413	AMD-P	86-06-051	296-83-040	REP	86-03-025
296-56-60111	AMD	86-03-064	296-62-05413	AMD-C	86-10-001	296-83-045	REP	86-03-025
296-56-60113	AMD	86-03-064	296-62-05413	AMD-C	86-10-035	296-83-050	REP	86-03-025
296-56-60115	AMD	86-03-064	296-62-05413	AMD	86-12-004	296-83-055	REP	86-03-025
296-56-60117	AMD	86-03-064	296-62-05415	AMD-P	86-06-051	296-83-060	REP	86-03-025
296-56-60119	AMD	86-03-064	296-62-05415	AMD-C	86-10-001	296-83-065	REP	86-03-025
296-56-60121	AMD	86-03-064	296-62-05415	AMD-C	86-10-035	296-83-070	REP	86-03-025
296-56-60122	NEW	86-03-064	296-62-05415	AMD	86-12-004	296-83-075	REP	86-03-025
296-56-60123	AMD	86-03-064	296-62-05417	AMD-P	86-06-051	296-83-080	REP	86-03-025

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296-86-020	AMD	86-03-026	296-94-200	NEW	86-03-032	296-132-151	REP	86-08-015
296-86-030	AMD	86-03-026	296-94-210	NEW	86-03-032	296-132-152	REP-P	86-05-027
296-86-060	AMD	86-03-026	296-94-220	NEW	86-03-032	296-132-152	REP	86-08-015
296-86-070	AMD	86-03-026	296-94-230	NEW	86-03-032	296-132-155	REP-P	86-05-027
296-86-075	AMD	86-03-026	296-94-240	NEW	86-03-032	296-132-155	REP	86-08-015
296-87-001	NEW	86-03-033	296-94-250	NEW	86-03-032	296-132-160	REP-P	86-05-027
296-87-020	AMD	86-03-033	296-100-001	NEW	86-03-031	296-132-160	REP	86-08-015
296-87-040	AMD	86-03-033	296-100-050	NEW	86-03-031	296-132-200	REP-P	86-05-027
296-87-060	AMD	86-03-033	296-100-060	NEW	86-03-031	296-132-200	REP	86-08-015
296-87-080	AMD	86-03-033	296-104-210	AMD-P	86-04-060	296-132-205	REP-P	86-05-027
296-87-120	AMD	86-03-033	296-104-210	AMD	86-07-064	296-132-205	REP	86-08-015
296-88-001	REP	86-03-027	296-104-500	AMD	86-04-059	296-132-210	REP-P	86-05-027
296-88-010	REP	86-03-027	296-104-501	NEW	86-04-059	296-132-210	REP	86-08-015
296-88-020	REP	86-03-027	296-104-515	AMD	86-04-059	296-132-215	REP-P	86-05-027
296-88-030	REP	86-03-027	296-116-080	AMD	86-07-010	296-132-215	REP	86-08-015
296-88-040	REP	86-03-027	296-116-080	AMD-P	86-19-001	296-132-220	REP-P	86-05-027
296-88-050	REP	86-03-027	296-116-080	AMD-W	86-20-021	296-132-220	REP	86-08-015
296-88-060	REP	86-03-027	296-116-185	AMD-P	86-22-072	296-132-225	REP-P	86-05-027
296-88-070	REP	86-03-027	296-116-185	AMD	87-01-081	296-132-225	REP	86-08-015
296-88-080	REP	86-03-027	296-116-300	AMD-E	86-15-021	296-132-226	REP-P	86-05-027
296-88-090	REP	86-03-027	296-116-300	AMD-P	86-15-047	296-132-226	REP	86-08-015
296-88-100	REP	86-03-027	296-116-300	AMD	86-19-066	296-132-250	REP-P	86-05-027
296-88-110	REP	86-03-027	296-116-300	AMD-E	86-21-059	296-132-250	REP	86-08-015
296-88-120	REP	86-03-027	296-116-300	AMD-P	86-22-073	296-132-255	REP-P	86-05-027
296-88-130	REP	86-03-027	296-116-300	AMD	87-01-081	296-132-255	REP	86-08-015
296-90-010	REP	86-03-028	296-127-010	AMD	86-03-063	296-132-260	REP-P	86-05-027
296-90-020	REP	86-03-028	296-127-020	AMD	86-03-063	296-132-260	REP	86-08-015
296-90-030	REP	86-03-028	296-127-130	NEW	86-03-063	296-132-265	REP-P	86-05-027
296-90-040	REP	86-03-028	296-127-140	NEW	86-03-063	296-132-265	REP	86-08-015
296-90-050	REP	86-03-028	296-127-150	NEW	86-03-063	296-132-301	REP-P	86-05-027
296-90-060	REP	86-03-028	296-127-160	NEW	86-03-063	296-132-301	REP	86-08-015
296-90-070	REP	86-03-028	296-127-170	NEW	86-03-063	296-132-302	REP-P	86-05-027
296-90-080	REP	86-03-028	296-127-180	NEW	86-03-063	296-132-302	REP	86-08-015
296-90-090	REP	86-03-028	296-127-190	NEW	86-03-063	296-132-306	REP-P	86-05-027
296-92-010	REP	86-03-029	296-127-200	NEW	86-03-063	296-132-306	REP	86-08-015
296-92-020	REP	86-03-029	296-127-210	NEW	86-03-063	296-132-311	REP-P	86-05-027
296-92-030	REP	86-03-029	296-127-220	NEW	86-03-063	296-132-311	REP	86-08-015
296-92-040	REP	86-03-029	296-127-300	NEW	86-03-063	296-132-316	REP-P	86-05-027
296-92-050	REP	86-03-029	296-127-310	NEW	86-03-063	296-132-316	REP	86-08-015
296-92-060	REP	86-03-029	296-127-320	NEW	86-03-063	296-132-350	REP-P	86-05-027
296-92-070	REP	86-03-029	296-132-005	REP-P	86-05-027	296-132-350	REP	86-08-015
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296-92-110	REP	86-03-029	296-132-015	REP-P	86-05-027	296-132-370	REP	86-08-015
296-93-010	AMD	86-03-030	296-132-015	REP	86-08-015	296-132-380	REP-P	86-05-027
296-93-050	AMD	86-03-030	296-132-050	REP-P	86-05-027	296-132-380	REP	86-08-015
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296-93-110	REP	86-03-030	296-132-055	REP	86-08-015	296-150A-300	AMD-E	86-14-037
296-93-120	AMD	86-03-030	296-132-060	REP-P	86-05-027	296-150A-300	AMD	86-19-081
296-93-130	REP	86-03-030	296-132-060	REP	86-08-015	296-150A-300	AMD-E	86-19-082
296-93-170	AMD	86-03-030	296-132-065	REP-P	86-05-027	296-150B-015	AMD-P	86-14-036
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296-93-230	AMD	86-03-030	296-132-105	REP	86-08-015	296-150B-300	AMD-E	86-14-040
296-94-010	NEW	86-03-032	296-132-110	REP-P	86-05-027	296-150B-300	AMD-E	86-20-073
296-94-020	NEW	86-03-032	296-132-110	REP	86-08-015	296-150B-300	AMD	86-21-136
296-94-030	NEW	86-03-032	296-132-115	REP-P	86-05-027	296-150B-305	AMD-P	86-14-036
296-94-040	NEW	86-03-032	296-132-115	REP	86-08-015	296-150B-305	AMD-E	86-14-040
296-94-050	NEW	86-03-032	296-132-120	REP-P	86-05-027	296-150B-305	AMD-E	86-20-073
296-94-060	NEW	86-03-032	296-132-120	REP	86-08-015	296-150B-305	AMD	86-21-136
296-94-070	NEW	86-03-032	296-132-125	REP-P	86-05-027	296-150B-307	NEW-P	86-14-036
296-94-080	NEW	86-03-032	296-132-125	REP	86-08-015	296-150B-307	NEW-E	86-14-040
296-94-090	NEW	86-03-032	296-132-130	REP-P	86-05-027	296-150B-307	NEW-E	86-20-073
296-94-100	NEW	86-03-032	296-132-130	REP	86-08-015	296-150B-307	NEW	86-21-136
296-94-110	NEW	86-03-032	296-132-135	REP-P	86-05-027	296-150B-508	NEW-P	86-14-036
296-94-120	NEW	86-03-032	296-132-135	REP	86-08-015	296-150B-508	NEW-E	86-14-040
296-94-130	NEW	86-03-032	296-132-140	REP-P	86-05-027	296-150B-508	NEW-E	86-20-073
296-94-140	NEW	86-03-032	296-132-140	REP	86-08-015	296-150B-508	NEW	86-21-136
296-94-150	NEW	86-03-032	296-132-145	REP-P	86-05-027	296-150B-550	AMD-P	86-14-036
296-94-160	NEW	86-03-032	296-132-145	REP	86-08-015	296-150B-550	AMD-E	86-14-040
296-94-170	NEW	86-03-032	296-132-150	REP-P	86-05-027	296-150B-550	AMD-E	86-20-073
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296-150B-553	AMD-E	86-20-073	296-155-325	AMD	86-03-074	296-155-48531	NEW-C	86-03-073
296-150B-553	AMD	86-21-136	296-155-330	AMD-C	86-03-073	296-155-48531	NEW	86-03-074
296-150B-797	AMD-P	86-14-036	296-155-330	AMD	86-03-074	296-155-48533	NEW-C	86-03-073
296-150B-797	AMD-E	86-14-040	296-155-335	AMD-C	86-03-073	296-155-48533	NEW	86-03-074
296-150B-797	AMD-E	86-20-073	296-155-335	AMD	86-03-074	296-155-500	AMD-C	86-03-073
296-150B-797	AMD	86-21-136	296-155-34911	AMD-C	86-03-073	296-155-500	AMD	86-03-074
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296-150B-800	AMD-E	86-14-040	296-155-34912	AMD-C	86-03-073	296-155-505	AMD	86-03-074
296-150B-800	AMD-E	86-20-073	296-155-34912	AMD	86-03-074	296-155-50503	NEW-C	86-03-073
296-150B-800	AMD	86-21-136	296-155-34913	AMD-C	86-03-073	296-155-50503	NEW	86-03-074
296-155-003	AMD-C	86-03-073	296-155-34913	AMD	86-03-074	296-155-50505	NEW-C	86-03-073
296-155-003	AMD	86-03-074	296-155-34914	AMD-C	86-03-073	296-155-50505	NEW	86-03-074
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296-155-009	NEW-C	86-03-073	296-155-34920	AMD	86-03-074	296-155-515	NEW-C	86-03-073
296-155-009	NEW	86-03-074	296-155-355	AMD-C	86-03-073	296-155-515	NEW	86-03-074
296-155-010	AMD-C	86-03-073	296-155-355	AMD	86-03-074	296-155-530	AMD-C	86-03-073
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296-155-012	AMD	86-03-074	296-155-363	NEW-C	86-03-073	296-155-545	AMD	86-03-074
296-155-020	AMD-C	86-03-073	296-155-363	NEW	86-03-074	296-155-570	AMD-C	86-03-073
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296-155-100	AMD-C	86-03-073	296-155-36303	NEW	86-03-074	296-155-576	AMD-C	86-03-073
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296-155-200	AMD-C	86-03-073	296-155-36321	NEW	86-03-074	296-155-61707	NEW	86-03-074
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296-155-201	AMD	86-03-074	296-155-367	NEW-C	86-03-073	296-155-61711	NEW-C	86-03-073
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296-155-20301	NEW-C	86-03-073	296-155-370	AMD	86-03-074	296-155-61713	NEW	86-03-074
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296-155-205	AMD-C	86-03-073	296-155-407	NEW	86-03-074	296-155-655	AMD	86-03-074
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296-155-212	AMD-C	86-03-073	296-155-430	AMD	86-03-074	296-155-660	AMD	86-03-074
296-155-212	AMD	86-03-074	296-155-435	AMD-C	86-03-073	296-155-66005	NEW-C	86-03-073
296-155-225	AMD-C	86-03-073	296-155-435	AMD	86-03-074	296-155-66005	NEW	86-03-074
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296-155-230	AMD-C	86-03-073	296-155-440	AMD	86-03-074	296-155-665	AMD	86-03-074
296-155-230	AMD	86-03-074	296-155-475	AMD-C	86-03-073	296-155-66501	AMD-C	86-03-073
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296-155-250	AMD	86-03-074	296-155-480	AMD-C	86-03-073	296-155-66502	AMD-C	86-03-073
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296-155-275	AMD-C	86-03-073	296-155-48523	NEW	86-03-074	296-155-690	AMD	86-03-074
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296-155-705	AMD	86-03-074	296-200-370	NEW-P	86-14-035	296-401-100	AMD-E	86-14-078
296-155-720	AMD-C	86-03-073	296-200-370	NEW-E	86-14-039	296-401-100	AMD	86-18-041
296-155-720	AMD	86-03-074	296-200-370	NEW	86-19-086	296-401-120	AMD-P	86-14-077
296-155-725	AMD-C	86-03-073	296-200-370	AMD-E	86-22-011	296-401-120	AMD-E	86-14-078
296-155-725	AMD	86-03-074	296-200-370	AMD-P	86-22-061	296-401-120	AMD	86-18-041
296-155-730	AMD-C	86-03-073	296-200-380	NEW-P	86-14-035	296-401-160	AMD-P	86-14-077
296-155-730	AMD	86-03-074	296-200-380	NEW-E	86-14-039	296-401-160	AMD-E	86-14-078
296-155-750	AMD-C	86-03-073	296-200-380	NEW	86-19-086	296-401-160	AMD	86-18-041
296-155-750	AMD	86-03-074	296-200-390	NEW-P	86-14-035	296-401-165	AMD-P	86-14-077
296-155-760	REP-C	86-03-073	296-200-390	NEW-E	86-14-039	296-401-165	AMD-E	86-14-078
296-155-760	REP	86-03-074	296-200-390	NEW	86-19-086	296-401-165	AMD	86-18-041
296-155-765	AMD-C	86-03-073	296-200-400	NEW-P	86-14-035	296-401-168	NEW-P	86-14-077
296-155-765	AMD	86-03-074	296-200-400	NEW-E	86-14-039	296-401-168	NEW-E	86-14-078
296-155-775	AMD-C	86-03-073	296-200-400	NEW	86-19-086	296-401-168	NEW	86-18-041
296-155-775	AMD	86-03-074	296-200-410	NEW	86-19-086	296-401-170	AMD-P	86-14-077
296-155-830	AMD-C	86-03-073	296-306-003	NEW-P	86-21-134	296-401-170	AMD-E	86-14-078
296-155-830	AMD	86-03-074	296-306-005	REP-P	86-21-134	296-401-170	AMD	86-18-041
296-155-850	REP-C	86-03-073	296-306-006	NEW-P	86-21-134	296-401-175	AMD-E	86-10-017
296-155-850	REP	86-03-074	296-306-009	NEW-P	86-21-134	296-401-175	AMD-P	86-14-077
296-155-855	REP-C	86-03-073	296-306-012	NEW-P	86-21-134	296-401-175	AMD-E	86-14-078
296-155-855	REP	86-03-074	296-306-025	AMD-P	86-21-134	296-401-175	AMD	86-18-041
296-155-860	REP-C	86-03-073	296-306-057	NEW-P	86-21-134	296-403-010	NEW-P	86-07-055
296-155-860	REP	86-03-074	296-306-300	NEW-P	86-21-134	296-403-010	NEW-E	86-12-018
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296-155-870	REP	86-03-074	296-350-050	AMD	86-16-008	296-403-020	NEW	86-12-019
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296-155-875	REP	86-03-074	296-350-080	AMD	86-16-008	296-403-030	NEW-E	86-12-018
296-155-880	REP-C	86-03-073	296-350-300	NEW	86-06-002	296-403-030	NEW	86-12-019
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296-155-885	REP-C	86-03-073	296-400-005	NEW-P	86-14-034	296-403-040	NEW-E	86-12-018
296-155-885	REP	86-03-074	296-400-005	NEW-E	86-14-038	296-403-040	NEW	86-12-019
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296-155-890	REP	86-03-074	296-400-030	AMD-P	86-14-034	296-403-050	NEW-E	86-12-018
296-155-895	REP-C	86-03-073	296-400-030	AMD-E	86-14-038	296-403-050	NEW	86-12-019
296-155-895	REP	86-03-074	296-400-030	AMD	86-19-083	296-403-060	NEW-P	86-07-055
296-155-900	REP-C	86-03-073	296-400-035	NEW-P	86-14-034	296-403-060	NEW-E	86-12-018
296-155-900	REP	86-03-074	296-400-035	NEW-E	86-14-038	296-403-060	NEW	86-12-019
296-155-905	REP-C	86-03-073	296-400-035	NEW	86-19-083	296-403-070	NEW-P	86-07-055
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296-155-910	REP	86-03-074	296-400-045	AMD	86-19-083	296-403-080	NEW-P	86-19-080
296-155-915	REP-C	86-03-073	296-400-050	AMD-P	86-14-034	296-403-080	NEW	86-24-071
296-155-915	REP	86-03-074	296-400-050	AMD-E	86-14-038	296-403-090	NEW-P	86-19-080
296-155-920	REP-C	86-03-073	296-400-050	AMD	86-19-083	296-403-090	NEW	86-24-071
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296-155-950	AMD	86-03-074	296-400-070	NEW	86-19-083	296-403-110	NEW-P	86-19-080
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296-200-080	AMD-P	86-14-035	296-400-110	NEW-P	86-14-034	296-403-130	NEW-P	86-19-080
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296-200-340	NEW-E	86-14-039	296-401-030	AMD-E	86-14-078	304-12-145	NEW	86-12-067
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308-11-060	AMD 86-21-127	308-48-165	AMD 86-15-022	308-61-110	REP 86-03-011
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308-66-180	AMD	87-01-016	308-96A-026	NEW	86-23-045	308-96A-300	AMD	86-10-040
308-66-210	AMD-E	86-16-026	308-96A-030	REP-P	86-03-010	308-96A-305	REP-P	86-03-010
308-66-210	AMD-P	86-16-052	308-96A-030	REP	86-10-040	308-96A-305	REP	86-10-040
308-66-210	AMD-E	86-22-040	308-96A-035	AMD-P	86-03-010	308-99-020	AMD-E	86-09-013
308-66-210	AMD	87-01-016	308-96A-035	AMD	86-10-040	308-99-020	AMD-P	86-09-100
308-66-225	NEW-E	86-16-026	308-96A-040	AMD-P	86-03-010	308-99-020	AMD	86-14-016
308-66-225	NEW-P	86-16-052	308-96A-040	AMD	86-10-040	308-99-021	NEW-E	86-09-013
308-66-225	NEW-E	86-22-040	308-96A-050	AMD-P	86-03-010	308-99-021	NEW-P	86-09-100
308-66-225	NEW	87-01-016	308-96A-050	AMD	86-10-040	308-99-021	NEW	86-14-016
308-66-230	AMD-E	86-16-026	308-96A-055	REP-P	86-03-010	308-99-040	AMD-P	86-21-128
308-66-230	AMD-P	86-16-052	308-96A-055	REP	86-10-040	308-99-040	AMD	87-01-029
308-66-230	AMD-E	86-22-040	308-96A-060	REP-P	86-03-010	308-102-090	AMD-P	86-03-083
308-66-230	AMD	87-01-016	308-96A-060	REP	86-10-040	308-102-090	AMD	86-07-018
308-79-050	NEW-E	86-03-071	308-96A-075	AMD-P	86-03-010	308-102-100	AMD-P	86-03-083
308-79-050	NEW-P	86-06-042	308-96A-075	AMD	86-10-040	308-102-100	AMD	86-07-018
308-79-050	NEW	86-10-003	308-96A-100	AMD-P	86-03-010	308-102-190	AMD-P	86-03-083
308-80-015	NEW	86-08-028	308-96A-100	AMD	86-10-040	308-102-190	AMD	86-07-018
308-93-010	AMD-P	86-07-060	308-96A-105	AMD-P	86-03-010	308-102-200	AMD-P	86-03-083
308-93-010	AMD	86-10-068	308-96A-105	AMD	86-10-040	308-102-200	AMD	86-07-018
308-93-072	NEW-P	86-07-060	308-96A-115	REP-P	86-03-010	308-102-265	NEW-P	86-03-083
308-93-072	NEW	86-10-068	308-96A-115	REP	86-10-040	308-102-265	NEW	86-07-018
308-93-073	NEW-P	86-07-060	308-96A-120	AMD-P	86-03-010	308-104-012	NEW-P	86-03-083
308-93-073	NEW	86-10-068	308-96A-120	AMD	86-10-040	308-104-012	NEW	86-07-018
308-93-074	NEW-P	86-07-060	308-96A-125	REP-P	86-03-010	308-104-056	AMD-P	86-03-083
308-93-074	NEW	86-10-068	308-96A-125	REP	86-10-040	308-104-056	AMD	86-07-018
308-93-078	NEW-P	86-07-060	308-96A-130	REP-P	86-03-010	308-104-058	REP-P	86-03-083
308-93-078	NEW	86-10-068	308-96A-130	REP	86-10-040	308-104-058	REP	86-07-018
308-93-079	NEW-P	86-07-060	308-96A-135	AMD-P	86-03-010	308-104-080	AMD-P	86-03-083
308-93-079	NEW	86-10-068	308-96A-135	AMD	86-10-040	308-104-080	AMD	86-07-018
308-93-240	REP-E	86-15-069	308-96A-140	REP-P	86-03-010	308-104-090	AMD-P	86-03-083
308-93-240	REP-P	86-15-070	308-96A-140	REP	86-10-040	308-104-090	AMD	86-07-018
308-93-240	REP-E	87-01-028	308-96A-145	AMD-P	86-03-010	308-104-100	AMD-P	86-03-083
308-93-240	REP	87-01-030	308-96A-145	AMD	86-10-040	308-104-100	AMD	86-07-018
308-93-310	REP-E	86-15-069	308-96A-155	REP-P	86-03-010	308-104-105	NEW-P	86-03-083
308-93-310	REP-P	86-15-070	308-96A-155	REP	86-10-040	308-104-105	NEW-E	86-03-084
308-93-310	REP-E	87-01-028	308-96A-160	REP-P	86-03-010	308-104-105	NEW	86-07-018
308-93-310	REP	87-01-030	308-96A-160	REP	86-10-040	308-104-130	AMD-P	86-03-083
308-94	AMD-P	86-21-129	308-96A-165	REP-P	86-03-010	308-104-130	AMD	86-07-018
308-94-010	AMD-P	86-21-129	308-96A-165	REP	86-10-040	308-104-135	NEW-P	86-03-083
308-94-020	REP-P	86-21-129	308-96A-170	REP-P	86-03-010	308-104-135	NEW	86-07-018
308-94-030	AMD-P	86-21-129	308-96A-170	REP	86-10-040	308-104-160	AMD-P	86-03-083
308-94-040	AMD-P	86-21-129	308-96A-200	REP-P	86-03-010	308-104-160	AMD	86-07-018
308-94-050	AMD-P	86-21-129	308-96A-200	REP	86-10-040	308-115-130	AMD-P	86-11-036
308-94-060	REP-P	86-21-129	308-96A-205	AMD-P	86-03-010	308-115-130	AMD	86-16-012
308-94-070	AMD-P	86-21-129	308-96A-205	AMD	86-10-040	308-115-180	AMD-P	86-11-036
308-94-080	AMD-P	86-21-129	308-96A-210	AMD-P	86-03-010	308-115-180	AMD	86-16-012
308-94-100	AMD-P	86-21-129	308-96A-210	AMD	86-10-040	308-117-025	AMD-P	86-14-085
308-94-110	AMD-P	86-21-129	308-96A-215	REP-P	86-03-010	308-117-025	AMD	86-18-031
308-94-160	AMD-P	86-21-129	308-96A-215	REP	86-10-040	308-117-100	AMD-P	86-14-085
308-94-170	AMD-P	86-21-129	308-96A-220	AMD-P	86-03-010	308-117-100	AMD	86-18-031
308-94-180	REP-P	86-21-129	308-96A-220	AMD	86-10-040	308-120-700	NEW-P	86-22-045
308-94-181	NEW-P	86-21-129	308-96A-225	REP-P	86-03-010	308-120-710	NEW-P	86-22-045
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308-94-191	NEW-P	86-21-129	308-96A-230	REP-P	86-03-010	308-122-001	NEW-C	86-13-058
308-94-200	AMD-P	86-21-129	308-96A-230	REP	86-10-040	308-122-001	NEW	86-19-061

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308-122-500	AMD	86-04-087	308-171-201	AMD-P	86-22-043	308-400-070	AMD-P	86-20-088
308-122-505	AMD	86-04-087	308-171-201	AMD	87-01-088	308-400-070	AMD	86-24-055
308-122-525	AMD	86-04-087	308-171-300	AMD-P	86-14-018	308-400-080	AMD-P	86-20-088
308-122-630	NEW	86-04-087	308-171-300	AMD	86-17-064	308-400-080	AMD	86-24-055
308-122-640	AMD	86-04-087	308-171-301	AMD-P	86-14-018	314-12-030	AMD-P	86-04-033
308-122-670	NEW	86-04-087	308-171-301	AMD	86-17-064	314-12-030	AMD	86-07-012
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308-124A-430	NEW	86-11-011	308-171-302	NEW	86-17-064	314-12-090	AMD	86-12-021
308-124A-440	NEW-P	86-04-091	308-175-065	NEW-P	86-24-069	314-12-130	AMD-P	86-21-071
308-124A-440	NEW	86-11-011	308-175-075	NEW-P	86-24-069	314-12-130	AMD	86-24-028
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308-124A-450	NEW	86-11-011	308-175-084	NEW-P	86-24-069	314-12-140	AMD-P	86-06-021
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308-124D-040	NEW	86-19-062	308-175-110	NEW-P	86-24-069	314-16-025	NEW	86-09-074
308-124D-040	AMD-P	87-01-089	308-175-120	NEW-P	86-24-069	314-16-040	AMD-P	86-04-082
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308-124H-035	NEW	86-11-011	308-180-100	NEW	86-10-038	314-16-075	AMD-P	86-11-046
308-124H-036	NEW-P	86-04-091	308-180-100	AMD-P	87-01-087	314-16-075	AMD-P	86-15-039
308-124H-036	NEW	86-11-011	308-180-120	NEW-P	86-07-061	314-16-075	AMD	86-18-018
308-124H-037	NEW-P	86-04-091	308-180-120	NEW	86-10-038	314-16-100	REP-P	86-04-049
308-124H-037	NEW-P	86-11-061	308-180-130	NEW-P	87-01-087	314-16-100	REP	86-07-014
308-124H-037	NEW	86-16-055	308-180-140	NEW-P	87-01-087	314-16-110	AMD-P	86-23-037
308-124H-040	AMD-P	86-04-091	308-180-150	NEW-P	87-01-087	314-16-115	NEW-E	86-09-027
308-124H-040	AMD	86-06-011	308-180-160	NEW-P	87-01-087	314-16-115	NEW-P	86-09-086
308-124H-040	AMD	86-11-011	308-180-170	NEW-P	87-01-087	314-16-115	NEW	86-12-022
308-124H-040	AMD-P	86-21-126	308-180-190	NEW-P	87-01-087	314-16-160	AMD-P	86-24-007
308-124H-040	AMD	87-01-085	308-180-200	NEW-P	87-01-087	314-16-180	AMD-P	86-12-009
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308-124H-045	AMD	86-06-011	308-180-220	NEW-P	87-01-087	314-16-196	AMD-P	86-13-059
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308-128F-050	AMD-E	86-18-030	308-250-010	NEW-P	86-07-062	314-16-196	AMD-P	86-23-001
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308-151-110	NEW	86-08-068	308-250-020	NEW-P	86-07-062	314-18-040	AMD	86-09-075
308-153	AMD-P	86-10-067	308-250-030	NEW	86-10-036	314-20-030	AMD-P	86-20-067
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308-153-010	AMD	86-13-070	308-250-040	NEW-P	86-07-062	314-20-100	AMD-C	86-07-021
308-153-020	AMD-P	86-10-067	308-250-040	NEW	86-10-036	314-20-100	AMD-C	86-14-100
308-153-020	AMD	86-13-070	308-250-050	NEW-P	86-07-062	314-20-100	AMD	86-16-060
308-153-030	AMD-P	86-10-067	308-250-050	NEW	86-10-036	314-20-105	AMD-P	86-04-084
308-153-030	AMD	86-13-070	308-300-310	NEW-P	86-11-062	314-20-105	AMD-C	86-07-021
308-153-040	REP-P	86-10-067	308-300-310	NEW-E	86-12-016	314-20-105	AMD-C	86-14-100
308-153-040	REP	86-13-070	308-300-310	NEW	86-15-037	314-20-105	AMD	86-16-060
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308-153-045	NEW	86-13-070	308-400	AMD	86-24-055	314-20-105	AMD-P	86-22-029
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308-154-070	REP	86-13-070	308-400-010	AMD	86-24-055	314-24-060	AMD-P	86-21-073
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308-156-075	NEW	86-08-068	308-400-020	AMD	86-24-055	314-24-070	AMD-P	86-08-095
308-171-001	AMD-P	86-06-054	308-400-025	NEW-P	86-20-088	314-24-070	AMD	86-11-014
308-171-001	AMD	86-10-004	308-400-025	NEW	86-24-055	314-24-080	AMD-P	86-04-083
308-171-001	AMD-P	86-14-018	308-400-030	AMD-P	86-20-088	314-24-080	AMD	86-07-022
308-171-001	AMD	86-17-064	308-400-030	AMD	86-24-055	314-24-100	AMD-P	86-08-095
308-171-002	NEW-P	86-22-043	308-400-046	AMD-P	86-20-088	314-24-100	AMD	86-11-014
308-171-002	NEW	87-01-088	308-400-046	AMD	86-24-055	314-24-160	AMD-E	86-09-028
308-171-030	AMD-P	86-22-044	308-400-047	NEW-P	86-20-088	314-24-160	AMD-P	86-09-087
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308-171-045	NEW	86-21-026	308-400-048	AMD	86-24-055	314-24-190	AMD-C	86-07-021
308-171-100	AMD-P	86-06-054	308-400-050	AMD-P	86-20-088	314-24-190	AMD-C	86-14-100
308-171-100	AMD	86-10-004	308-400-050	AMD	86-24-055	314-24-190	AMD	86-16-060
308-171-103	AMD-P	86-06-054	308-400-052	AMD-P	86-20-088	314-24-200	AMD-P	86-04-084
308-171-103	AMD	86-10-004	308-400-052	AMD	86-24-055	314-24-200	AMD-C	86-07-021
308-171-103	AMD-P	86-14-018	308-400-053	NEW-P	86-20-088	314-24-200	AMD-C	86-14-100
308-171-103	AMD	86-17-064	308-400-053	NEW	86-24-055	314-24-200	AMD	86-16-060
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308-171-104	NEW	86-10-004	308-400-054	AMD	86-24-055	314-24-200	AMD-E	86-22-004
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314-40-040	AMD-P	86-04-034	315-11-190	REP	87-01-059	323-12-050	NEW-P	86-23-027
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314-52-005	AMD-E	86-15-013	315-11-191	NEW-E	86-03-080	323-12-080	NEW-P	86-23-027
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314-52-020	AMD	86-07-019	315-11-192	NEW-E	86-03-003	323-12-120	NEW-P	86-23-027
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314-52-070	AMD	86-15-041	315-11-192	NEW	86-07-028	326-02-030	AMD	86-17-018
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314-52-113	AMD-C	86-15-040	315-11-192	REP	87-01-059	326-08-095	NEW	86-17-018
314-52-113	AMD-W	86-16-059	315-11-200	NEW-E	86-07-029	326-20-110	AMD-P	86-14-101
314-52-113	AMD-P	86-16-065	315-11-200	NEW-P	86-08-059	326-20-110	AMD	86-17-018
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314-52-114	AMD-P	86-04-084	315-11-201	NEW-E	86-07-029	326-20-171	NEW	86-17-018
314-52-114	AMD-C	86-07-021	315-11-201	NEW-P	86-08-059	326-20-172	NEW-P	86-14-101
314-52-114	AMD-C	86-14-100	315-11-201	NEW	86-12-001	326-20-172	NEW	86-17-018
314-52-114	AMD	86-16-060	315-11-202	NEW-E	86-07-029	326-20-220	AMD-P	86-14-101
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315-04-190	AMD-E	86-07-029	315-11-220	NEW-E	86-23-010	332-12-310	AMD	86-07-027
315-04-190	AMD-P	86-08-059	315-11-220	NEW	87-01-057	332-12-360	AMD-P	86-04-081
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315-04-230	NEW-C	86-21-141	315-11-222	NEW-C	86-21-141	332-16-280	REP-E	86-09-068
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356-22-070	AMD-P	86-14-092	356-34-110	AMD	86-08-035
356-22-070	AMD-P	86-20-091	356-34-113	AMD-P	86-04-044
356-22-070	AMD-P	86-22-074	356-34-113	AMD	86-08-035
356-22-080	AMD-P	86-04-043	356-34-118	AMD-P	86-04-044
356-22-080	AMD	86-08-035	356-34-118	AMD	86-08-035
356-34-120	REP-P	86-04-044	356-34-120	REP-P	86-04-044
356-34-120	REP	86-08-035	356-34-140	AMD-P	86-04-044
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356-34-220	AMD	86-08-035	356-34-220	AMD	86-08-035
356-34-230	AMD-P	86-04-044	356-34-230	AMD-P	86-04-044
356-34-230	AMD	86-08-035	356-34-230	AMD	86-08-035
356-34-250	REP-P	86-04-044	356-34-250	REP-P	86-04-044
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356-35-010	AMD-P	86-22-074	356-35-010	AMD-P	86-22-074
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356-39-070	AMD-P	86-20-091	356-39-070	AMD-P	86-20-091
356-39-070	AMD-P	86-22-074	356-39-070	AMD-P	86-22-074
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392-126-285	AMD-E	86-17-045	392-127-225	REP-E	86-17-047	392-127-360	REP-P	86-17-088
392-126-285	AMD-P	86-17-087	392-127-225	REP-P	86-17-088	392-127-360	REP	86-21-092
392-126-285	AMD	86-21-091	392-127-225	REP	86-21-092	392-127-360	REP-E	86-21-095
392-126-285	AMD-E	86-21-094	392-127-225	REP-E	86-21-095	392-127-364	NEW-E	86-19-012
392-126-290	NEW-E	86-17-045	392-127-255	AMD-E	86-17-047	392-127-364	NEW	86-21-092
392-126-290	NEW-P	86-17-087	392-127-255	AMD-P	86-17-088	392-127-364	NEW-E	86-21-095
392-126-290	NEW	86-21-091	392-127-255	AMD	86-21-092	392-127-365	AMD-E	86-17-047
392-126-290	NEW-E	86-21-094	392-127-255	AMD-E	86-21-095	392-127-365	AMD-P	86-17-088
392-126-291	NEW-E	86-17-045	392-127-260	REP-E	86-17-047	392-127-365	AMD	86-21-092
392-126-291	NEW-P	86-17-087	392-127-260	REP-P	86-17-088	392-127-365	AMD-E	86-21-095
392-126-291	NEW	86-21-091	392-127-260	REP	86-21-092	392-127-368	NEW-E	86-19-012
392-126-291	NEW-E	86-21-094	392-127-260	REP-E	86-21-095	392-127-368	NEW	86-21-092
392-126-325	AMD-E	86-17-045	392-127-264	NEW-E	86-19-012	392-127-368	NEW-E	86-21-095
392-126-325	AMD-P	86-17-087	392-127-264	NEW	86-21-092	392-127-370	AMD-E	86-17-047
392-126-325	AMD	86-21-091	392-127-264	NEW-E	86-21-095	392-127-370	AMD-P	86-17-088
392-126-325	AMD-E	86-21-094	392-127-265	AMD-E	86-17-047	392-127-370	AMD-E	86-19-012

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392-127-370	AMD-E	86-21-095	392-127-540	REP-E	86-21-095	392-127-630	REP-E	86-17-047
392-127-371	NEW-E	86-17-047	392-127-545	AMD-E	86-17-047	392-127-630	REP-P	86-17-088
392-127-371	NEW-P	86-17-088	392-127-545	AMD-P	86-17-088	392-127-630	REP	86-21-092
392-127-371	NEW	86-21-092	392-127-545	AMD	86-21-092	392-127-630	REP-E	86-21-095
392-127-371	NEW-E	86-21-095	392-127-545	AMD-E	86-21-095	392-127-635	REP-E	86-17-047
392-127-375	AMD-E	86-17-047	392-127-550	AMD-E	86-17-047	392-127-635	REP-P	86-17-088
392-127-375	AMD-P	86-17-088	392-127-550	AMD-P	86-17-088	392-127-635	REP	86-21-092
392-127-375	AMD-E	86-19-012	392-127-550	AMD	86-21-092	392-127-635	REP-E	86-21-095
392-127-375	AMD	86-21-092	392-127-550	AMD-E	86-21-095	392-127-640	REP-E	86-17-047
392-127-375	AMD-E	86-21-095	392-127-551	NEW-E	86-17-047	392-127-640	REP-P	86-17-088
392-127-380	AMD-E	86-17-047	392-127-551	NEW-P	86-17-088	392-127-640	REP	86-21-092
392-127-380	AMD-P	86-17-088	392-127-551	NEW	86-21-092	392-127-640	REP-E	86-21-095
392-127-380	AMD	86-21-092	392-127-551	NEW-E	86-21-095	392-127-645	AMD-E	86-17-047
392-127-380	AMD-E	86-21-095	392-127-555	AMD-E	86-17-047	392-127-645	AMD-P	86-17-088
392-127-385	REP-E	86-17-047	392-127-555	AMD-P	86-17-088	392-127-645	AMD	86-21-092
392-127-385	REP-P	86-17-088	392-127-555	AMD	86-21-092	392-127-645	AMD-E	86-21-095
392-127-385	REP	86-21-092	392-127-555	AMD-E	86-21-095	392-127-650	AMD-E	86-17-047
392-127-385	REP-E	86-21-095	392-127-560	REP-E	86-17-047	392-127-650	AMD-P	86-17-088
392-127-386	NEW-E	86-17-047	392-127-560	REP-P	86-17-088	392-127-650	AMD	86-21-092
392-127-386	NEW-P	86-17-088	392-127-560	REP	86-21-092	392-127-650	AMD-E	86-21-095
392-127-386	NEW	86-21-092	392-127-560	REP-E	86-21-095	392-127-651	NEW-E	86-17-047
392-127-386	NEW-E	86-21-095	392-127-565	AMD-E	86-17-047	392-127-651	NEW-P	86-17-088
392-127-387	NEW-E	86-17-047	392-127-565	AMD-P	86-17-088	392-127-651	NEW	86-21-092
392-127-387	NEW-P	86-17-088	392-127-565	AMD	86-21-092	392-127-651	NEW-E	86-21-095
392-127-387	NEW	86-21-092	392-127-565	AMD-E	86-21-095	392-127-655	AMD-E	86-17-047
392-127-387	NEW-E	86-21-095	392-127-570	AMD-E	86-17-047	392-127-655	AMD-P	86-17-088
392-127-390	REP-E	86-17-047	392-127-570	AMD-P	86-21-092	392-127-655	AMD	86-21-092
392-127-390	REP-P	86-17-088	392-127-570	AMD	86-21-092	392-127-655	AMD-E	86-21-095
392-127-390	REP	86-21-092	392-127-570	AMD-E	86-21-095	392-127-660	REP-E	86-17-047
392-127-390	REP-E	86-21-095	392-127-570	REP-E	86-17-047	392-127-660	REP-P	86-17-088
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392-127-395	AMD-P	86-17-088	392-127-575	REP	86-21-092	392-127-660	REP-E	86-21-095
392-127-395	AMD	86-21-092	392-127-575	REP-E	86-21-095	392-127-665	AMD-E	86-17-047
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392-127-396	AMD	86-21-092	392-127-576	NEW-E	86-21-095	392-127-670	AMD-E	86-17-047
392-127-396	AMD-E	86-21-095	392-127-577	NEW-E	86-17-047	392-127-670	AMD-P	86-17-088
392-127-397	NEW-E	86-17-047	392-127-577	NEW-P	86-17-088	392-127-670	AMD	86-21-092
392-127-397	NEW-P	86-17-088	392-127-577	NEW	86-21-092	392-127-670	AMD-E	86-21-095
392-127-397	NEW	86-21-092	392-127-577	NEW-E	86-21-095	392-127-675	REP-E	86-17-047
392-127-397	NEW-E	86-21-095	392-127-578	NEW-E	86-17-047	392-127-675	REP-P	86-17-088
392-127-500	REP-E	86-17-047	392-127-578	NEW-P	86-17-088	392-127-675	REP	86-21-092
392-127-500	REP-P	86-17-088	392-127-578	NEW	86-21-092	392-127-675	REP-E	86-21-095
392-127-500	REP	86-21-092	392-127-578	NEW-E	86-21-095	392-127-676	NEW-E	86-17-047
392-127-500	REP-E	86-21-095	392-127-579	NEW-E	86-17-047	392-127-676	NEW-P	86-17-088
392-127-505	REP-E	86-17-047	392-127-579	NEW-P	86-17-088	392-127-676	NEW	86-21-092
392-127-505	REP-P	86-17-088	392-127-579	NEW	86-21-092	392-127-676	NEW-E	86-21-095
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392-127-505	REP-E	86-21-095	392-127-580	NEW-E	86-17-047	392-127-677	NEW-P	86-17-088
392-127-510	REP-E	86-17-047	392-127-580	NEW-P	86-17-088	392-127-677	NEW	86-21-092
392-127-510	REP-P	86-17-088	392-127-580	NEW	86-21-092	392-127-677	NEW-E	86-21-095
392-127-510	REP	86-21-092	392-127-580	NEW-E	86-21-095	392-127-678	NEW-E	86-17-047
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392-127-515	REP-E	86-21-095	392-127-605	REP-E	86-17-047	392-127-679	NEW-P	86-17-088
392-127-520	REP-E	86-17-047	392-127-605	REP-P	86-17-088	392-127-679	NEW	86-21-092
392-127-520	REP-P	86-17-088	392-127-605	REP	86-21-092	392-127-679	NEW-E	86-21-095
392-127-520	REP	86-21-092	392-127-610	REP-E	86-21-095	392-127-680	NEW-E	86-17-047
392-127-520	REP-E	86-21-095	392-127-610	REP-E	86-17-047	392-127-680	NEW-P	86-17-088
392-127-525	REP-E	86-17-047	392-127-610	REP-P	86-17-088	392-127-680	NEW	86-21-092
392-127-525	REP-P	86-17-088	392-127-610	REP	86-21-092	392-127-680	NEW-E	86-21-095
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392-127-530	REP-P	86-17-088	392-127-615	REP	86-21-092	392-140	NEW-C	86-20-058
392-127-530	REP	86-21-092	392-127-615	REP-E	86-21-095	392-140	NEW-C	86-21-054
392-127-530	REP-E	86-21-095	392-127-620	REP-E	86-17-047	392-140-075	NEW-P	86-05-036
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392-127-535	REP	86-21-092	392-127-620	REP-E	86-21-095	392-140-076	NEW-P	86-05-036
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392-127-540	REP-E	86-17-047	392-127-625	REP-P	86-17-088	392-140-076	NEW	86-08-075
392-127-540	REP-P	86-17-088	392-127-625	REP	86-21-092	392-140-077	NEW-P	86-05-036

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392-140-138	NEW 86-21-093	400-06-070	NEW 86-04-055	402-24-180	AMD 87-01-031
392-140-138	NEW-E 86-21-096	400-06-090	NEW 86-04-055	402-24-190	AMD-P 86-17-066
392-140-139	NEW-E 86-17-046	400-06-100	NEW 86-04-055	402-24-190	AMD 87-01-031
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392-140-139	NEW 86-21-093	400-06-120	NEW 86-04-055	402-24-215	AMD 87-01-031
392-140-139	NEW-E 86-21-096	400-06-130	NEW 86-04-055	402-28-031	AMD-P 86-17-066
392-140-140	NEW-E 86-17-046	400-06-140	NEW 86-04-055	402-28-031	AMD 87-01-031
392-140-140	NEW-P 86-17-089	400-06-150	NEW 86-04-055	402-28-032	AMD-P 86-17-066
392-140-140	NEW 86-21-093	400-06-160	NEW 86-04-055	402-28-032	AMD 87-01-031
392-140-140	NEW-E 86-21-096	400-06-170	NEW 86-04-055	402-28-035	AMD-P 86-17-066
392-140-141	NEW-E 86-17-046	400-06-180	NEW 86-04-055	402-28-035	AMD 87-01-031
392-140-141	NEW-P 86-17-089	402	AMD-C 86-20-040	402-28-040	AMD-P 86-17-066
392-140-141	NEW 86-21-093	402-10-010	AMD-P 86-17-066	402-28-040	AMD 87-01-031
392-140-141	NEW-E 86-21-096	402-12-030	AMD-P 86-17-066	402-28-091	AMD-P 86-17-066
392-140-142	NEW-E 86-17-046	402-12-030	AMD 87-01-031	402-28-091	AMD 87-01-031
392-140-142	NEW-P 86-17-089	402-12-050	AMD-P 86-17-066	402-28-101	AMD-P 86-17-066
392-140-142	NEW-E 86-21-096	402-12-050	AMD 87-01-031	402-28-101	AMD 87-01-031
392-140-143	NEW-E 86-17-046	402-12-140	AMD-P 86-17-066	402-32-020	AMD-P 86-17-066
392-140-143	NEW-P 86-17-089	402-12-140	AMD 87-01-031	402-32-020	AMD 87-01-031
392-140-143	NEW-E 86-21-096	402-12-200	AMD-P 86-17-066	402-32-100	AMD-P 86-17-066
392-140-144	NEW-E 86-17-046	402-12-200	AMD 87-01-031	402-32-100	AMD 87-01-031
392-140-144	NEW-P 86-17-089	402-12-210	AMD-P 86-17-066	402-34-140	AMD-P 86-17-066
392-140-144	NEW-E 86-21-096	402-12-210	AMD 87-01-031	402-34-140	AMD 87-01-031
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392-140-145	NEW-P 86-17-089	402-19-190	AMD 87-01-031	402-34-210	AMD 87-01-031
392-140-145	NEW-E 86-21-096	402-19-250	AMD-P 86-17-066	402-36-070	AMD-P 86-17-066
392-165-500	AMD-P 86-11-027	402-19-250	AMD 87-01-031	402-36-070	AMD 87-01-031
392-165-500	AMD 86-15-048	402-19-300	AMD-P 86-17-066	402-38-010	NEW-P 86-17-066
392-171	AMD-C 86-03-060	402-19-300	AMD 87-01-031	402-38-010	NEW 87-01-031
392-171-315	AMD 86-06-007	402-19-350	AMD-P 86-17-066	402-38-025	NEW-P 86-17-066
392-171-351	AMD 86-06-007	402-19-350	AMD 87-01-031	402-38-025	NEW 87-01-031
392-171-358	AMD 86-06-007	402-19-400	AMD-P 86-17-066	402-38-030	NEW-P 86-17-066
392-171-366	AMD 86-06-007	402-19-400	AMD 87-01-031	402-38-030	NEW 87-01-031
392-171-371	AMD 86-06-007	402-19-530	AMD-E 86-09-025	402-38-040	NEW-P 86-17-066
392-171-512	NEW 86-06-007	402-19-530	AMD-P 86-09-026	402-38-040	NEW 87-01-031
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392-171-514	NEW 86-06-007	402-19-530	AMD-E 86-11-020	402-38-060	NEW 87-01-031
392-171-516	AMD 86-06-007	402-19-530	AMD 86-17-027	402-38-080	NEW-P 86-17-066
392-171-517	NEW 86-06-007	402-19-540	NEW 86-17-027	402-38-080	NEW 87-01-031
392-171-518	NEW 86-06-007	402-19-580	AMD-P 86-17-066	402-38-100	NEW-P 86-17-066
392-171-519	NEW 86-06-007	402-19-580	AMD 87-01-031	402-38-100	NEW 87-01-031
392-171-531	AMD 86-06-007	402-19-590	AMD-P 86-17-066	402-38-120	NEW-P 86-17-066
392-171-706	AMD 86-06-007	402-19-590	AMD 87-01-031	402-38-120	NEW 87-01-031
392-182-005	AMD-P 86-11-028	402-21-050	AMD-P 86-17-066	402-38-140	NEW-P 86-17-066
392-182-005	AMD 86-15-050	402-21-050	AMD 87-01-031	402-38-140	NEW 87-01-031
392-182-010	AMD-P 86-11-028	402-22-040	AMD-P 86-17-066	402-38-160	NEW-P 86-17-066
392-182-010	AMD 86-15-050	402-22-040	AMD 87-01-031	402-38-160	NEW 87-01-031
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392-196-005	AMD 86-15-049	402-22-045	AMD 87-01-031	402-38-180	NEW 87-01-031
392-196-065	REP-P 86-17-086	402-22-065	AMD-P 86-17-066	402-38-200	NEW-P 86-17-066
392-196-065	REP 86-20-069	402-22-065	AMD 87-01-031	402-38-200	NEW 87-01-031
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392-210-005	AMD 86-15-051	402-22-070	AMD 87-01-031	402-38-220	NEW 87-01-031
392-210-025	AMD-E 86-07-038	402-22-150	AMD-P 86-17-066	402-38-240	NEW-P 86-17-066
392-210-025	AMD-P 86-11-030	402-22-150	AMD 87-01-031	402-38-240	NEW 87-01-031
392-210-025	AMD 86-15-051	402-22-200	AMD-P 86-17-066	402-38-260	NEW-P 86-17-066
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399-30-040	AMD-E 86-14-054	402-22-240	AMD 87-01-031	402-38-280	NEW 87-01-031
399-30-040	AMD 86-18-009	402-24-020	AMD-P 86-17-066	402-38-300	NEW-P 86-17-066
399-30-060	AMD-P 86-14-053	402-24-020	AMD 87-01-031	402-38-300	NEW 87-01-031
399-30-060	AMD-E 86-14-054	402-24-040	AMD-P 86-17-066	402-38-320	NEW-P 86-17-066
399-30-060	AMD 86-18-009	402-24-040	AMD 87-01-031	402-38-320	NEW 87-01-031
400-04-010	NEW 86-04-054	402-24-050	AMD-P 86-17-066	402-38-340	NEW-P 86-17-066
400-04-020	NEW 86-04-054	402-24-050	AMD 87-01-031	402-38-340	NEW 87-01-031
400-04-040	NEW 86-04-054	402-24-085	AMD-P 86-17-066	402-38-360	NEW-P 86-17-066
400-04-504	NEW 86-04-054	402-24-085	AMD 87-01-031	402-38-360	NEW 87-01-031
400-04-510	NEW 86-04-054	402-24-090	AMD-P 86-17-066	402-38-380	NEW-P 86-17-066
400-04-680	NEW 86-04-054	402-24-090	AMD 87-01-031	402-38-380	NEW 87-01-031
400-04-902	NEW 86-04-054	402-24-125	AMD-P 86-17-066	402-38-400	NEW-P 86-17-066
400-04-910	NEW 86-04-054	402-24-125	AMD 87-01-031	402-38-400	NEW 87-01-031
400-04-995	NEW 86-04-054	402-24-135	AMD-P 86-17-066	402-38-420	NEW-P 86-17-066
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400-06-020	NEW 86-04-055	402-24-158	NEW-P 86-17-066	402-38-440	NEW-P 86-17-066

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402-38-500	NEW	87-01-031	402-61-280	NEW-P	86-17-066	434-57	AMD	86-08-045
402-44-120	AMD-P	86-17-066	402-61-280	NEW	87-01-031	434-57-010	NEW-P	86-05-053
402-44-120	AMD	87-01-031	402-61-290	NEW-P	86-17-066	434-57-010	NEW-E	86-08-044
402-48-010	AMD-P	86-17-066	402-61-290	NEW	87-01-031	434-57-010	NEW	86-08-045
402-48-010	AMD	87-01-031	402-61-300	NEW-P	86-17-066	434-57-020	NEW-P	86-05-053
402-48-020	AMD-P	86-17-066	402-61-300	NEW	87-01-031	434-57-020	NEW-E	86-08-044
402-48-020	AMD	87-01-031	402-61-310	NEW-P	86-17-066	434-57-020	NEW	86-08-045
402-48-040	AMD-P	86-17-066	402-61-310	NEW	87-01-031	434-57-030	AMD-P	86-05-053
402-48-040	AMD	87-01-031	402-61-320	NEW-P	86-17-066	434-57-030	AMD-E	86-08-044
402-48-070	AMD-P	86-17-066	402-61-320	NEW	87-01-031	434-57-030	AMD	86-08-045
402-48-070	AMD	87-01-031	402-61-330	NEW-P	86-17-066	434-57-040	NEW-P	86-05-053
402-48-080	AMD-P	86-17-066	402-61-330	NEW	87-01-031	434-57-040	NEW-E	86-08-044
402-48-080	AMD	87-01-031	402-61-340	NEW-P	86-17-066	434-57-040	NEW	86-08-045
402-52-050	NEW-P	86-17-066	402-61-340	NEW	87-01-031	434-57-050	NEW-P	86-05-053
402-52-050	NEW	87-01-031	402-62-010	NEW-P	86-17-066	434-57-050	NEW-E	86-08-044
402-52-090	NEW-P	86-11-019	402-62-010	NEW	87-01-031	434-57-050	NEW	86-08-045
402-52-090	NEW-E	86-11-020	402-62-020	NEW-P	86-17-066	434-57-070	NEW-P	86-05-053
402-52-090	NEW-E	86-17-026	402-62-020	NEW	87-01-031	434-57-070	NEW-E	86-08-044
402-52-090	NEW	86-17-027	402-62-030	NEW-P	86-17-066	434-57-070	NEW	86-08-045
402-52-100	AMD-P	86-17-066	402-62-030	NEW	87-01-031	434-57-080	NEW-P	86-05-053
402-52-100	AMD	87-01-031	402-62-040	NEW-P	86-17-066	434-57-080	NEW-E	86-08-044
402-52-300	NEW-P	86-17-066	402-62-040	NEW	87-01-031	434-57-080	NEW	86-08-045
402-52-300	NEW	87-01-031	402-62-050	NEW-P	86-17-066	434-57-090	NEW-P	86-05-053
402-61-010	NEW-P	86-17-066	402-62-050	NEW	87-01-031	434-57-090	NEW-E	86-08-044
402-61-010	NEW	87-01-031	402-62-060	NEW-P	86-17-066	434-57-090	NEW	86-08-045
402-61-020	NEW-P	86-17-066	402-62-060	NEW	87-01-031	434-57-100	NEW-P	86-05-053
402-61-020	NEW	87-01-031	402-62-070	NEW-P	86-17-066	434-57-100	NEW-E	86-08-044
402-61-020	NEW	87-01-031	402-62-070	NEW	87-01-031	434-57-100	NEW	86-08-045
402-61-030	NEW-P	86-17-066	402-62-080	NEW-P	86-17-066	434-57-120	NEW-P	86-05-053
402-61-030	NEW	87-01-031	402-62-080	NEW	87-01-031	434-57-120	NEW-E	86-08-044
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402-61-040	NEW	87-01-031	402-62-090	NEW	87-01-031	434-57-130	NEW-P	86-05-053
402-61-050	NEW-P	86-17-066	402-70-010	AMD-P	86-17-066	434-57-130	NEW-E	86-08-044
402-61-050	NEW	87-01-031	402-70-010	AMD	87-01-031	434-57-130	NEW	86-08-045
402-61-060	NEW-P	86-17-066	402-70-020	AMD-P	86-17-066	434-57-150	NEW-P	86-05-053
402-61-060	NEW	87-01-031	402-70-020	AMD	87-01-031	434-57-150	NEW-E	86-08-044
402-61-070	NEW-P	86-17-066	402-70-030	AMD-P	86-17-066	434-57-150	NEW	86-08-045
402-61-070	NEW	87-01-031	402-70-030	AMD	87-01-031	440-44-035	AMD-P	86-09-031
402-61-080	NEW-P	86-17-066	402-70-040	AMD-P	86-17-066	440-44-035	AMD	86-12-049
402-61-080	NEW	87-01-031	402-70-050	AMD	87-01-031	440-44-040	AMD-P	86-09-031
402-61-090	NEW-P	86-17-066	402-70-050	AMD	87-01-031	440-44-040	AMD	86-12-049
402-61-090	NEW	87-01-031	402-70-070	AMD-P	86-17-066	440-44-050	RE-AD-P	86-04-025
402-61-100	NEW-P	86-17-066	402-70-070	AMD	87-01-031	440-44-050	RE-AD	86-08-054
402-61-100	NEW	87-01-031	402-70-080	NEW-P	86-17-066	440-44-057	RE-AD-P	86-04-025
402-61-110	NEW-P	86-17-066	402-70-080	NEW	87-01-031	440-44-057	RE-AD	86-08-054
402-61-110	NEW	87-01-031	402-70-090	AMD-P	86-17-066	440-44-059	NEW-P	86-09-031
402-61-120	NEW-P	86-17-066	402-70-090	AMD	87-01-031	440-44-059	NEW	86-12-039
402-61-120	NEW	87-01-031	402-80-010	NEW-P	86-17-066	440-44-061	AMD-P	86-14-006
402-61-130	NEW-P	86-17-066	402-80-010	NEW	87-01-031	440-44-061	AMD-E	86-14-007
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402-61-150	NEW-P	86-17-066	402-80-030	NEW	87-01-031	446-55-005	NEW-P	87-01-100
402-61-150	NEW	87-01-031	402-80-040	NEW-P	86-17-066	446-55-005	NEW-E	87-01-101
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402-61-160	NEW	87-01-031	402-80-050	NEW-P	86-17-066	446-55-010	NEW	86-08-067
402-61-170	NEW-P	86-17-066	402-80-050	NEW	87-01-031	446-55-020	NEW-P	86-05-015
402-61-170	NEW	87-01-031	402-80-060	NEW-P	86-17-066	446-55-020	NEW	86-08-067
402-61-180	NEW-P	86-17-066	402-80-060	NEW	87-01-031	446-55-020	AMD-P	87-01-100
402-61-180	NEW	87-01-031	402-80-070	NEW-P	86-17-066	446-55-020	AMD-E	87-01-101
402-61-190	NEW-P	86-17-066	402-80-070	NEW	87-01-031	446-55-030	NEW-P	86-05-015
402-61-190	NEW	87-01-031	402-80-080	NEW-P	86-17-066	446-55-030	NEW	86-08-067
402-61-200	NEW-P	86-17-066	402-80-080	NEW	87-01-031	446-55-030	AMD-P	87-01-100
402-61-200	NEW	87-01-031	402-80-090	NEW-P	86-17-066	446-55-030	AMD-E	87-01-101
402-61-210	NEW-P	86-17-066	402-80-090	NEW	87-01-031	446-55-040	NEW-P	86-05-015
402-61-210	NEW	87-01-031	402-80-100	NEW-P	86-17-066	446-55-040	NEW	86-08-067
402-61-220	NEW-P	86-17-066	402-80-100	NEW	87-01-031	446-55-050	NEW-P	86-05-015
402-61-220	NEW	87-01-031	415-02-090	AMD-P	86-04-080	446-55-050	NEW	86-08-067
402-61-230	NEW-P	86-17-066	415-02-090	AMD	86-07-026	446-55-060	NEW-P	86-05-015
402-61-230	NEW	87-01-031	415-02-090	AMD-E	86-09-037	446-55-060	NEW	86-08-067
402-61-240	NEW-P	86-17-066	415-02-090	AMD-P	86-09-052	446-55-060	AMD-P	87-01-100
402-61-240	NEW	87-01-031	415-02-090	AMD	86-13-022	446-55-060	AMD-E	87-01-101
402-61-250	NEW-P	86-17-066	415-108-500	NEW-E	86-09-066	446-55-070	NEW-P	86-05-015
402-61-250	NEW	87-01-031	415-108-500	NEW-P	86-09-067	446-55-070	NEW	86-08-067
402-61-260	NEW-P	86-17-066	415-108-500	NEW	86-13-023	446-55-080	NEW-P	86-05-015
402-61-260	NEW	87-01-031	419-36-090	NEW	86-04-068			

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446-55-100	NEW 86-08-067	448-12-020	AMD-P 86-15-073	458-20-102	AMD 86-09-058
446-55-110	NEW-P 86-05-015	448-12-020	AMD-E 86-15-074	458-20-107	AMD 86-03-016
446-55-110	NEW 86-08-067	448-12-020	AMD 86-20-085	458-20-113	AMD-P 86-17-077
446-55-120	NEW-P 86-05-015	448-12-210	AMD 86-05-003	458-20-113	AMD 86-20-027
446-55-120	NEW 86-08-067	448-12-210	AMD-P 86-13-027	458-20-119	AMD 86-03-016
446-55-130	NEW-P 86-05-015	448-12-210	AMD-E 86-13-028	458-20-122	AMD-P 86-03-043
446-55-130	NEW 86-08-067	448-12-210	AMD 86-16-058	458-20-122	AMD-P 86-06-047
446-55-140	NEW-P 86-05-015	448-12-220	AMD 86-05-003	458-20-122	AMD 86-09-058
446-55-140	NEW 86-08-067	448-12-220	AMD-P 86-13-027	458-20-122	AMD-P 86-18-068
446-55-150	NEW-P 86-05-015	448-12-220	AMD-E 86-13-028	458-20-122	AMD 86-21-085
446-55-150	NEW 86-08-067	448-12-220	AMD 86-16-058	458-20-132	AMD-P 86-05-043
446-55-160	NEW-P 86-05-015	448-12-230	AMD 86-05-003	458-20-132	AMD 86-09-002
446-55-160	NEW 86-08-067	448-12-230	AMD-P 86-13-027	458-20-134	AMD-P 86-17-077
446-55-165	NEW-P 86-05-015	448-12-230	AMD-E 86-13-028	458-20-134	AMD 86-20-027
446-55-165	NEW 86-08-067	448-12-230	AMD 86-16-058	458-20-135	AMD-P 86-03-043
446-55-170	NEW-P 86-05-015	448-12-240	AMD 86-05-003	458-20-135	AMD-P 86-06-047
446-55-170	NEW 86-08-067	448-12-250	AMD 86-05-003	458-20-135	AMD 86-09-058
446-55-170	AMD-P 87-01-100	448-12-250	AMD-P 86-13-027	458-20-136	AMD-P 86-17-077
446-55-170	AMD-E 87-01-101	448-12-250	AMD-E 86-13-028	458-20-136	AMD 86-20-027
446-55-180	NEW-P 86-05-015	448-12-250	AMD 86-16-058	458-20-157	AMD-P 86-18-068
446-55-180	NEW 86-08-067	448-12-270	AMD 86-05-003	458-20-157	AMD 86-21-085
446-55-180	AMD-P 87-01-100	448-12-280	AMD 86-05-003	458-20-17001	NEW-P 86-07-056
446-55-180	AMD-E 87-01-101	448-12-300	AMD 86-05-003	458-20-17001	NEW 86-10-016
446-55-190	NEW-P 86-05-015	448-12-310	REP 86-05-003	458-20-175	AMD-P 86-03-043
446-55-190	NEW 86-08-067	448-12-320	AMD 86-05-003	458-20-175	AMD 86-07-005
446-55-200	NEW-P 86-05-015	448-12-320	AMD-P 86-13-027	458-20-178	AMD-P 86-16-064
446-55-200	NEW 86-08-067	448-12-320	AMD-E 86-13-028	458-20-178	AMD-C 86-19-067
446-55-200	REP-P 87-01-100	448-12-320	AMD 86-16-058	458-20-178	AMD-C 86-21-083
446-55-200	REP-E 87-01-101	448-12-330	AMD 86-05-003	458-20-178	AMD-C 86-23-033
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446-55-210	REP-P 87-01-100	458-15-010	NEW-P 87-01-041	458-20-179	REVIEW 86-14-093
446-55-210	REP-E 87-01-101	458-15-015	NEW-P 87-01-041	458-20-179	AMD-P 86-15-081
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446-55-250	NEW 86-08-067	458-16-150	AMD-P 86-09-003	458-20-224	AMD-P 86-15-081
446-55-260	NEW-P 86-05-015	458-16-150	AMD 86-12-034	458-20-224	AMD 86-18-069
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446-55-270	NEW-P 86-05-015	458-16-210	AMD 86-12-034	458-20-240	AMD-P 86-10-050
446-55-270	NEW 86-08-067	458-16-220	AMD-P 86-09-003	458-20-240	AMD-C 86-13-061
446-55-280	NEW-P 86-05-015	458-16-220	AMD 86-12-034	458-20-240	AMD 86-14-019
446-55-280	NEW 86-08-067	458-16-230	AMD-P 86-09-003	458-20-24001	AMD-E 86-10-049
446-60-005	NEW-P 87-01-100	458-16-230	AMD 86-12-034	458-20-24001	AMD-P 86-10-050
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446-60-010	NEW-P 86-05-015	458-16-240	AMD 86-12-034	458-20-24001	AMD 86-14-019
446-60-010	NEW 86-08-067	458-16-260	AMD-P 87-01-038	458-20-24002	AMD-E 86-10-049
446-60-015	NEW-P 87-01-100	458-16-280	AMD-P 86-09-003	458-20-24002	AMD-P 86-10-050
446-60-015	NEW-E 87-01-101	458-16-280	AMD 86-12-034	458-20-24002	AMD-C 86-13-061
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446-60-020	NEW 86-08-067	458-16-282	AMD 86-12-034	458-20-244	AMD-P 86-18-068
446-60-020	AMD-P 87-01-100	458-17	AMD-P 86-16-078	458-20-244	AMD 86-21-085
446-60-020	AMD-E 87-01-101	458-17	AMD 86-21-003	458-20-247	AMD 86-04-024
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446-60-030	NEW 86-08-067	458-17-100	REP 86-21-003	458-20-248	NEW-P 86-06-048
446-60-040	NEW-P 86-05-015	458-17-105	NEW-P 86-16-078	458-20-248	NEW 86-09-016
446-60-040	NEW 86-08-067	458-17-105	NEW 86-21-003	458-20-249	NEW-P 86-03-042
446-60-050	NEW-P 86-05-015	458-17-110	NEW-P 86-16-078	458-20-249	NEW 86-07-006
446-60-050	NEW 86-08-067	458-17-110	NEW 86-21-003	458-20-250	NEW-E 86-12-075
446-60-060	NEW-P 86-05-015	458-17-115	NEW-P 86-16-078	458-20-250	NEW-P 86-12-076
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446-60-070	NEW-P 86-05-015	458-17-120	NEW-P 86-16-078	458-20-251	NEW-P 86-15-081
446-60-070	NEW 86-08-067	458-17-120	NEW 86-21-003	458-20-251	NEW 86-18-069
446-60-080	NEW-P 86-05-015	458-19-100	NEW-E 87-01-021	458-30-145	AMD-P 86-06-008
446-60-080	NEW 86-08-067	458-19-105	NEW-E 87-01-021	458-30-145	AMD 86-09-088

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458-30-530	NEW-P	87-01-040	458-40-18722	NEW	86-14-064	458-61-080	AMD-P	86-13-010
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458-30-550	NEW-P	87-01-040	458-40-19000	REP-P	86-22-063	458-61-080	AMD-P	86-23-023
458-30-560	NEW-P	87-01-040	458-40-19001	REP-P	86-22-063	458-61-100	AMD-P	86-13-010
458-30-570	NEW-P	87-01-040	458-40-19002	REP-P	86-22-063	458-61-100	AMD	86-16-080
458-30-580	NEW-P	87-01-040	458-40-19003	REP-P	86-22-063	458-61-150	NEW-P	86-13-010
458-30-590	NEW-P	87-01-040	458-40-19004	REP-P	86-22-063	458-61-150	NEW	86-16-080
458-40-010	REP-P	86-22-063	458-40-19005	REP-P	86-22-063	458-61-150	AMD-P	86-23-023
458-40-020	REP-P	86-22-063	458-40-19100	REP-P	86-22-063	458-61-210	AMD-P	86-13-010
458-40-025	REP-P	86-22-063	458-40-19101	REP-P	86-22-063	458-61-210	AMD	86-16-080
458-40-026	REP-P	86-22-063	458-40-19102	REP-P	86-22-063	458-61-210	AMD-E	86-19-013
458-40-027	REP-P	86-22-063	458-40-19103	REP-P	86-22-063	458-61-210	AMD-P	86-23-023
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458-40-030	REP-P	86-22-063	458-40-19106	REP-P	86-22-063	458-61-230	AMD	86-16-080
458-40-040	REP-P	86-22-063	458-40-19107	REP-P	86-22-063	458-61-290	AMD-P	86-13-010
458-40-050	REP-P	86-22-063	458-40-19108	REP-P	86-22-063	458-61-290	AMD	86-16-080
458-40-060	REP-P	86-22-063	458-40-19109	REP-P	86-22-063	458-61-320	AMD-P	86-13-010
458-40-070	REP-P	86-22-063	458-40-19110	REP-P	86-22-063	458-61-320	AMD	86-16-080
458-40-080	REP-P	86-22-063	458-40-19300	REP-P	86-22-063	458-61-335	NEW-P	86-23-023
458-40-090	REP-P	86-22-063	458-40-300	REP-P	86-22-063	458-61-410	AMD-P	86-13-010
458-40-100	REP-P	86-22-063	458-40-310	REP-P	86-22-063	458-61-410	AMD	86-16-080
458-40-10001	REP-P	86-22-063	458-40-320	REP-P	86-22-063	458-61-425	NEW-P	86-13-010
458-40-110	REP-P	86-22-063	458-40-330	REP-P	86-22-063	458-61-425	NEW	86-16-080
458-40-120	REP-P	86-22-063	458-40-340	REP-P	86-22-063	458-61-490	REP-P	86-13-010
458-40-121	REP-P	86-22-063	458-40-350	REP-P	86-22-063	458-61-490	AMD-E	86-19-013
458-40-130	REP-P	86-22-063	458-40-360	REP-P	86-22-063	458-61-490	AMD-P	86-23-023
458-40-140	REP-P	86-22-063	458-40-370	REP-P	86-22-063	458-61-490	AMD-E	87-01-004
458-40-150	REP-P	86-22-063	458-40-380	REP-P	86-22-063	458-61-500	AMD-P	86-13-010
458-40-160	REP-P	86-22-063	458-40-500	NEW-P	86-22-063	458-61-500	AMD	86-16-080
458-40-161	REP-P	86-22-063	458-40-510	NEW-P	86-22-063	458-61-540	AMD-P	86-13-010
458-40-162	REP-P	86-22-063	458-40-520	NEW-P	86-22-063	458-61-540	AMD	86-16-080
458-40-163	REP-P	86-22-063	458-40-530	NEW-P	86-22-063	458-61-545	NEW-P	86-13-010
458-40-164	REP-P	86-22-063	458-40-535	NEW-P	86-22-063	458-61-545	NEW	86-16-080
458-40-165	REP-P	86-22-063	458-40-540	NEW-P	86-22-063	458-61-550	AMD-P	86-13-010
458-40-166	REP-P	86-22-063	458-40-600	NEW-P	86-22-063	458-61-550	AMD	86-16-080
458-40-167	REP-P	86-22-063	458-40-610	NEW-P	86-22-063	458-61-555	NEW-P	86-13-010
458-40-168	REP-P	86-22-063	458-40-620	NEW-P	86-22-063	458-61-555	NEW	86-16-080
458-40-169	REP-P	86-22-063	458-40-622	NEW-P	86-22-063	458-61-570	AMD-P	86-13-010
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458-40-18690	REP-P	86-22-063	458-40-630	NEW-P	86-22-063	458-61-580	NEW-P	86-13-010
458-40-18691	REP-P	86-22-063	458-40-632	NEW-P	86-22-063	458-61-590	AMD-P	86-13-010
458-40-18692	REP-P	86-22-063	458-40-634	NEW-P	86-22-063	458-61-590	AMD	86-16-080
458-40-18693	REP-P	86-22-063	458-40-636	NEW-P	86-22-063	458-61-650	AMD-P	86-13-010
458-40-18694	REP-P	86-22-063	458-40-640	NEW-P	86-22-063	458-61-650	AMD	86-16-080
458-40-18695	REP-P	86-22-063	458-40-650	NEW-P	86-22-063	458-61-670	AMD-P	86-13-010
458-40-18696	REP-P	86-22-063	458-40-660	NEW-P	86-22-063	458-61-670	AMD	86-16-080
458-40-18700	AMD-P	86-10-054	458-40-670	NEW-P	86-22-063	458-61-700	NEW-P	86-13-010
458-40-18700	AMD-E	86-14-063	458-40-680	NEW-P	86-22-063	460-10A-160	AMD	86-11-034
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458-40-18704	AMD-E	86-14-063	458-40-690	NEW-P	86-22-063	460-33A-010	AMD	86-21-107
458-40-18704	AMD	86-14-064	458-53-030	AMD-P	86-16-079	460-33A-015	AMD-P	86-17-061
458-40-18704	REP-P	86-22-063	458-53-030	AMD	86-21-004	460-33A-015	AMD-E	86-17-062
458-40-18706	AMD-P	86-10-054	458-53-051	AMD-P	86-16-079	460-33A-015	AMD	86-21-107
458-40-18706	AMD-E	86-14-063	458-53-051	AMD	86-21-004	460-33A-016	REP-P	86-17-061
458-40-18706	AMD	86-14-064	458-53-110	AMD-P	86-16-079	460-33A-016	REP-E	86-17-062
458-40-18706	REP-P	86-22-063	458-53-110	AMD	86-21-004	460-33A-016	REP	86-21-107
458-40-18711	REP-P	86-22-063	458-53-130	AMD-P	86-16-079	460-33A-017	AMD-P	86-17-061
458-40-18712	REP-P	86-22-063	458-53-130	AMD	86-21-004	460-33A-017	AMD-E	86-17-062
458-40-18713	REP-P	86-22-063	458-53-150	AMD-P	86-16-079	460-33A-017	AMD	86-21-107
458-40-18714	REP-P	86-22-063	458-53-150	AMD	86-21-004	460-33A-020	AMD-P	86-17-061
458-40-18715	REP-P	86-22-063	458-53-160	AMD-P	86-16-079	460-33A-020	AMD-E	86-17-062
458-40-18716	REP-P	86-22-063	458-53-160	AMD	86-21-004	460-33A-020	AMD	86-21-107
458-40-18717	REP-P	86-22-063	458-57-570	AMD-P	86-09-051	460-33A-025	AMD-P	86-17-061
458-40-18718	REP-P	86-22-063	458-57-570	AMD	86-12-024	460-33A-025	AMD-E	86-17-062
458-40-18719	REP-P	86-22-063	458-57-610	AMD-P	86-09-051	460-33A-025	AMD	86-21-107
458-40-18720	REP-P	86-22-063	458-57-610	AMD	86-12-024	460-33A-030	AMD-P	86-17-061
458-40-18721	NEW-P	86-10-054	458-61-030	AMD-P	86-13-010	460-33A-030	AMD-E	86-17-062
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460-33A-085	AMD-P	86-17-061	460-70-060	NEW-E	86-21-079	468-300-040	AMD	86-06-010
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460-33A-125	NEW-E	86-17-062	463-42-665	NEW-P	86-21-012	478-138-050	AMD-P	86-11-031
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460-44A-501	AMD-P	86-11-035	468-30-060	AMD-C	86-14-062	478-355-050	NEW-P	86-04-009
460-44A-501	AMD-E	86-14-087	468-30-060	AMD	86-18-039	478-355-050	NEW	86-08-027
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480-12-196	NEW-E	86-03-088	480-120-033	NEW-P	86-09-022	490-800-010	AMD-E	86-20-068
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